



City of
Peterborough

Committee of Adjustment

Hearing Date: October 1, 2019

Staff Comments Regarding Files: B16/19, B17/19, B18/19, A45/19, B19/19, A46/19, A48/19, B14/19, A50/19, A51/19, A52/19, and A53/19

B16/19 – 175 Hunter Street East – TVM 175 Hunter Street East Inc.

B17/19 – 185 Hunter Street East – TVM 186 Hunter Street East Inc.

B18/19 – 384 Rogers Street – TVM 384 Rogers Street Inc.

The subject properties form part of a campus of properties that are part of the redevelopment of the former St. Joseph's Hospital property in East City. The subject properties are zoned SP.356 and designated Hunter Street East Business District of the Central Area according to Schedule J to the City's Official Plan.

The applicant is seeking a series of consents for easements (the "Subject Applications") to facilitate the ongoing development of Phase 5 – 195 Hunter Street East, a 91-unit condominium apartment building. Submitting the Subject Applications is a required step of the applicant's Site Plan Approval process, which is ongoing concurrently with this Committee's consideration of the Subject Applications.

Referring to the attached plan (Exhibit A), the applicant is seeking the following easements, all in favour of 195 Hunter Street East:

- B16/19 - 175 Hunter Street East: to facilitate vehicular access to 195 Hunter Street East from both Rogers Street and Hunter Street East;
- B17/19 - 185 Hunter Street East: to facilitate vehicular access to 195 Hunter Street East from Hunter Street East and to provide for a below grade utility easement; and
- B18/19 - 384 Rogers Street: to facilitate vehicular access to 195 Hunter Street East from Rogers Street.

The Otonabee Region Conservation Authority (ORCA) has reviewed the Subject Applications and notes that the proposal is consistent with Section 3.1 (Natural Hazards), 2.1 (Natural Heritage), and 2.2 (Water) of the Provincial Policy Statement.

The proposed consent applications continue to implement the zoning district applicable to this campus of properties and buildings, as well as the intent set forth in the Hunter Street Business District policies of the Official Plan. Staff recommends that the Committee of Adjustment approve the Subject Applications, conditional upon the following:

1. That the PINs associated with the lands known municipally as 195 Hunter Street East and 345 Armour Road be consolidated into one parcel (as directed in previous consent application B18/18);
2. Prior to registering the Reference Plan, the applicant shall, at its cost, submit for approval a draft Reference Plan to the Secretary-Treasurer, showing the proposed severed parcel. Upon registration of the approved Reference Plan, two copies of the registered reference will be provided to the Secretary-Treasurer;
3. A closed polygon vector file of the Part boundaries shown on the Reference Plan is to be provided in Autodesk DWG NAD83 UTM CSRS CGVD28 projection Windows-readable format to the satisfaction of the City of Peterborough Geomatics/Mapping Division. It is recommended that the applicant's Ontario Land Surveyor consult with the City of Peterborough Geomatics/Mapping Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document.
4. That the applicant provide the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and,
5. That if the above conditions are not satisfied within 365 days of the circulation of the Committee's decision that this consent will lapse.

A45/19 – 220 Denne Crescent – Don Hendry, Paul Hendry and Gilbert Hendry Estate / Don Hendry

The subject property is located on the north side of Denne Crescent, in the City's southeast end. The property is zoned R.1, 2r and is designated Residential on Schedule A to the City's Official Plan. The property is currently developed with a raised bungalow.

The applicant is proposing to construct a detached two-car garage on the subject property (Exhibit B). Garages are considered residential accessory structures, and are limited to 10% lot coverage in section 6.18 of the Zoning By-law. The applicant is seeking an increase to 13.2% lot coverage for residential accessory structures, which will permit the construction of a 54 square metre (24' by 24') garage.

The applicant is aware that the construction of the new detached garage may require the removal of the existing sheds/temporary garages on the subject property, so as to ensure compliance with the requested relief for accessory building coverage.

The proposed garage will be constructed to meet the other setback requirements of the Zoning By-law and will be situated in a location that would commonly host a detached garage. The overall lot coverage will fall below the 45% limitation for this property. Considering the lot configuration, a portion of the lot is 'removed' due to the cul-de-sac design. If this was a regularly shaped lot, there would have been more than enough lot area to support the size of garage that is being proposed.

The Otonabee Region Conservation Authority (ORCA) has reviewed the subject application and notes that the proposal is consistent with Section 3.1 (Natural Hazards), 2.1 (Natural Heritage), and 2.2 (Water) of the Provincial Policy Statement.

The Ministry of Transportation (MTO) has provided comment as this property falls within their development control area. MTO has no objection to the requested minor variance, however, it requests being kept informed while the application is processed.

Staff has considered the residential nature of the property and surrounding neighbourhood and consider the addition of a detached garage to be consistent with the residential zoning and designation of the subject property. The request is considered minor and will result in desirable development of the land. Staff recommends that the Committee of Adjustment approve the subject application.

B19/19 and A46/19 – 87 London Street – Susan Cooper and Oliver Strong

The subject property is located on the south side of London Street, east of the intersection of Water and London Streets, north of the City's Central Area. The property is developed with a duplex dwelling, that is Listed on the City's Heritage Register. The property is zoned R.1, R.2, R.3, R.4 and is designated Residential on Schedule A to the City's Official Plan.

The applicants (the owners of 87 London Street) are seeking consent for a lot addition to the adjacent property, 83 London Street. The purpose of this lot addition is to provide parking for 83 London Street, which currently has zero capacity for on-site parking. The applicants are proposing to convey a 3 metre by 21.64 metre parcel of land to the owner of 83 London Street (Exhibit C). The resulting parking on both properties will meet the minimum requirements in the Zoning By-law and will provide a long term solution for parking at 83 London Street.

As the lot dimensions of 87 London Street will change as a result of this application, an accompanying minor variance request has also been submitted (A46/19). This application seeks relief from the minimum lot area per unit and lot width per unit of the R.2 zoning district as follows:

- a) Reduce the minimum lot width per unit from 9 metres to 7.1 metres; and
- b) Reduce the minimum lot area per unit from 278 square metres to 237 square metres.

The Otonabee Region Conservation Authority (ORCA) has reviewed the subject applications and notes that the proposal is consistent with Section 3.1 (Natural Hazards), 2.1 (Natural Heritage), and 2.2 (Water) of the Provincial Policy Statement.

The Development Engineer has reviewed of this application and has indicated that the owners of 87 London Street should ensure that services to the property are located on the retained parcel.

Staff has considered the location of the two dwellings in relation to the existing property lines as well as the location of the existing driveway in relation to same. There may be a need for some site improvements to occur (i.e. partial removal of the fence, grading, etc.) prior to the parking solution being realized.

The requested relief for lot area and lot width per unit is considered minor as the lot will still be able to provide the appropriate parking and amenity space to continue to support the use of 87 London Street as a duplex, while providing a parking solution for 83 London Street. Staff considers this request to be minor, will result in desirable use of the land and is in keeping with the residential zoning and designation of the subject property. Staff recommends the Committee approve the minor variance request, conditional upon submission of the registered transfer/deed of land related to file number B19/19.

With respect to the Consent application (B19/19), staff views the proposed lot addition as a sensible solution to provide parking for 83 London Street. Staff recommends that the Committee grant the requested consent conditional upon:

1. Committee of Adjustment approval of application A46/19;
2. Demonstration of the establishment of two parking spaces, in accordance with the Zoning By-law on each property;
3. Prior to registering the Reference Plan, the applicant shall, at its cost, submit a draft Reference Plan to the Secretary-Treasurer, showing the proposed severed parcel. Upon registration of the approved Reference Plan, two copies of the registered reference will be provided to the Secretary-Treasurer;
4. A closed polygon vector file of the Part boundaries shown on the Reference Plan is to be provided in Autodesk DWG NAD83 UTM CSRS CGVD28 projection Windows-readable format to the satisfaction of the City of Peterborough Geomatics/Mapping Division. It is recommended that the applicant's Ontario Land Surveyor consult with the City of Peterborough Geomatics/Mapping Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document;
5. The owner's solicitor shall provide an Undertaking to forthwith register an Application to Consolidate the severed property with the property municipally known as 83 London Street.
6. That the two parcels shall be considered as one lot and shall not be dealt with separately, Section 50 (3) or 50 (5) of the **Planning Act** shall apply to any subsequent conveyance or transaction involving the parcel of land that is subject to this Consent application;
7. That the applicant provide the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and
8. That if the above conditions are not satisfied within 365 days of the circulation of the Committee's decision that this consent will lapse.

A48/19 – 1341 Water Street – Triple T Holdings Ltd. / Neil Campbell, Aside Architects

The subject lands are located on the west side of Water Street in the north end of the City, opposite Riverview Park. The lands have historically been used as a gravel pit and are intended to be developed by Triple T Holdings Limited to support three, five-storey buildings with a combination of underground and surface parking.

The property was the subject of a Zoning By-law Amendment (By-law 18-025) approved by Council on April 9, 2018 to permit a residential development, comprised of a maximum of 96 dwelling units and associated landscaping and parking. The zoning of the property was changed from the A1(SM) – Rural District in the Township of Smith Zoning By-law 1971-17, to the R.5-324 'F' – Residential District in the City of Peterborough Zoning By-law to facilitate the change in land use. Exception 324 was introduced to the Zoning By-law to allow for site specific regulations related to minimum lot width, minimum setbacks from the south side lot line, and minimum motor vehicle parking provisions.

As part of the ongoing Site Plan Approval process the applicants have submitted a refined development plan (Exhibit D). Through the process of securing Site Plan Approval, the applicants have identified the need for relief from the minimum distance requirement between vehicular areas and windows to habitable rooms in an apartment dwelling. Despite reconfiguring the site plan and working with Planning Staff, the applicant is not able to comply with the minimum 6.0 metres and is seeking a reduction to a minimum of 1.5 metres between vehicular areas and windows of habitable rooms.

Recent changes to the **Ontario Planning Act**, R.S.O, c.P.13 (Bill 73, 2015) now prohibit applicants from applying for a Minor Variance within two years from the adoption of a Zoning Amendment that was privately initiated on the same property, unless the Council of the municipality passes a resolution to allow it to be considered. The intent of this change to the **Planning Act** is to give greater control to municipalities and provides stability by preventing zoning provisions that Council deems to be appropriate from being reversed within 2 years.

On September 23, 2019, City Council passed the following resolution with regards to the application:

- a) That a Minor Variance Application to address a variance request as described in Report IPSPD19-027, proceed to the City of Peterborough Committee of Adjustment for the property known as 1341 Water Street, being within two years of the passing of Zoning By-law Amendment No. 18-025; and
- b) That Committee of Adjustment be requested to consider the proposed variance regarding health and safety concerns relating to possible vehicular emissions in proximity to dwelling units.

In response to Council's resolution, Peterborough Public Health provided some ideas to mitigate the impacts associated with vehicle emissions. Ideas include reserving the encroaching parking spaces for electric or low emission vehicles, establishing a no-idling zone on the property, ensuring that the vehicle tailpipe is directed away from the building, and ensuring the fresh air intakes for the buildings are located away from the parking areas. Further, it is stated that if mitigation measures are implemented, they should be identified on the approved site plan and made available to residents of the property.

Peterborough Distribution Inc. (PDI) has provided comment on this application. It has indicated that clearances from electric infrastructure must meet all standards of the Electrical Safety Authority (ESA) and PDI.

At the time of writing this report, staff were still awaiting final comments from Otonabee Region Conservation Authority (ORCA), however, verbal confirmation from ORCA staff indicated that it has no concern with the proposal.

The property falls within the Peterborough Drinking Water Source Protection Area. Verbal confirmation was provided by ORCA that a Section 59 Notice has been issued by the Risk Management Official (RMO), however, a Notice reference was not provided by the reporting deadline.

Staff has considered the request, as well as specific factors pertaining to the development of the property, such as the horizontal separation distance of the under-building parking and building design features such as air conditioning and window placement. Parking is only adjacent to one side of each building. Staff is of the opinion that the Ontario Building Code will sufficiently ensure that appropriate ventilation and air flow will be enshrined in the construction of the buildings to ensure that health and safety requirements are achieved. The requested variance relief results in a development of the subject property that is in keeping with what was initially presented to Council for approval in 2018 with the rezoning application. Staff considers the requested relief to be minor and will result in a desirable redevelopment of the lands. Staff recommends that the Committee approve the requested variance, limited to the locations identified on Exhibit D of the Staff Report.

B14/19 and A50/19 – 788 Aylmer Street North – 2695867 Ontario Inc.

The subject property is located at the northeast corner of the intersection of Aylmer Street North and Aberdeen Avenue in the City's north end. The property is zoned R.1 and is designated Residential on Schedule A to the City's Official Plan. A large dwelling is situated on the property as well as two accessory structures.

The property is designated under Part IV of the **Heritage Act** and is known as "Copping House". Peterborough City By-law 10-225 identifies the protected heritage attributes of 788 Aylmer Street North. The proposed severance application is supported by a Cultural Heritage Impact Statement prepared by Wayne Morgan, Heritage Planner, dated May 2019. Following discussions with Staff, an addendum was submitted, dated September 3, 2019, also prepared by Wayne Morgan, Heritage Planner. The purpose of

the Addendum was to explore different lot widths, other than the originally requested 12.2 and 12 metres, as well as evaluate additional driveway options.

The applicant is proposing to sever two easterly 12.5 metre wide lots from the subject lands, creating two new residential lots, in compliance with the requirements of the R.1 zoning district (Exhibit E).

It is intended that the existing wooden shed would be removed and the existing garage will be retained. An accompanying minor variance application (A50/19) addresses the creation of a residential lot that recognizes the use of the land for an existing unserviced private residential garage, prior to the establishment of a residential dwelling unit.

The Residential designation of the subject property facilitates the use of the lands for single, detached, and duplex dwellings. The proposal facilitates the creation of two new residential building lots, each suitable for the construction of a single detached dwelling. The proposed lot configuration meets the minimum requirements outlined by the R.1 zone and has been accompanied by concept plans that support the possible development of the subject lands.

The subject property falls within the built boundary of the City, as delineated on Schedule A-1 – City Structure to the Official Plan. This is an area that is to see intensification through infill where development can be compatibly integrated with the existing built form and land use patterns. The proposed new lots support interests set out in the Provincial Growth Plan – A Place to Grow.

Section 2.6.1 of the Provincial Policy Statement (PPS) guides municipalities to ensure that “[s]ignificant built heritage resources ... shall be conserved”. Copping House, being designated under Part IV under the **Ontario Heritage Act**, is considered a significant built heritage resource. Conserved under the PPS policy means “... the identification, protection, management and use of built heritage resources ... in a manner that ensures their cultural heritage value or interest is retained under the **Ontario Heritage Act**”. This can be achieved by the implementation of recommendations set out in a heritage impact assessment.

A Cultural Heritage Impact Statement (CHIS) and addendum prepared by Wayne Morgan, Heritage Planner was submitted in support of this application. The findings and recommendations of this assessment have been reviewed by the Heritage Preservation Office. The Heritage Preservation Office (HPO) has reviewed the CHIS and addendum and concurs with most of the findings provided and recommendations set forth. The Heritage Preservation Office has suggested an alternative driveway option that could be considered at the time of its establishment that involves a large crescent shaped driveway on the west side of the building, having a scale large enough that it complements the approach to the house. It should not be done in asphalt but could be done in permeable pavers or pea stone. They have indicated that any alterations to the retained heritage parcel will be subject to approval by either the HPO or the Municipal Heritage Committee.

Peterborough Utilities Commission (PUC) has provided comment and has indicated that the suitability of service sizes is the responsibility of the owner, and development charges are applicable. Peterborough Distribution Inc. (PDI) has provided comment and has indicated that the owner is responsible for the costs of servicing the new lots.

The Otonabee Region Conservation Authority (ORCA) has reviewed the subject applications and notes that the proposal is consistent with Section 3.1 (Natural Hazards), 2.1 (Natural Heritage), and 2.2 (Water) of the Provincial Policy Statement.

The Development Engineer has reviewed the application and noted that sanitary, water, and utility services are required for the severed lots. A daylight triangle measuring 5 metres by 5 metres is to be conveyed to the City prior to the issuance of a consent certificate.

In consideration of the minor variance application, staff believes that this variance request is technical in nature as it is required in order to appropriately recognize the heritage value of the garage. Staff recommends that the Committee of Adjustment approve the variance relating to the garage (accessory structure) existing on a lot prior to the establishment of a residential dwelling (primary structure) conditional upon submission of the registered transfer/deed of land related to the land illustrated as Part 3 on the concept plan submitted with file number B14/19.

The subject consent application considers the creation of two 12.5 metre wide residential lots, in compliance with the Zoning By-law and as supported by the residential and growth management policies of the Official Plan. Staff recommends that the Committee of Adjustment grant the consents subject to the following conditions:

1. Approval of minor variance application A50/19;
2. Amending the designation by-law 10-125 to change the legal description so that it applies only to Part 1 of the plan of severance;
3. Designating the land illustrated as Part 3 on the concept plan submitted with the application under the Ontario Heritage Act, including reasons for designation being the Copping Garage as described in the Cultural Heritage Impact Statement;
4. That the owner enter into a Development Agreement with the City for Parts 2 and 3, as illustrated on the concept plan submitted with the application. The Agreement will address, among other details:
 - a. That the building plans be approved by the Planner of Urban Design and reviewed by the Heritage Preservation Office and the Peterborough Architectural Conservation Advisory Committee;
 - b. A maximum building height to not exceed the height of 210 Aberdeen Avenue; and
 - c. A minimum setback of 6.5 metres from the streetline of Aberdeen Avenue;

5. That a driveway be established on the retained lands, in compliance with the Zoning By-law provisions regarding driveways and parking areas (options 3 or 5 as described in the Cultural Heritage Impact Statement or a circular driveway along Aylmer Street, as suggested by the Heritage Preservation Office) to the satisfaction of the Heritage Preservation Office and the Planner, Urban Design;
6. That a fence treatment for the lot line between Part 2 illustrated on the concept plan submitted with the application and the retained lands be established, to the satisfaction of the Heritage Preservation Office, and that this fencing be limited in height to no more than 152.4 cm (60 inches);
7. Conveyance by the owner to the City, free of encumbrances and at no cost to the City, of a 5 metre by 5 metre daylight triangle;
8. Prior to registering the Reference Plan, the applicant shall, at its cost, submit for approval a draft Reference Plan to the Secretary-Treasurer, showing the proposed severed parcels, including daylight triangle. Upon registration of the approved Reference Plan, two copies of the registered Reference Plan will be provided to the Secretary-Treasurer;
9. A closed polygon vector file of the Part boundaries shown on the Reference Plan is to be provided in Autodesk DWG NAD83 UTM CSRS CGVD28 projection Windows-readable format to the satisfaction of the City of Peterborough Geomatics/Mapping Division. It is recommended that the applicant's Ontario Land Surveyor consult with the City of Peterborough Geomatics/Mapping Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document;
10. Payment of a Parks Levy in an amount to be determined by the Parks Levy Review Committee;
11. Payment of Tree Levies in the amounts of \$184.51 and \$184.64 for the two residential lots;
12. That the applicant provides the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and
13. That if the above conditions are not satisfied within 365 days of the circulation of the Committee's decision that this consent will lapse.

A51/19 – 670 Harper Road – Health Care Relocations Ltd.

The subject property is located on the east side of Harper Road, in the City's south end. The property is developed and is used as the existing Health Care Relocations location. The property is zoned M1.2 – General Industrial and is designated Industrial on Schedule A to the City's Official Plan.

The current business is expanding on site and intends to construct a new building along the south lot line that would have additional office and warehousing space to support the business (Exhibit F). It has been identified by Planning Staff that a portion of the building that is intended to be two storeys in height will require a greater building setback from the side lot line, as the requirement is 4.3 metres per storey. As such, the applicant is seeking relief from the Zoning By-law to allow the construction of the

building at 4.3 metres from the south side lot line. The proposed new building construction is subject to Site Plan Approval, and the applicants have already been in contact with the appropriate staff members regarding this process.

Peterborough Distribution Inc. (PDI) has provided comment on this application. It has indicated that the setback from the future overhead 27.6kV electric line on the east side of Harper Road must meet all Electrical Safety Authority (ESA) and PDI standards. Any costs for relocating or upgrading the electric servicing are 100% of the owner's responsibility.

The Otonabee Region Conservation Authority (ORCA) has reviewed the subject application and notes that the proposal is consistent with Section 3.1 (Natural Hazards), 2.1 (Natural Heritage), and 2.2 (Water) of the Provincial Policy Statement. As a portion of the property is located within ORCA's regulation, a permit from ORCA will be required prior to the commencement of any activities within the regulated area.

The property to the south of the subject property is City-owned. Adjacent to the City-owned parcel is a railway corridor. It is not anticipated that the relief being sought will cause any undue impact on the adjacent property. The relief being sought is considered minor and only is relevant to the second storey of the new building. The proposal is in keeping with the industrial zoning and designation of the property and is considered desirable development. Staff recommends that the Committee approve the requested minor variance.

A52/19 – 53 Parkhill Road West – Mike Francoeur and Jean-Guy Francoeur / EcoVue Consulting Services Inc.

The subject property is located on the south side of Parkhill Road West, adjacent to the Inverlea Bridge, backing onto the Otonabee River. The property is developed with a single-detached dwelling and associated parking. A shared laneway accesses the rear portion of the property (Exhibit G).

This property experienced a structure fire in 2018. The new owner is intending to legalize the property as a single dwelling unit plus secondary suite. In order to do so, the applicant is required to demonstrate there is an on site parking solution for the two required parking spaces. A number of proposals have been considered, and the final proposal before the Committee is what forms the basis of this request.

An arrangement has been proposed (Exhibit H), which presents the need for minor variances in relation to parking and in relation to safe access to the units:

- a) Reduce the setback from the easterly side yard from 1.2 metres to 0.8 metres for a fire escape;
- b) Increase the maximum lot coverage for parking from 20% to 29.6%; and
- c) Reduce the minimum size of a parking space from 2.7 metres by 5.7 metres to 2.5 metres by 5.5 metres.

It was noted that through the review of the application and submitted concept plan that a final minor variance request in relation to reducing the aisle width to 6 metres is no longer required. This variance was required in relation to an earlier concept for the site.

The applicant has pre-consulted with the Otonabee Region Conservation Authority (ORCA) prior to the submission of the application due to the proximity of this property to the Otonabee River and its regulated features. It is anticipated that some grading work will be required as a result of creating the two compliant parking spaces on site. It was determined it would be appropriate for a lot grading and drainage plan and erosion and sediment control plan be submitted at the ORCA permitting phase. An ORCA permit will be required as a result of the proposed creation of a secondary suite and the work that would be conducted within proximity to the Otonabee River.

The Otonabee Region Conservation Authority (ORCA) has reviewed the subject application and notes that the proposal is consistent with Section 3.1 (Natural Hazards), 2.1 (Natural Heritage), and 2.2 (Water) of the Provincial Policy Statement. The portion of the property that is within the flooding hazard, in addition to the 15-metre area of interference, is located within ORCA's regulation and a permit from ORCA will be required prior to the commencement of any work within the regulated area. ORCA has no objection to the proposed minor variance.

Should the Committee approve the subject application, it will be conditional upon the owner entering into a development agreement with the City to ensure that the construction of the parking area is satisfactory to the City and ORCA. No permit will be issued for the secondary suite, until such time that the City and ORCA are satisfied with the development proposal.

In consideration of the request in relation to the fire escape, the proposed location abuts City owned lands to the east. These lands are vacant and the impact of the proposed fire escape is considered minimal. Through the review of this application, it has come to the attention of staff that a shed is located on the City-owned parcel adjacent to the subject property at 49 Parkhill Road West. It was placed there by the previous owner to store maintenance materials. Staff request that this structure be removed.

In consideration of the parking solution proposed, it is anticipated that through the development agreement, two parking spaces will be established within the boundary of the subject property and accessed by the shared right-of-way. The reduced parking space dimension to that of an Area 1 parking space as prescribed in the Zoning By-law is appropriate given the compact site and proximity to Area 1. The increased lot coverage for parking area ensures that the two spaces are adequately located within the subject property and does not create a trespass issue with the adjacent property owner. Given the opportunity for review by the Conservation Authority of the design and sediment/erosion control plans, staff is satisfied that policies pertaining to adjacency to the Otonabee River are upheld. Staff recommends that the Committee of Adjustment approve the variances related to the setback from the easterly side lot line, the increase to the maximum lot coverage by a parking or vehicular movement area, and the reduction to the size of a parking space, conditional upon the owner entering into a development agreement with the City to address the following:

1. The removal of the shed on the City owned lands to the east; and
2. Establishment of two parking spaces, in accordance with the Parking Concept Plan prepared by EcoVue, dated September 6, 2019, including the submission of a lot grading and drainage plan and a sediment and erosion plan, for review and approval by the City and Otonabee Region Conservation Authority.

A53/19 – 414 McDonnel Street – Jane Humphreys

The subject property is located on the north side of McDonnel Street, east of the intersection of Park Street North and McDonnel Street. The property is currently developed with a duplex and associated parking. The property is zoned R.1, R.2 and is located within the Transitional Uses Area of the Central Area, as outlined on Schedule J to the Official Plan.

The applicant is proposing a full redevelopment of the property, with the construction of a new semi-detached building and associated parking. The applicant is anticipating that this property will be able to support two secondary suites in the fullness of time. The applicant has submitted a conceptual site plan (Exhibit I) that depicts the proposed development and associated parking.

In order for the development to proceed, the following minor variances are being sought:

- a) Reduce the minimum building setback from the centreline of McDonnel Street from 16 metres to 12 metres and
- b) Increase the vehicle area coverage from 20% to 37.55%

The subject lands are designated Transitional Uses Area. This designation recognizes that Transitional Areas already exhibit a diversity of land uses co-existing and are compatible with low-density residential uses. The diverse uses include such uses as special care homes, medium and high-density residential uses, institutional uses, small scale office uses, convenience retail, and service commercial uses. The Official Plan guides redevelopment in these areas to provide adequate parking and adequate buffering, particularly landscaping and setbacks, and consider compatibility with adjacent buildings. This property sits between a convenience retail property and single-detached dwelling units. When reviewing earlier conceptual plans for redevelopment on this site, concerns were raised with respect to access to parking, impact on the adjacent property, and relation to the street. The applicant has revised their application considerably with the resulting proposal.

Peterborough Utilities Commission (PUC) has provided comment and has indicated that the suitability of services sizes is the responsibility of the owner and development charges are applicable.

The Otonabee Region Conservation Authority (ORCA) has reviewed the subject applications and notes that the proposal is consistent with Section 3.1 (Natural Hazards), 2.1 (Natural Heritage), and 2.2 (Water) of the Provincial Policy Statement.

In consideration of the reduction in the streetline setback, staff is supportive of bringing the building closer to the streetline than the zoning requirements, as this is typical for residential properties on McDonnell Street. The request is minor and in keeping with the Zoning By-law and Official Plan, resulting in a desirable development.

There was an interest on the part of City staff to ensure that parking for the proposal is located in the rear of the property, abutting the commercial use to the west and detached accessory building on the property to the north, to minimize impact on the residential property to the east. Although this increases the overall lot coverage for parking area, it results in a functional parking solution that ensures vehicles can enter the street in a forward facing manner which was also a goal of this redevelopment, as directed by Section 5.4.7 of the Official Plan. Other conceptual plans for the redevelopment of this property considered lower overall parking coverage but resulted in other challenges with respect to compatibility and function.

Staff has considered the proposal before the Committee in light of the existing Zoning and Official Plan Designation for the property. The proposal is a sensible redevelopment of the property, in keeping with the policies directed in the Official Plan with respect to minimizing impact and ensuring access to the arterial road by a vehicle is in a forward facing direction. The proposal set forth does resolve many issues with the property when considering its redevelopment potential.

Staff recommends that the Committee approve the request for minor variances conditional upon the review and approval of building plans by the Planner of Urban Design to ensure that pedestrian access, parking and snow storage can be adequately handled on site.

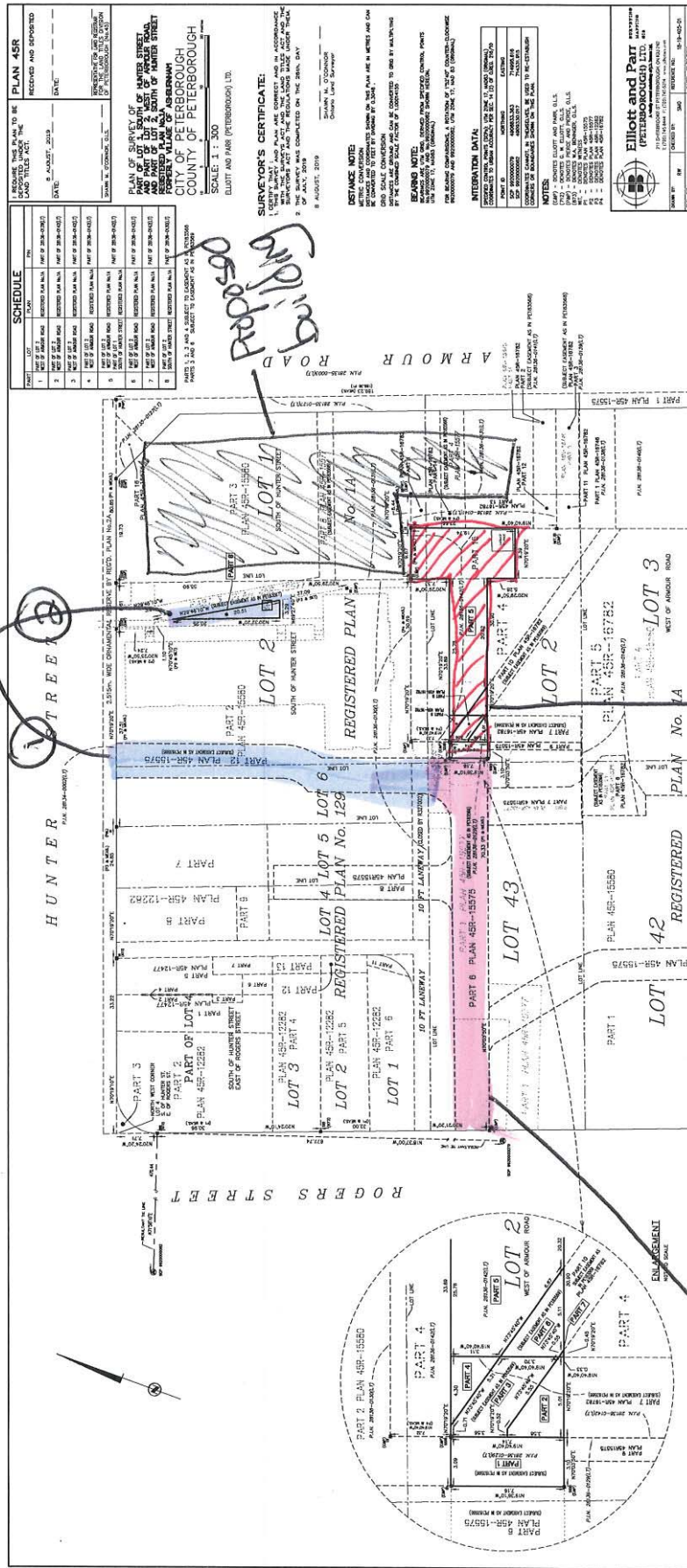
Prepared By:

Concurred With:

Nolan Drumm,
Assistant Planner
Planning Division,
Infrastructure and Planning Services

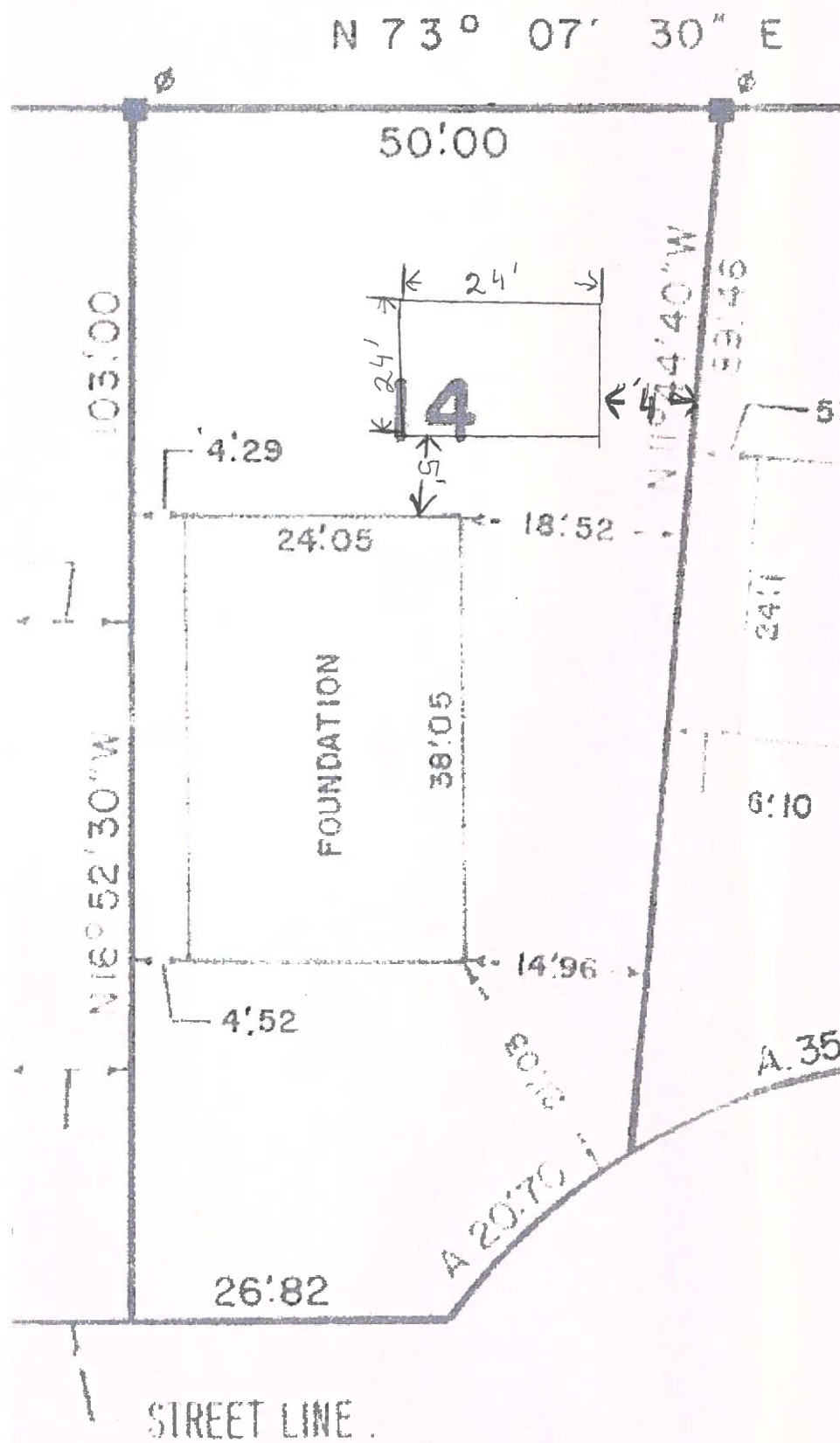
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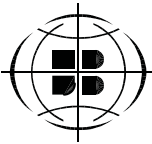
185 Hunter St East Application
 ① To provide vehicle access to Hunter St. E
 ② To provide below grade utility easement



394 Rogers Street Application
 - to provide vehicle access to Rogers Street.

175 Hunter Street East Application
 - to convert access points to Hunter St. E
 and Rogers Street to garage entrance
 for proposed building





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SKETCH SHOWING PROPOSED SEVERANCE

SCALE 1 : 200



J. D. BARNES LIMITED

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NOTES:

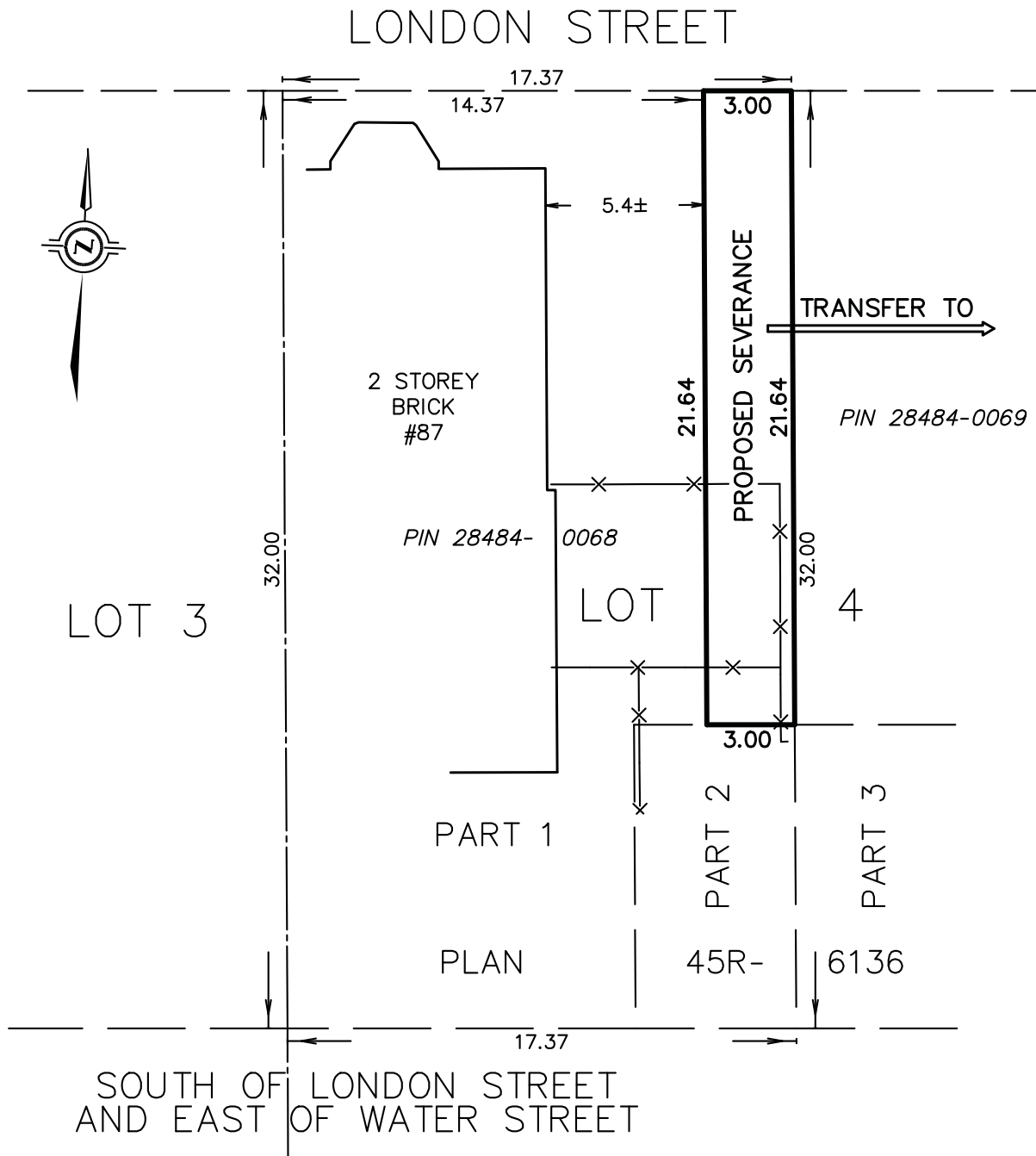
ALL DIMENSIONS SHOWN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

ALL INFORMATION SHOWN IS DERIVED FROM PLAN 45R-6136 AND WAS NOT VERIFIED BY FIELD MEASUREMENTS.

PIN NUMBERS MAY NOT BE CURRENT.

PROPERTY IS LOCATED IN LOT 4, SOUTH OF LONDON STREET AND EAST OF WATER STREET, CITY OF PETERBOROUGH.





aside architects
 148 Hunter Street W.
 Suite 201
 Peterborough, ON.
 K9H2K8
 p 705.812.2451



All drawings are the property of the designer/ client and may not be reproduced without permission. Contractor shall check and verify all dimensions on site and report all errors, omissions or discrepancies. This drawing must not be scaled.

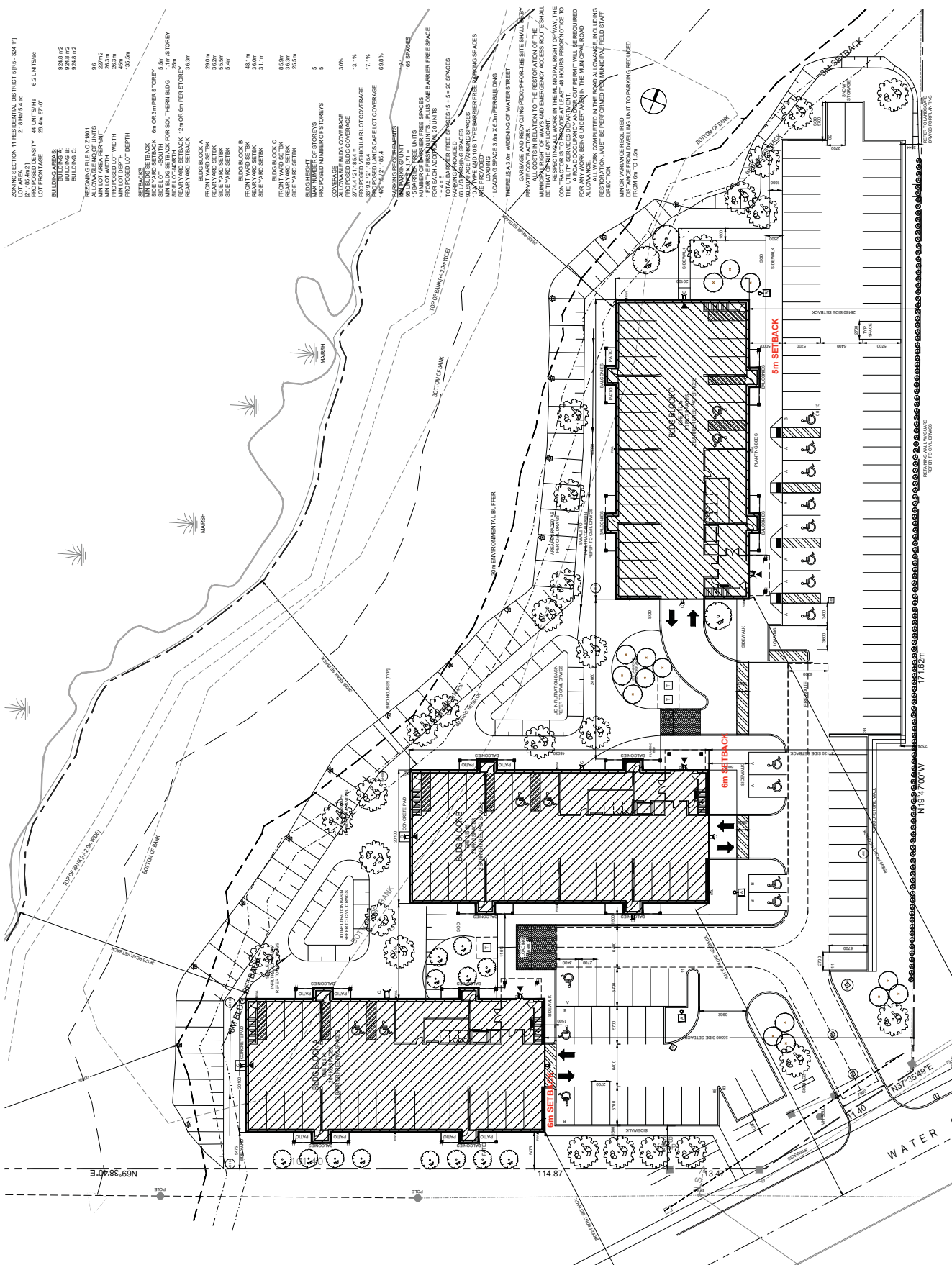
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SCALE 1:300

SITE PLAN

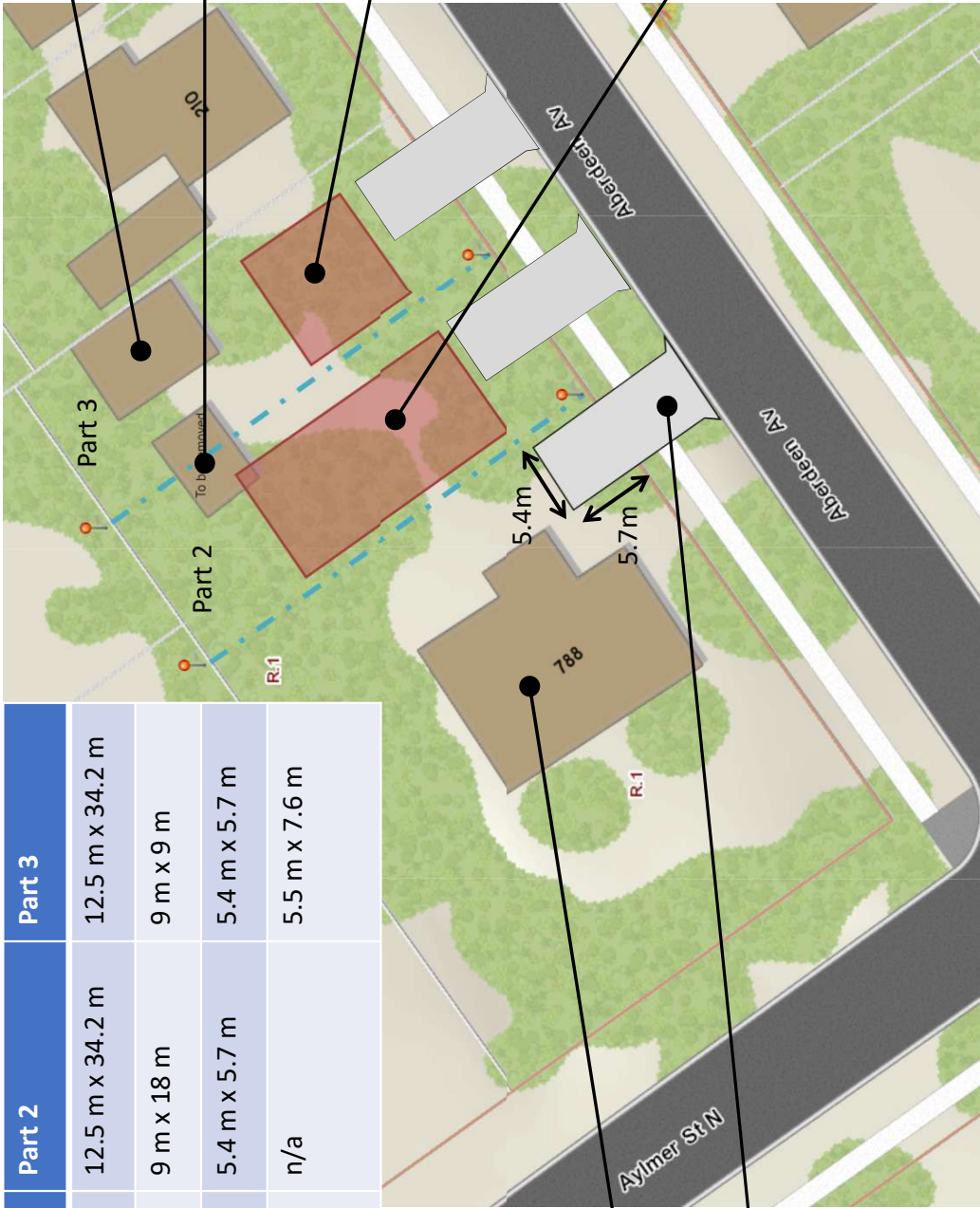
MULTI-UNIT RESIDENTIAL
WATER STREET
PETERBOROUGH, ON.

1.0



Severance Proposal: Concept Plan

| Concept Plan | Part 2 | Part 3 |
|-------------------------------|-----------------|-----------------|
| Property dimensions | 12.5 m x 34.2 m | 12.5 m x 34.2 m |
| Dwelling dimensions | 9 m x 18 m | 9 m x 9 m |
| Driveway Dimensions | 5.4 m x 5.7 m | 5.4 m x 5.7 m |
| Accessory Building Dimensions | n/a | 5.5 m x 7.6 m |



Brick garage to be retained (heritage value as per CHIS)

Wooden shed to be removed (no heritage value as per CHIS)

Comparable concept homes:

Part 2: 195 Aberdeen

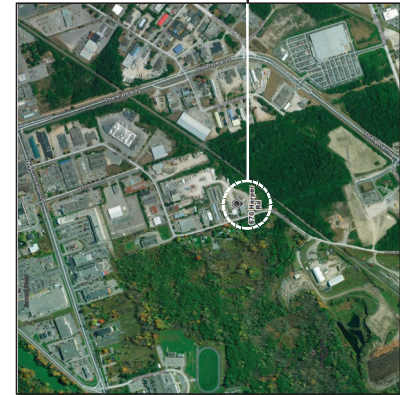


Part 3: 209 Aberdeen Av



788 Aylmer St. to be retained

788 Aylmer St. driveway Option 3 (as per CHIS)



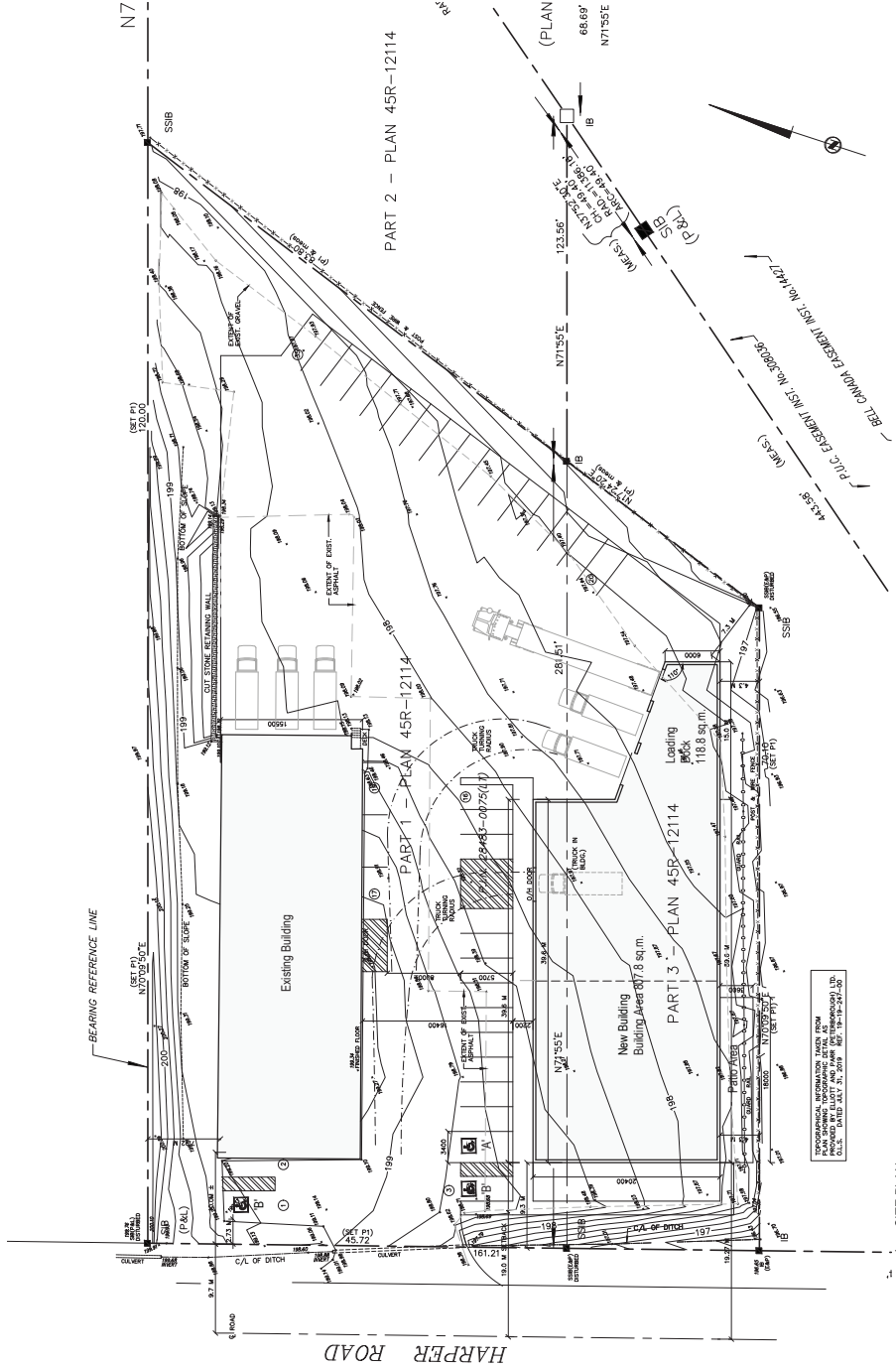
2. LOCATION PLAN N.T.S.

PARKING CALCULATION

| Parking Requirements for Industrial Zoning (Area 3): | | |
|--|--|-------------------|
| • Office Area: 1 "A" space per 230 square metres of floor area | • Office Area: 1 "A" space per 230 square metres of floor area | |
| • Loading Spaces: 1 "A" space (8.6m x 12m) + 1 additional "A" space for each additional 925 sqm (or less) of floor area | • Loading Spaces: 1 "A" space (8.6m x 12m) + 1 additional "A" space for each additional 925 sqm (or less) of floor area | |
| • Disabled parking spaces: 3 spaces for 21 to 100 regular spaces ("A" type: 3.4m x 5.7m, "B" type: 2.7m x 5.7m, with 1.5m access aisle adjacent to each) | • Disabled parking spaces: 3 spaces for 21 to 100 regular spaces ("A" type: 3.4m x 5.7m, "B" type: 2.7m x 5.7m, with 1.5m access aisle adjacent to each) | |
| EXISTING | PROPOSED | |
| Regular parking spaces, 2.7m x 5.7m (for office area) | 800sqm/230 = 29 | |
| Regular parking spaces, 2.7m x 5.7m (for new warehouse area) | 500sqm/230 = 3 | |
| Regular parking spaces, 2.7m x 5.7m (for new warehouse area) | 700sqm/230 = 3 | |
| Disabled parking spaces (3.6m x 12m) | Total = 35 | 35 |
| Disabled parking spaces | 2 | 6 |
| | 3 | 1 "A" + 2 "B" = 3 |

GENERAL INDUSTRIAL M1.7 ZONING REGULATIONS

| REGULATION | REQUIRED | EXISTING | PROPOSED |
|---|--------------------------------------|-----------------------|------------------------|
| Minimum Lot Area | 250 sqm | 6,243 sqm | 6,243 sqm |
| Minimum Building Setback, Rear Lot Line | 10 m | 7.3 m | 7.3 m |
| Minimum Lot Depth | 30 m | 70.1 m | 70.1 m |
| Maximum Building Coverage | 60% | 10.2% | 25.0% (incl. existing) |
| Minimum Building Setback, Side Lot Line | The greater of 6 m or 4.3 m/floorory | 7.92 m | 4.3 m |
| Minimum Building Setback, Rear Lot Line | The greater of 6 m or 4.3 m/floorory | 39.6 m | 7.3 m |
| Minimum Building Setback from Adjacent Collector Street (Harper Road) | 19 m | 19.7 m | 19.0 m |
| Minimum Landscaped Open Space Requirements Adjacent to Street | 3m | 2.73 m | 9.3 m |
| Minimum Landscaped Open Space Width Requirements Side and Rear Lot Line | 1.5 m | 2.2 m side 4.0 m rear | 4.0 m side 4.0 m rear |



1. SITE PLAN SCALE: 1:200

HEALTH CARE RELOCATIONS LTD.
NEW BUILDING
630 HARPER ROAD, PETERBOROUGH, ONTARIO
ARCHITECT
CHRISTOPHER Z. TWORKOWSKI
21 BRIDGE STREET UNIT 3
PETERBOROUGH, ONT. K9H 7H0 709-652-1140

PROJECT TITLE
SITE PLAN
LOCATION PLAN, NOTES
SHEET TITLE

DATE ISSUED SEP. 1/19
DATE DRAWN SEP. 1/19
DRAWN BY DM
CHECKED BY DM
SCALE 1:200 (PLAN)
PROJECT NO. 1903
SHEET NO. A-1

THE GENERAL CONTRACTOR
HAS REVIEWED THIS DRAWING AND APPROVES THE INFORMATION AND DATA CONTAINED HEREIN FOR THE PURPOSES OF THE PROJECT.
THE GENERAL CONTRACTOR'S REVIEW IS LIMITED TO THE INFORMATION AND DATA CONTAINED HEREIN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION AND DATA CONTAINED HEREIN.

THE ARCHITECT
HAS REVIEWED THIS DRAWING AND APPROVES THE INFORMATION AND DATA CONTAINED HEREIN FOR THE PURPOSES OF THE PROJECT.
THE ARCHITECT'S REVIEW IS LIMITED TO THE INFORMATION AND DATA CONTAINED HEREIN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION AND DATA CONTAINED HEREIN.

THE ENGINEER
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THE ENGINEER'S REVIEW IS LIMITED TO THE INFORMATION AND DATA CONTAINED HEREIN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION AND DATA CONTAINED HEREIN.

45 R. 3416

Exhibit G, Page 1 of 1

PLAN 45 R 344-
RECEIVED AND DEPOSITED
DATE 5th October 1979
THOMAS E. LYONS
LAND REGISTAR FOR THE
REGISTRY DIVISION OF
PETERBOROUGH (No. 45)
CAUTION
THIS PLAN IS NOT A PLAN OF
SHOULDER WITHIN THE MEANS
OF THE PLANNING ACT.

PLAN
SHOWING SURVEY OF
LOT 4 AND PARTS OF LOTS 2 AND 5
REGISTERED PLAN No. 68
CITY OF PETERBOROUGH
PIERCE & LYONS INC.
1979

LEGEND
1 - DENOTES STANDARD IRON BAR 1" SQUARE x 48" LONG
2 - DENOTES SHORT STANDARD IRON BAR 1" SQUARE x 24" LONG
3 - DENOTES IRON BAR 30" LONG
4 - DENOTES FOUND
5 - DENOTES WITNESS
ALL TIES ARE AT RIGHT ANGLES UNLESS OTHERWISE SHOWN
BEARINGS ARE ASTROLOGIC DERIVED FROM PREVIOUS SURVEY
AND THE BEARING OF N 70° 42' E GOVERNS ALL BEARINGS HEREON.

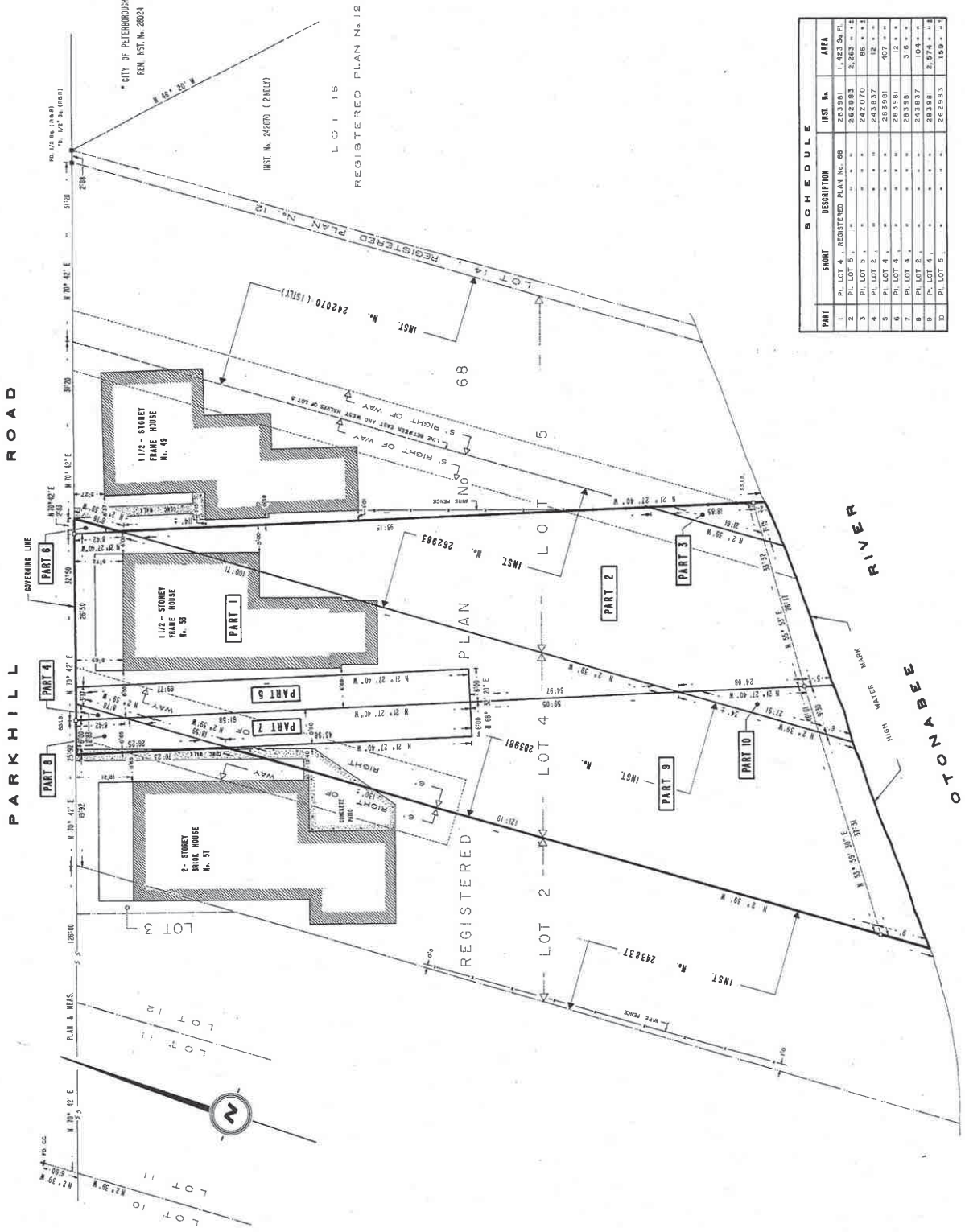
SURVEYOR'S CERTIFICATE

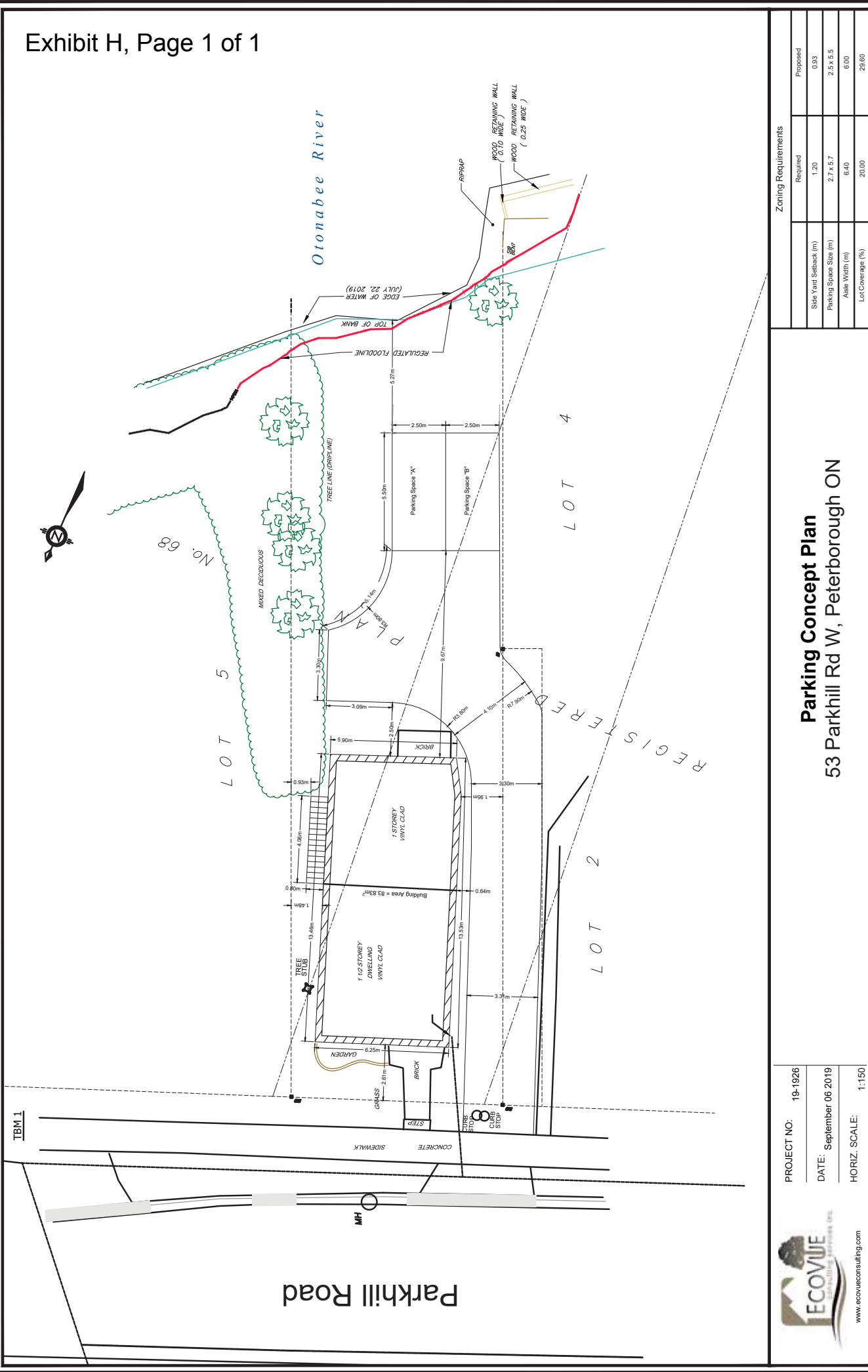
I HEREBY CERTIFY THAT -
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEY ACT AND THE REGISTRY ACT AND THE REGULATIONS
MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON JULY 23rd 1979.

PETERBOROUGH, ONTARIO
AUGUST 17th 1979

THOMAS E. LYONS
ONTARIO LAND SURVEYOR

PIERCE & LYONS INC.
LAND SURVEYORS
190 1/2 HUNTER STREET WEST
PETERBOROUGH, ONTARIO
K9H 2K7
TELEPHONE - (709) 746-5577
DNR No. P-847-F





www.ecovueconsulting.com

ZONING ANALYSIS:

- ZONE: R2
- 1-2 UNITS = 1.5 SPACES PER UNIT
 - 3+ UNITS = 1.5 SPACES PER UNIT
 - REAR YARD SETBACK = 6.4m
 - SEPARATE PARKING SPACE

MINIMUM LOT AREA PER DWELLING UNIT:

MINIMUM LOT WIDTH PER DWELLING UNIT:

MINIMUM LOT DEPTH:

MINIMUM BUILDING SETBACK:

REAR LOT LINE

MAXIMUM BUILDING COVERAGE:

2 STOREY DWELLING

MAXIMUM ACCESSORY BUILDING COVERAGE:

1-2 DWELLING UNITS PER LOT

MAXIMUM FLOOR AREA PER DWELLING UNIT:

MINIMUM COVERAGE BY PARKING DRIVEWAYS:

VEHICLE MOVEMENT:

MINIMUM SETBACK FROM CENTRELINE OF ARTERIAL STREET (MINIMUM):

R2 = 40% = 218.17 m²

10% = 54.54 m²

R2 = 2

R2 = 70m²

R2 = 20% = 109.08 m²

10m

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