



City of
Peterborough

Committee of Adjustment

Hearing Date: August 11, 2020

Staff Recommendations Regarding Files: A04/20, A06/20, A09/20, A10/20, B03/20, B04/20, A12/20, B05/20, and B06/20

1. File Number: A04/20
Address: 316 Cullen Trail
Applicant: Mason Homes Limited
Owner: Mason Homes Limited

This application was adjourned from the February 25, 2020 meeting of the Committee of Adjustment to address concerns relating to the accuracy of the original concept site plan submitted as part of the application. A revised concept plan has been submitted by the applicant and is attached as Exhibit A.

The subject property is part of the final phase of the Mason Homes Parklands subdivision in the City's north end. The undeveloped property is located on the north side of Cullen Trail and backs on to an Open Space zoning district that contains wetland features and the associated vegetative buffers. The property is zoned SP.328, 13a and SP.329, 11j, 13k and designated 'Residential' in the Official Plan. The construction of the dwelling on this property was considered under the SP.328, 13a residential zoning district.

The applicant is requesting a variance from section 358.3(e)(ii) of the By-law to reduce the minimum rear yard setback from 6.0 metres to 4.21 metres to permit the development of a single-detached dwelling (Exhibit A). The rear lot line of this property is at an angle resulting in a lot depth that gets narrower from north to south in order to accommodate the wetland feature and its associated vegetative buffer within the Open Space zoning district. The rear yard from the southwest corner of the lot to the proposed dwelling is 4.21 metres. Staff has reviewed the concept plan provided by the applicant and is of the opinion that the requested variance is minor in nature and represents a desirable and appropriate use of the land.

The purpose of the 'Residential' designation is to "provide areas for housing and other land uses that are integral to, and supportive of a residential environment." The requested variance maintains the intent and purpose of the Official Plan.

The SP.328, 13a zoning district permits single-detached residential dwellings. The intent of the rear yard setback is to ensure that there is adequate privacy between neighbouring properties and that there is enough amenity space at the rear of the lot. The requested variance represents the narrowest distance between the rear lot line and the proposed dwelling and, if approved, the resulting rear yard will still provide sufficient amenity space. Additionally, as the property backs on to an Open Space block associated with natural heritage features, there is no concern of negative impacts on neighbouring landowners. The requested variance maintains the intent and purpose of the Zoning By-law.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. A 15-metre vegetative protection zone was established around the provincially significant wetland and portions of Bears Creek and approved with Plan of Subdivision File 15T10507/2010-SD001. The features and vegetative protection zone were designated 'Protected Natural Areas' and zoned OS.1 – Open Space District through that process. The agreement stipulates that construction is to remain within the lot lines and that appropriate Erosion Sediment Controls are installed between the construction site and areas of provincial interest. The property is within ORCA's regulated area. This area of development was granted permits from the Authority in 2018 as part of the construction of Phase 4 of the subdivision. The subject property is not located within an area that is subject to the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and has no comments on the proposal.

The Ontario Ministry of Transportation (MTO) has reviewed the application and has determined that the subject lands are not within its permit control area and has no objections with the application as submitted.

The City's Chief Fire Prevention Officer has reviewed the application and has no comments.

The City's Engineering Design and Construction Technologist/Inspector has reviewed the application and has no comments on the proposal.

The City's Supervisor of Development Engineering has reviewed the application and has no comments on the proposal.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the application for minor variance provided that the construction of the dwelling related to this approval proceed substantially in accordance with the concept site plan attached as Exhibit A.

2. File Number: A06/20
Address: 343 Cullen Trail
Applicant: Mason Homes Limited
Owners: Mason Homes Limited

The subject property is part of the final phase of the Mason Homes Parklands subdivision in the City's north end. The undeveloped property is located on the south side of Cullen Trail at the southwest corner of Cullen Trail and Marsh Avenue. The property is zoned SP.328, 13a, SP.329, 11j, 13k, and SP.330, 11j, 13k and designated 'Residential' in the Official Plan. The construction of the dwelling on this property was considered under the SP.328, 13a residential zoning district.

The applicant is proposing to construct a single-detached dwelling on the currently vacant lot. In order to achieve this, the applicant has requested the following variances from regulations 358.3(k)(i) and (iii) of the SP.328 zoning district:

- a) A reduction in the minimum setback from the street line for a dwelling from 3.0 metres to 1.75 metres, and
- b) A reduction in the minimum setback from the street line for a verandah from 1.5 metres to 0.91 metres.

Due to the conveyance of the daylight triangle at the corner of Cullen Trail and Marsh Avenue, the street line comes in at an angle that results in a lot width that is narrower at the northern portion of the property. The street line setback from the northeast corner of the lot to the dwelling will be 1.75 metres and 0.91 metres to the verandah (Exhibit B). It is not anticipated that there will be a visual impact from the proposal as the land that would otherwise be part of the subject property has been added to the municipal right-of-way. Staff has reviewed the concept plan submitted with the application and is of the opinion that the requested variances are minor in nature and represent a desirable and appropriate use of the land.

The purpose of the 'Residential' designation is to "provide areas for housing and other land uses that are integral to, and supportive of a residential environment." The requested variances maintain the intent and purpose of the Official Plan.

The SP.328, 13a zoning district permits single-detached residential dwellings. The intent of the street line setback is to ensure, among other factors, that there is adequate separation between the road allowance and structures, sufficient space for snow storage from road operations, sightlines for vehicles, and to provide parking in the front yard. It is not

anticipated that the proposal will have an impact on road operations or sightlines from the right-of-way, due to the conveyance of the daylight triangle. Driveway access will be provided to the subject property from Cullen Trail and the parking area will not be impacted by the reduced setback. The requested variances maintain the intent and purpose of the Zoning By-law.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. A 15-metre vegetative protection zone was established around the provincially significant wetland and portions of Bears Creek and approved with Plan of Subdivision File 15T10507/2010-SD001. The features and vegetative protection zone were designated 'Protected Natural Areas' and zoned OS.1 – Open Space District through that process. The agreement stipulates that construction is to remain within the lot lines and that appropriate Erosion Sediment Controls are installed between the construction site and areas of provincial interest. The property is within ORCA's regulated area. This area of development was granted permits from the Authority in 2018 as part of the construction of Phase 4 of the subdivision. The subject property is not located within an area that is subject to the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and has no comments on the proposal.

The Ontario Ministry of Transportation (MTO) has reviewed the application and has determined that the subject lands are not within its permit control area and has no objections with the application as submitted.

The City's Chief Fire Prevention Officer has reviewed the application and has no comments.

The City's Engineering Design and Construction Technologist/Inspector has reviewed the application and has no comment on the proposal.

The City's Supervisor of Development Engineering has reviewed the application and has no comments on the proposal.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the application for minor variance provided that the construction of the dwelling related to this approval proceed substantially in accordance with the concept site plan attached as Exhibit B.

3. File Number: A09/20
Address: 68 Aylmer Street North
Applicant: Glen Salmon
Owner: Stefan Olafur Fridriksson

The subject property is located on the east side of Aylmer Street North between Perry and Rink Streets. The subject property is zoned R.1, R.2, R.3, R.4 and designated 'Transitional Uses Area' in Schedule J – Central Area Land Use Plan to the City's Official Plan. The subject property is currently developed with a two-storey, single-detached dwelling. As such, the application is evaluated under the regulations of the R.1 zoning district.

The applicant is proposing a variance from sections 6.8(2.1)(a) and 7.2(e)(i) of the Zoning By-law to reduce the building setback from the centre line of an arterial street (Aylmer Street, east side, from Canadian National Railway near Dublin Street to Lansdowne Street) from 16.0 metres to 13.5 metres and to reduce the minimum building setback from both side lot lines from 1.2 metres to 0.6 metres to permit the construction of a verandah (Exhibit C). Verandahs are a common design element of residential development in this section of Aylmer Street North. The proposed development will also result in a more consistent building line along that section of Aylmer Street North. Staff has reviewed the concept plan provided by the applicant and is of the opinion that the requested variances are minor in nature and represents a desirable and appropriate use of the land.

The Transitional Uses Area designation provides a transition area between the Commercial Core Area and Waterfront Commercial Area designations and the Residential designation outside of the Central Area. This designation recognizes the "diversity of land uses co-existing and compatible with low density residential uses" with an understanding that the majority of new residential development will be high and medium density, with properties at the edge of the Commercial Core Area and Waterfront Commercial Area offering the greatest flexibility. The designation permits greater density provided it is compatible with surrounding uses. The requested variances maintain the intent and purpose of the Official Plan.

The R.1 zoning district permits single-detached residential dwellings. The intent of the street line setback is to ensure that there is adequate separation between the road allowance and structures, sufficient space for snow storage from road operations, and sight lines for vehicles, among other factors. It is not anticipated that the proposal will have an impact on road operations or sight lines from the right-of-way, while re-establishing a consistent form of development along this section of Aylmer Street North. Vehicle parking is located at the rear of the dwelling accessed by the rear lane and will not be impacted by the proposal. Further, the reduction in the side yard setback will allow for the verandah to be constructed across the whole face of the building. The existing building is recognized as being legal non-complying with the side yard setbacks on both sides and the reduction for the verandah will not negatively impact access between the subject property and properties on either side. The requested variances maintain the intent and purpose of the Zoning By-law.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. The property is located outside of ORCA's regulated area so a permit from the Authority is not required. The subject property is not located in an area subject to the policies of the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and has no comments on the proposal.

The Ontario Ministry of Transportation (MTO) has reviewed the application and has determined that the subject lands are not within its permit control area and has no objections with the application as submitted.

The City's Chief Fire Prevention Officer has reviewed the application and has no comments.

The City's Engineering Design and Construction Technologist/Inspector has reviewed the application and noted that downspouts should be installed so that they discharge towards the front or rear yard of the property and not the side yard.

The City's Supervisor of Development Engineering has reviewed the application and has no comments on the proposal.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the application for minor variance provided that the construction of the verandah related to this approval proceed substantially in accordance with the drawing attached as Exhibit C.

4. File Number: A10/20
Address: 138 Park Street North (also known as 142 Park Street North)
Applicant: J. Laurie Young
Owner: Matthew Aston

The subject property is located on the east side of Park Street North between Wolfe and Townsend Streets. The subject property is zoned R.4 – Residential District and designated 'Transitional Uses Area' in Schedule J – Central Area Land Use Plan to the City's Official Plan. The property is currently developed with a rowhouse containing three dwelling units.

The applicant is proposing a variance from section 6.8(12)(a) of the Zoning By-law to reduce the building setback from the centre line of an arterial street (Park Street from Reid Street to Cameron Street) from 16.0 metres to 12.1 metres to permit the construction of a verandah at the entrance to all three units (Exhibit D). Verandahs are a common design element of residential development in this area and are present on the buildings on both sides of the subject property. The proposed development will also result in a more consistent building line along that section of Park Street North. Staff has reviewed the concept plan provided by the applicant and is of the opinion that the requested variance is minor in nature and represents a desirable and appropriate use of the land.

The Transitional Uses Area designation provides a transition area between the Commercial Core Area and Waterfront Commercial Area designations and the Residential designation outside of the Central Area. This designation recognizes the “diversity of land uses co-existing and compatible with low density residential uses” with an understanding that the majority of new residential development will be high and medium density, with properties at the edge of the Commercial Core Area and Waterfront Commercial Area offering the greatest flexibility. The designation permits greater density provided it is compatible with surrounding uses. The proposed variances maintain the intent and purpose of the Official Plan.

The R.4 zoning district permits multiple unit residential dwellings. The intent of the street line setback is to ensure that there is adequate separation between the road allowance and structures, sufficient space for snow storage from road operations, and sight lines for vehicles, among other factors. It is not anticipated that the proposal will have an impact on road operations or sight lines from the right-of-way. Vehicle parking is located at the rear of the dwelling accessed by the rear lane and will not be impacted by the proposal. The requested variance maintains the intent and purpose of the Zoning By-law.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. The property is located outside of ORCA’s regulated area so a permit from the Authority is not required. The subject property is not located in an area subject to the policies of the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and has no comments on the proposal.

The Ontario Ministry of Transportation (MTO) has reviewed the application and has determined that the subject lands are not within its permit control area and has no objections with the application as submitted.

The City's Chief Fire Prevention Officer has reviewed the application and has no comments.

The City's Engineering Design and Construction Technologist/Inspector has reviewed the application and has no comment on the proposal.

The City's Supervisor of Development Engineering has reviewed the application and has no comments on the proposal.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the application for minor variance provided that the construction of the verandahs related to this approval proceed substantially in accordance with the concept site plan and elevation drawing attached as Exhibit D.

5. File Number: B03/20
Address: 689 George Street North
Applicant: Herb and Elaine Koning
Owner: Cleary Investments Inc.

File Number: B04/20
Address: 693 George Street North
Applicant: Herb and Elaine Koning
Owner: Elaine Koning

The subject properties are located on the west side of George Street North between Antrim Street and Parkhill Road West. The subject properties are zoned R.1, R.2, R.3, R.4 – Residential District and designated 'Residential' in the Official Plan. 689 George Street North is developed with a legal non-complying three-unit dwelling and 693 George Street North is developed with a legal non-complying two-unit dwelling.

The applicants are seeking reciprocal easements to facilitate the establishment of a mutual driveway between the two dwellings (Exhibit E). With the sale of 689 George Street North, the two properties are no longer under similar ownership and the formalization of the mutual driveway arrangement is being sought. The easements will extend 2.0 metres into each property from the shared property line along the full depth of the lot, resulting in a mutual driveway that is 4.0 metres wide.

The establishment of the easement will support the continued residential use of the properties and will not negatively impact the existing parking areas to serve each property.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. The property is located outside of ORCA's regulated area so a permit from the Authority is not required. The subject property is not located in an area subject to the policies of the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and has no comment on the proposal.

The Ontario Ministry of Transportation (MTO) has reviewed the application and has determined that the subject lands are not within its permit control area and has no objections with the application as submitted.

Bell Canada has reviewed the applications and has no concerns regarding the proposal.

The City's Chief Fire Prevention Officer has reviewed the application and has no comments.

The City's Engineering Design and Construction Technologist/Inspector has reviewed the application and has no comment on the proposal.

The City's Supervisor of Development Engineering has reviewed the application and has no comments on the proposal.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the applications for consent for easement conditional upon the following:

- i) 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 easements. Upon registration of the approved Reference Plan, a digital copy of the registered Reference Plan in pdf format will be provided to the Secretary-Treasurer;
- ii) 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.

- iii) That the applicant provides the Secretary-Treasurer with a draft of the Transfer/Deeds of Land.
- iv) If the above condition is not satisfied within 365 days of the circulation of the Committee's decision that the consent will lapse.

6. File Number: A12/20
Address: 559 Downie Street
Applicant: Leslie Fagan and Jeff Pinkney
Owner: Leslie Fagan and Jeff Pinkney

The subject property is located on the west side of Downie Street at the southwest corner of Downie and London Streets. The subject property is zoned R.1, R.2, R.3, R.4 – Residential District and designated 'Residential' in Schedule A – Land Use to the City's Official Plan. The property is currently developed with a legal non-complying triplex. As such, the application is evaluated under the regulations of the R.3 zoning district.

The applicant is proposing a variance from section 6.19(b) of the Zoning By-law to increase the permitted projection of a platform into the building setback from the street line from 1.5 metres to 1.9 metres to permit the construction of a platform at the base of the existing fire escape located at the rear of the building (Exhibit F). Platforms and decks are common outdoor amenity spaces in residential areas and are present on a number of properties in the surrounding area. The proposed platform makes effective use of an area otherwise occupied by an exterior fire escape while not impacting the existing function of the property. Staff has reviewed the concept plan provided by the applicant and is of the opinion that the requested variance is minor in nature and represents a desirable and appropriate use of the land.

The purpose of the 'Residential' designation is to "provide areas for housing and other land uses that are integral to, and supportive of a residential environment." The platform will support the residential function of the triplex. The minor variance maintains the intent and purpose of the Official Plan.

The R.3 zoning district permits up to eight dwelling units per lot. The intent of the street line setback is to ensure, among other factors, that there is adequate separation between the road allowance and structures, sufficient space for snow storage from road operations, sightlines for vehicles, and to provide area for parking. Projections of uncovered and unenclosed platforms are permitted into these setbacks as the form and scale of development has lesser visual impact on neighbouring properties. It is not anticipated that the proposed increase of the projection will have an impact on road operations or sightlines from the right-of-way, as this area is currently enclosed by fencing. Site parking has historically been located in the London Street right-of-way to the north of the property and will not be impacted or reduced by the proposal. The requested variance maintains the intent and purpose of the Zoning By-law.

Agency Comments

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. The property is located outside of ORCA's regulated area so a permit from the Authority is not required. The subject property is not located in an area subject to the policies of the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and has no comments on the proposal.

The City's Supervisor of Development Engineering has reviewed the application and has no comments on the proposal.

The City's Heritage Resources Coordinator has reviewed the application and noted that property is Listed on the City's Heritage Register but there are no concerns with the construction of the proposed platform.

The City's Legal Services Division has reviewed the application and identified that there is no agreement with the City for the existing parking arrangement in the municipal road allowance. The landowner will be required to enter into an Encroachment Agreement with the City, providing insurance for the duration of parking within the City's road allowance.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the application for minor variance conditional upon the owner entering into an encroachment agreement with the City to formalize the existence of the existing parking area within the London Street road allowance and provided that the construction of the verandahs related to this approval proceed substantially in accordance with the concept site plan attached as Exhibit F.

7. File Number: B05/20
Address: 853 Fairbairn Street
Applicant: Jenny Laing
Owner: Jenny Laing

The subject property is located on the west side of Fairbairn Street, north of the intersection with Parkview Drive. The subject property is zoned R.1, 1m, 2m and is designated 'Residential' in the City's Official Plan. The property is currently developed with a two-storey, single-detached dwelling.

The owner of the property is seeking consent from the Committee of Adjustment to sever the northern 619.8 square metres from the existing irregularly shaped lot, with a lot frontage of 15 metres to create a new building lot for a single-detached dwelling (Exhibit G). The proposed retained and severed lots meet the regulations of the R.1 zoning district and alternative regulations 1m and 2m. The property is subject to an easement in favour of the City of Peterborough for a storm sewer.

The subject property is located within a settlement area, as defined by the Provincial Policy Statement (PPS, 2020). The PPS directs growth and development to settlement areas. Land use patterns in settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources while being appropriate for, and efficiently use, infrastructure and public service facilities that are planned or available (PPS Section 1.1.3.2). Additionally, Section 1.6.6.2 of the PPS states that “within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.”

The Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) states that the majority of growth forecasted to the horizon of the plan is to be allocated to settlement areas that have a delineated built boundary, have existing or planned municipal water or wastewater services, and can support the achievement of a complete community (Section 2.2.1.2(a)). The application supports the achievement of complete communities by assisting with the provision of a range and mix of housing options and densities (Section 2.2.6.2(c)). The proposed severance conforms to the Growth Plan as it will provide for an additional building lot on municipal services within the existing built up area of the City.

The subject property is designated ‘Residential’ in the Official Plan. Objectives of the ‘Residential’ designation include encouraging “infill residential development in residential areas where the impacts of development on existing uses can be minimized and where development can efficiently utilize existing municipal services and facilities” and “encourage residential intensification to increase the supply of housing through better use of existing resources, buildings and under-utilized sites”. The creation of a new lot for a single-detached dwelling will assist the City in achieving the objectives of the ‘Residential’ designation as set out in Section 4.2 of the Official Plan.

As part of the Roadway Network Policies of the Official Plan, where a property is the subject of an application for planning approval and abuts a road right-of-way that does not meet the expected width, it is intended as a condition of approval that the developer provides sufficient land to meet the width prescribed by Table 2 at no cost to the City (Section 5.4.2). Fairbairn Street has a 20-metre right-of-way width where it abuts the land to be severed. Table 2 identifies Fairbairn Street as having an expected right-of-way width of 30 metres. Land for road widenings shall generally be taken equally from both sides of the right-of-way, unless there are conditions to warrant taking the entire road widening from one side (Section 5.4.3). To satisfy the above Road Network Policies of the Official Plan, the applicant will need to convey 5.0-metre wide strip along the frontage of the lands to be severed for road widening.

Agency Comments

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. The property is located outside of ORCA's regulated area so a permit from the Authority is not required. The subject property is not located in an area subject to the policies of the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and notes that new water service will be required should the severed lot be developed. Development charges are also applicable.

The City's Supervisor of Development Engineering has reviewed the application and has identified that the storm sewer easement is incorrectly shown at the front of the lot to be severed and the concept plan shows an encroachment by the driveway. Development of the severed lands should avoid the placement of buildings, structures and vehicle movement areas in the area subject to the easement. It is also noted that sanitary, water and utility services are required for the severed lot.

The City's Legal Services Division has reviewed the application and noted that the property is subject to an easement (R135283) in favour of the City for a storm sewer.

Recommendation

With respect to consent for severance application B05/19, staff recommends that the Committee of Adjustment **approve** the application, conditional upon the following:

- i) The payment of a Parks Levy for the newly created lot, in an amount to be determined by the Parks Levy Review Committee;
- ii) The payment of a Tree Levy in the amount of \$189.96 for the newly created lot;
- iii) Prior to registering of the Reference Plan at the applicant's cost, the applicant shall submit for approval a draft Reference Plan to the Secretary-Treasurer, showing the proposed severed parcel and road widening. Upon registration of the approved Reference Plan, a digital copy of the registered Reference Plan, in PDF format, will be provided to the Secretary-Treasurer;
- iv) 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's Geomatics/Mapping Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document;

- v) Conveyance by the owner to the City, free of encumbrances and at no cost to the City, a 5.0-metre road widening across the frontage of the severed lot;
- vi) That the applicant provides the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and
- vii) That if the above conditions are not satisfied within 365 days of the circulation of the Committee's Decision that this consent will lapse.

8. File Number: B06/20
Address: 130 Maria Street
Applicant: Susan Bowes
Owner: Margaret Vyse

The subject property is located on the north side of Maria Street between Mark and Rogers Streets. The subject property is zoned R.1, R.2, R.3, R.4 and is designated 'Residential' in the City's Official Plan. The property is currently developed with a one-storey, single-detached dwelling with an attached carport.

The owner of the property is seeking consent from the Committee of Adjustment to sever the westerly 21.6 metres to create a new building lot for a single-detached dwelling (Exhibit H). The proposed retained and severed lots will meet the regulations of the R.1 zoning district.

The subject property is located within a settlement area, as defined by the Provincial Policy Statement (PPS, 2020). The PPS directs growth and development to settlement areas. Land use patterns in settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources while being appropriate for, and efficiently use, infrastructure and public service facilities that are planned or available (PPS Section 1.1.3.2). Additionally, Section 1.6.6.2 of the PPS states that "within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services."

The Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) states that the majority of growth forecasted to the horizon of the plan is to be allocated to settlement areas that have a delineated built boundary, have existing or planned municipal water or wastewater services, and can support the achievement of a complete community (Section 2.2.1.2(a)). The application supports the achievement of complete communities by assisting with the provision of a range and mix of housing options and densities (Section 2.2.6.2(c)). The proposed severance conforms to the Growth Plan as it will provide for an additional building lot on municipal services within the existing built up area of the City.

The subject property is designated 'Residential' in the Official Plan. Objectives of the 'Residential' designation include encouraging "infill residential development in residential areas where the impacts of development on existing uses can be minimized and where development can efficiently utilize existing municipal services and facilities" and "encourage residential intensification to increase the supply of housing through better use

of existing resources, buildings and under-utilized sites". The creation of a new lot for a single-detached dwelling will assist the City in achieving the objectives of the 'Residential' designation as set out in Section 4.2 of the Official Plan.

As part of the Roadway Network Policies of the Official Plan, where a property is the subject of an application for planning approval and abuts a road right-of-way that does not meet the expected width, it is intended as a condition of approval that the developer provides sufficient land to meet the width prescribed by Table 2 at no cost to the City (Section 5.4.2). Maria Street has a 20-metre right-of-way width where it abuts the land to be severed. Table 2 identifies Maria Street, from Burnham Street to Ashburnham Drive as having an expected right-of-way width of 26 metres. Land for road widenings shall generally be taken equally from both sides of the right-of-way, unless there are conditions to warrant taking the entire road widening from one side (Section 5.4.3). To satisfy the above Road Network Policies of the Official Plan, the applicant will need to convey 3.0-metre wide strip along the frontage of the lands to be severed for road widening.

Agency Comments

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. The property is located outside of ORCA's regulated area so a permit from the Authority is not required. The subject property is not located in an area subject to the policies of the Trent Source Protection Plan.

Peterborough Distribution Inc. (PDI) has reviewed the application and has no comments on the proposal.

Peterborough Utilities Commission (PUC) has reviewed the application and notes that new water service will be required should the severed lot be developed. Development charges are also applicable.

The City's Supervisor of Development Engineering has reviewed the application and noted that sanitary, water and utility services are required for the severed lot.

Recommendation

With respect to consent for severance application B06/19, staff recommends that the Committee of Adjustment **approve** the application, conditional upon the following:

- i) The payment of a Parks Levy for the newly created lot, in an amount to be determined by the Parks Levy Review Committee;
- ii) The payment of a Tree Levy in the amount of \$273.54 for the newly created lot;
- iii) The removal of the existing accessory structure, attached carport and portion of chain link fence located along the frontage of the severed lot;

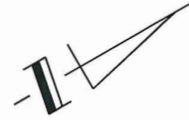
- iv) Prior to registering of the Reference Plan at the applicant's cost, the applicant shall submit for approval a draft Reference Plan to the Secretary-Treasurer, showing the proposed severed parcel and road widening. Upon registration of the approved Reference Plan, a digital copy of the registered Reference Plan, in PDF format, will be provided to the Secretary-Treasurer;
- v) 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's Geomatics/Mapping Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document;
- vi) Conveyance by the owner to the City, free of encumbrances and at no cost to the City, a 3.0-metre road widening across the frontage of the severed lot;
- vii) That the applicant provides the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and
- viii) That if the above conditions are not satisfied within 365 days of the circulation of the Committee's Decision that this consent will lapse.

Prepared By:

Concurred With:

Nolan Drumm, RPP, MCIP
Planner, Policy and Research,
Planning Division,
Infrastructure and Planning Services

Dean Findlay, C.Tech., CBCO
Chief Building Official,
Building Division,
Infrastructure and Planning Services



PLAN

LOT 18

PROPOSED WESTMOUNT

GARAGE

COVERED PORCH

DRIVEWAY

LOT 19

LOT 17

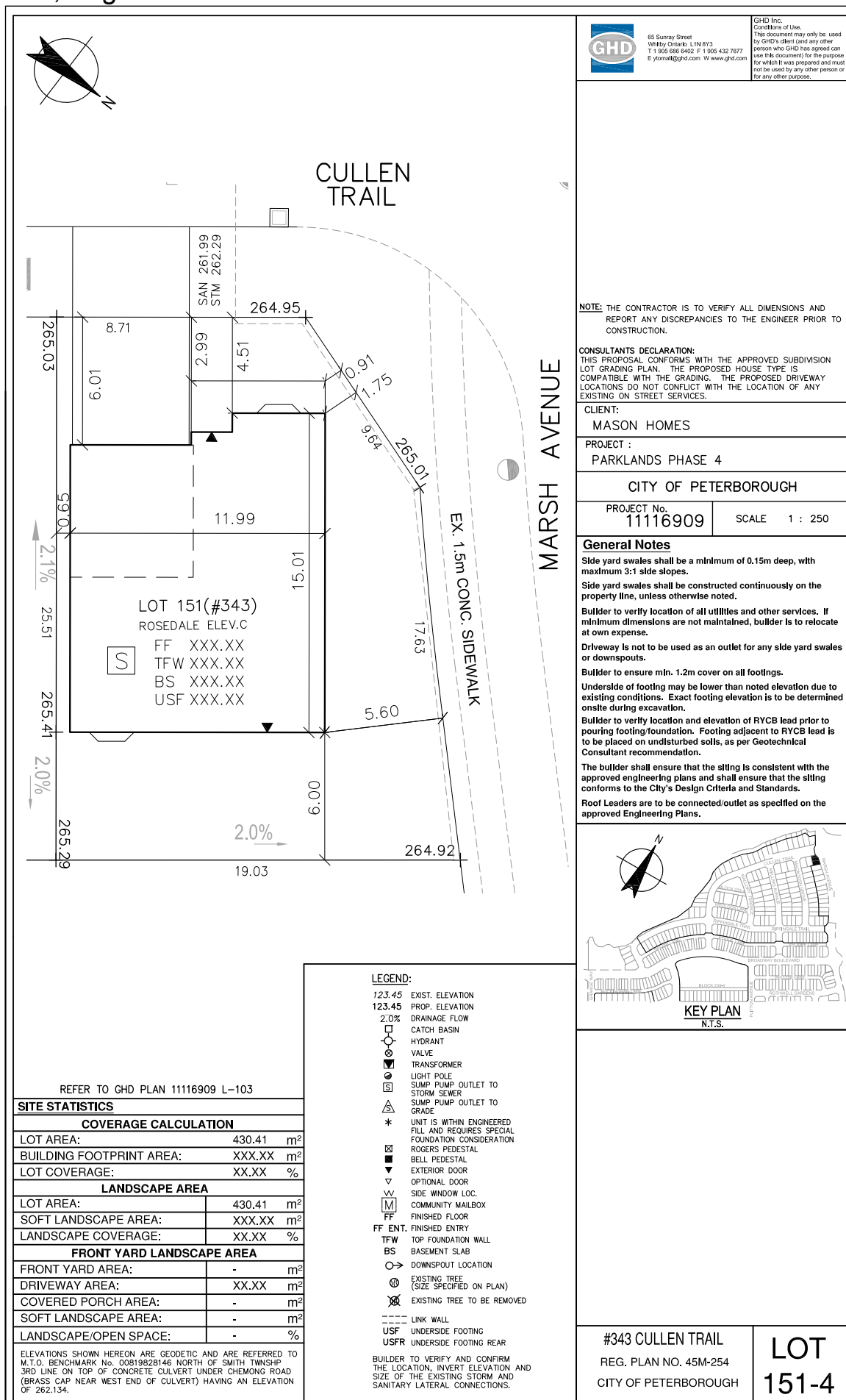
45M-254

CULLEN TRAIL

Block

234

CADD FILE: 7811-PH4-MV-LT018_1.DPD
PROJECT No. 7811-PH4-MV-LT018



ALL CONSTRUCTION METHODS AS PER
PART 9 OF THE O.B.C.
ALL TRADES TO HAVE MIN. FIVE YEARS
EXPERIENCE IN THEIR RESPECTIVE
DISCIPLINES.
ANY DEVIATION FROM THESE PLANS
DURING THE BUILDING PROCESS MUST BE
REPORTED TO THIS OFFICE TO ENSURE
COMPLIANCE WITH THE ONTARIO
BUILDING ACT AND REGULATIONS.
THIS FIRM ACCEPTS FULL RESPONSIBILITY
TO DO SO ABSOLVES THIS FIRM FROM
RESPONSIBILITY AND LIABILITY.
DRAWINGS ARE NOT TO BE SCALED.
DRAWINGS ARE NOT TO BE COPIED OR
REPRODUCED WITHOUT PERMISSION OF
MOLLY CONLIN DESIGN & DRAFTING.

Drawings For:
FRIDRIKSSON
68 AYLMER ST.
PETERBOROUGH, ON

Notes / Revisions:

Project: RENOVATION

Title: ELEVATIONS



FIRM CHM 109402
319 County Rd. 8
Dundas, ON L9G 4K6
705-333-3510

SIGNATURE:

Designed By:
M. CONLIN

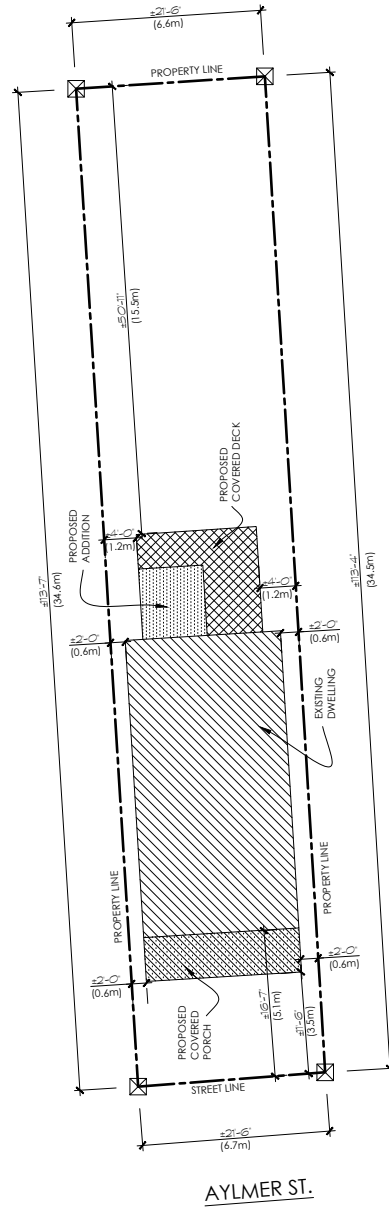
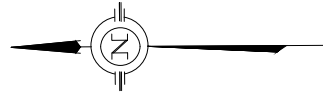
Date:
JULY, 2020

Scale:
1/4" = 1'-0"

Page:

S1

Exhibit C, Page 1 of 2



SITE PLAN

SCALE: 1"= 10'-0"

LEGEND

PROPERTY LINE

EXISTING DWELLING

PROPOSED ADDITION

PROPOSED DECK

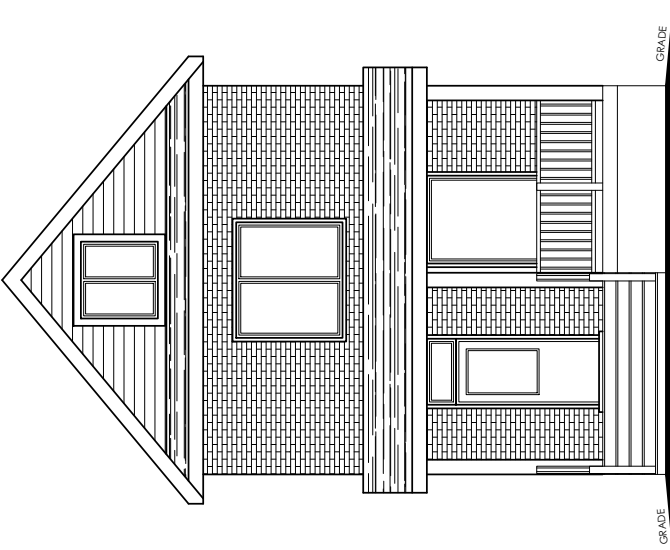
PROPOSED COVERED PORCH

LOT COVERAGE:	
LOT AREA	= 2430.1 ft² (225.8 m²)
EXISTING DWELLING SQUARE FOOTAGE	= 597.7 ft² (55.5 m²)
	= 25.6%
PROPOSED ADDITION SQUARE FOOTAGE	= 58.7 ft² (5.5 m²)
	= 2.4%
PROPOSED BACK PORCH SQUARE FOOTAGE	= 105.3 ft² (9.8 m²)
	= 4.3%
PROPOSED FRONT PORCH SQUARE FOOTAGE	= 65 ft² (7.9 m²)
	= 3.3%
TOTAL PROPOSED LOT COVERAGE:	= 846.7 ft² (78.7 m²)
	= 34.8%

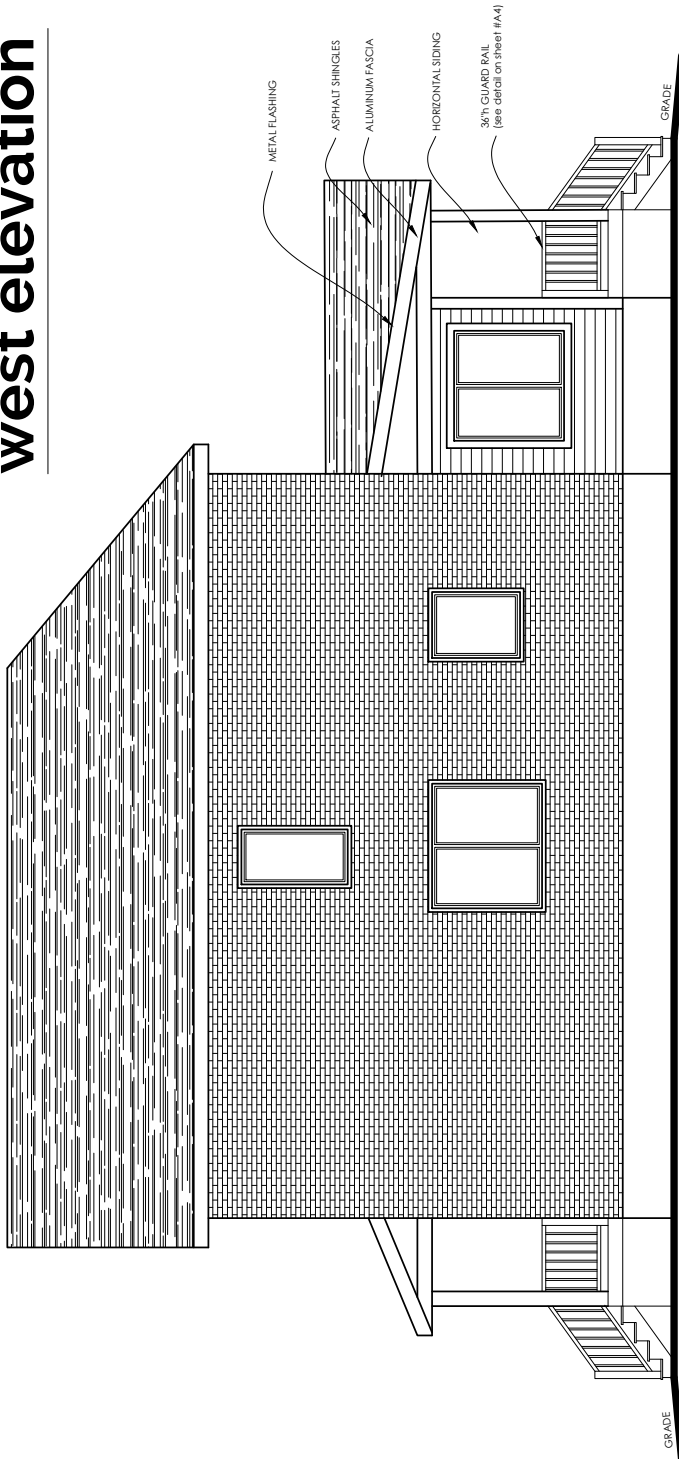
ALL CONSTRUCTION METHODS AS PER
PART 9 OF THE O.B.C.
ALL TRADES TO HAVE MIN. FIVE YEARS
EXPERIENCE IN THEIR RESPECTIVE
DISCIPLINES.
ANY DEVIATION FROM THESE PLANS
DURING THE BUILDING PROCESS MUST BE
REPORTED TO THIS OFFICE TO ENSURE
COMPLIANCE WITH THE ONTARIO
BUILDING ACT AND TO AVOID FAILURE
TO DO SO ABSOLVES THIS FIRM FROM
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DRAWINGS ARE NOT TO BE COPIED OR
REPRODUCED WITHOUT PERMISSION OF
MOLLY CONLIN DESIGN & DRAFTING.

Drawings For: FRIDRIKSSON 68 AYLMER ST. PETERBOROUGH, ON	Notes / Revisions:	Project: RENOVATION	Title: ELEVATIONS	MOLLY CONLIN design & drafting	FIRM CNDP 139402 311 County Rd. 8 Dundas, ON N0B 1G0 519-333-3510	SIGNATURE:	Designed By: M. CONLIN	Date: JUNE, 2020	Page: A4
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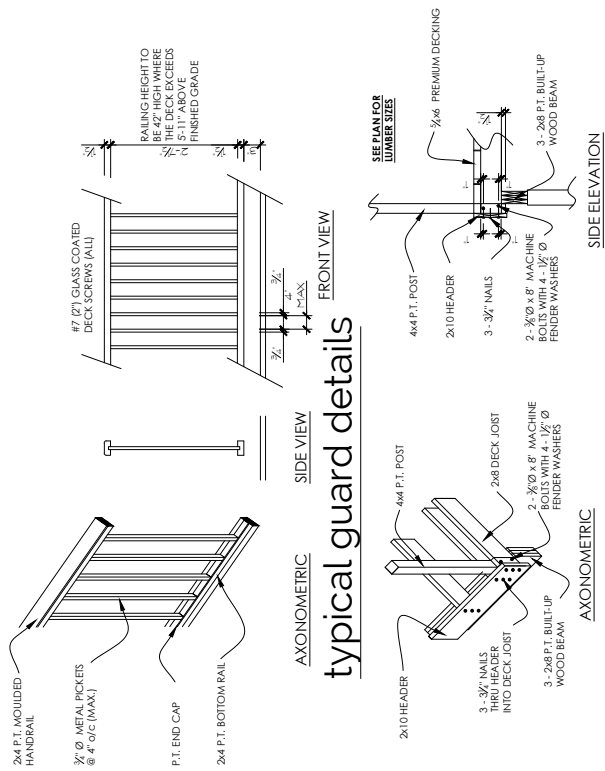
Exhibit C, Page 2 of 2



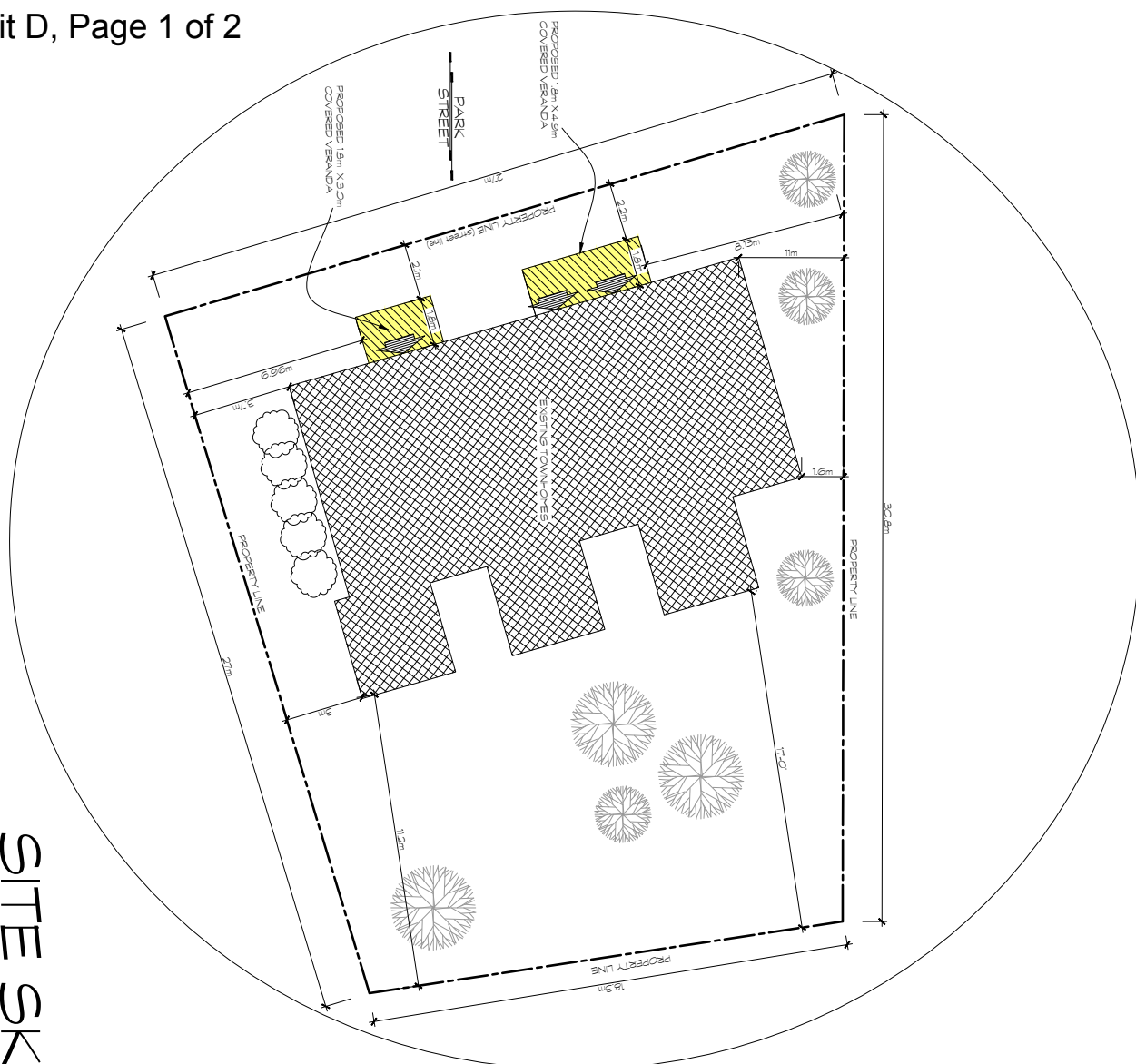
west elevation



south elevation



eb-5 post detail



THE SKETCH

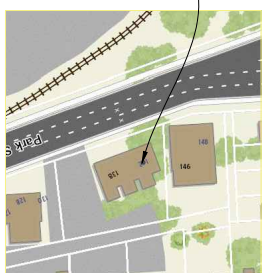
LOT COVERAGE:	
LOT AREA	= 644.6 m ²
EXISTING DWELLINGS	= 196.6 m ² (30%)
PROPOSED VERANDAS	= 89 m ² + 5.6 m ² (2.2%)
TOTAL LOT COVERAGE	= 211 m ² (32%)

SITE SKETCH INFORMATION TAKEN FROM LAND SURVEY OF LOTS 4,5,6 & 7 PARK STREET BY W.A. BENINGER LIMITED ONTARIO LAND SURVEYORS ON THE 29TH OF JULY 1975. DIMENSIONS SHOWN ARE :

LEGEND

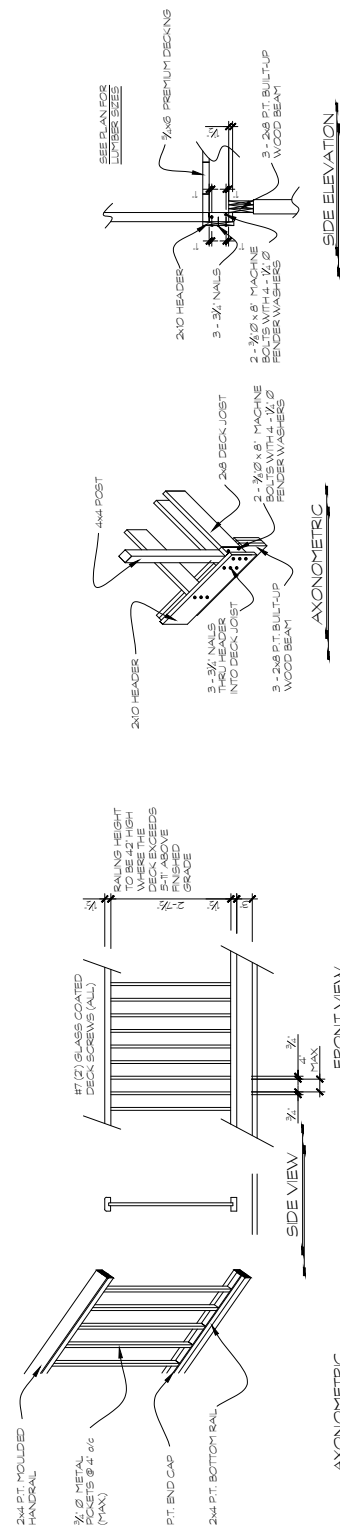
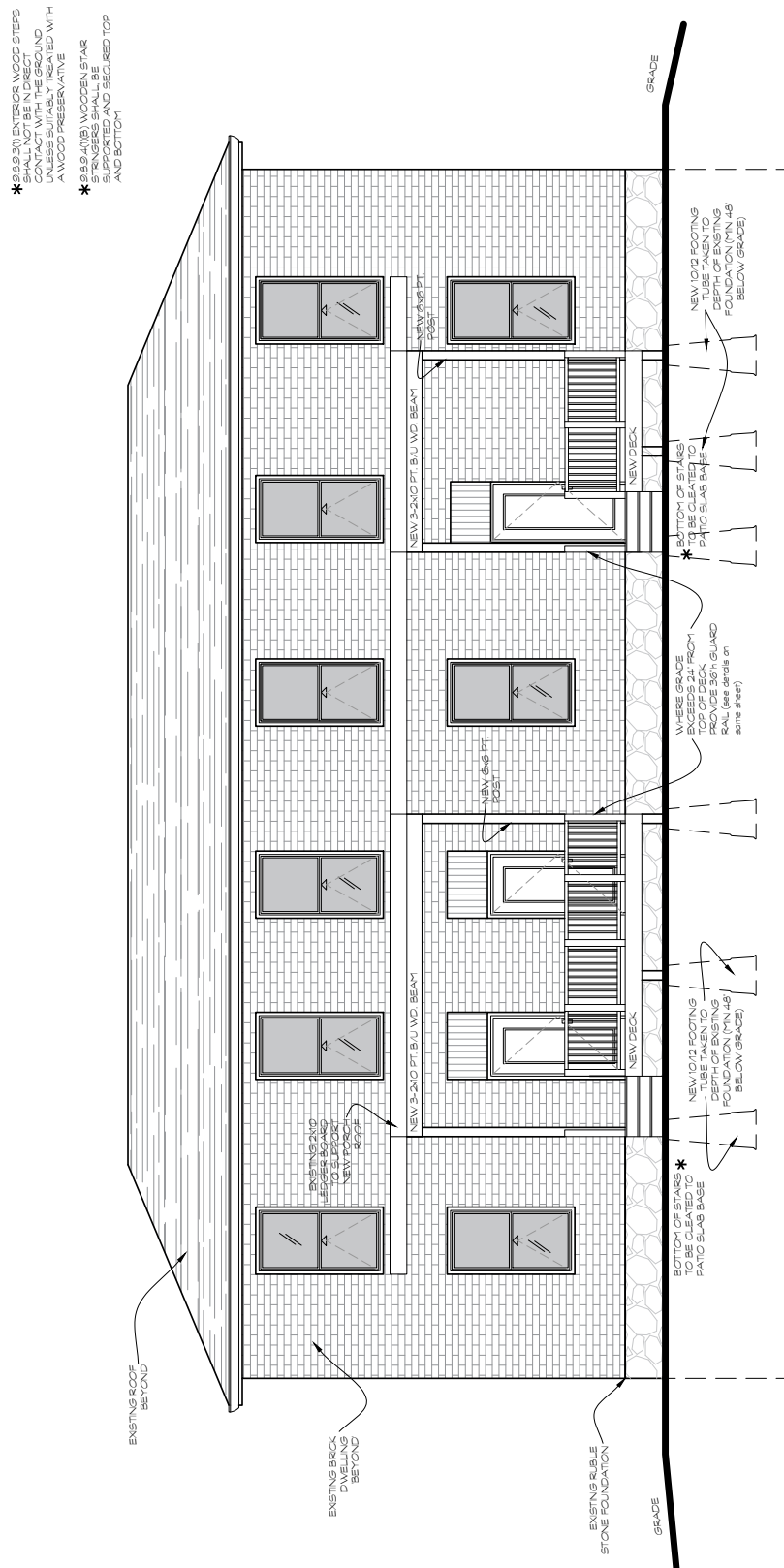
- PROPERTY LINE
EXISTING DWELLINGS
PROPOSED VERANDAS
APPROXIMATE LOCATION OF TREES
EXTERIOR ENT/ENTRANCE

SUBJECT
PROPERTY



FROM THE PTBO GIS MAPPING

• 142 park st. •



TYPICAL GUARD DETAILS

EB-5 POST DETAIL

ALL DIMENSIONS TO BE
VERIFIED ON SITE BY
CONTRACTOR

ALL CONSTRUCTION METHODS
AS PER PART 9 OF THE O.B.C.

ALL TRADES TO HAVE MIN. FIVE YEARS EXPERIENCE IN THEIR RESPECTIVE DISCIPLINES.

ANY DEVIATION FROM THESE PLANS DURING THE BUILDING PROCESS MUST BE REPORTED TO THIS OFFICE TO ENSURE COMPLIANCE WITH THE ONTARIO BUILDING CODE. LATEST EDITION. FAILURE TO DO SO ABSOLVES THIS FIRM FROM RESPONSIBILITY AND LIABILITY.

***9.9.9.3(f) EXTERIOR WOOD STEPS SHALL NOT BE IN DIRECT CONTACT WITH THE GROUND UNLESS SUITABLY TREATED WITH A WOOD PRESERVATIVE**

***98.241(b) WOODEN STAR
STRINGERS SHALL BE
SUPPORTED AND SECURED TOP
AND BOTTOM**

Drawings For:
2 PARK ST
ETERBOROUGH ONT.

Notes / Revisions:

project: **DECK REBUILDS**

File	Size	Time
...

DRAWINGS ARE NOT TO BE
SCALE. CONTRACTORS SHALL
CHECK & VERIFY ALL DIMENSIONS
PRIOR TO CONSTRUCTION. ANY
DISCREPANCIES MUST BE
REPORTED TO THIS OFFICE BY
REGISTERED MAIL.

J. Laurie Young

Architecture Design - Space Planning

BCN 30329

2019

750 Fives Bay Road Selwyn, Ontario

800.447.7433 • 705.743.4913
info@lvsmoda.com

Checked By: _____

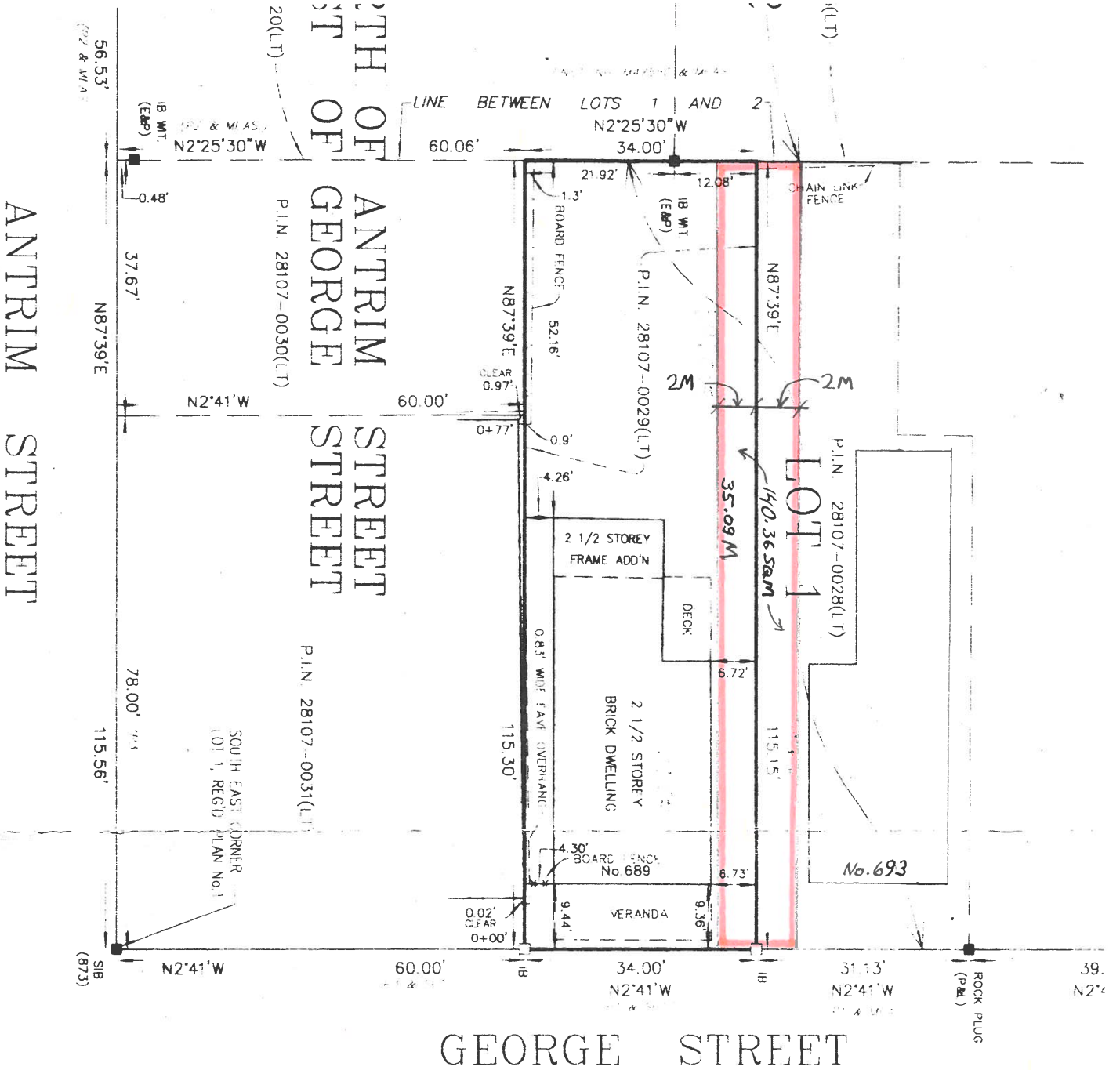
DUNFORD
J. L. YOUNG

Note:

FEBRUARY 4 2020

code:

7



GEORGE STREET

P.I.N. 28107-0285(LT)

PART OF LOT 1
NORTH OF ANT
WEST OF GEO
REGISTERED PL

CITY OF PE
COUNTY OF F

SCALE: 1 INCH EQUALS 20
© ELLIOTT AND PARR (PLT) BORO
2006

PART 2: REPORT	
DESCRIPTION OF LAND	
* PART OF LOT 1, NORTH OF ANTRIM, REGISTERED PLAN No.1 *	
REGISTERED EASEMENTS and/or RIGHTS	
* NONE *	
ENCROACHMENTS	
* BOARD FENCE & EAVE AS SHOWN ON	
COMPLIANCE WITH MUNICIPAL ZONING	
* NOT CERTIFIED BY THIS REPORT *	
ADDITIONAL REMARKS:	
* TIES SHOWN HEREON ARE MEASURED	


$$1/16'' = 1'-0''$$

jim@jamesandco.ca

www.jamesandco.ca

CUSTOMER:

JEFF PINKNEY
559 DOWNIE STREET
PETERBOROUGH, ON

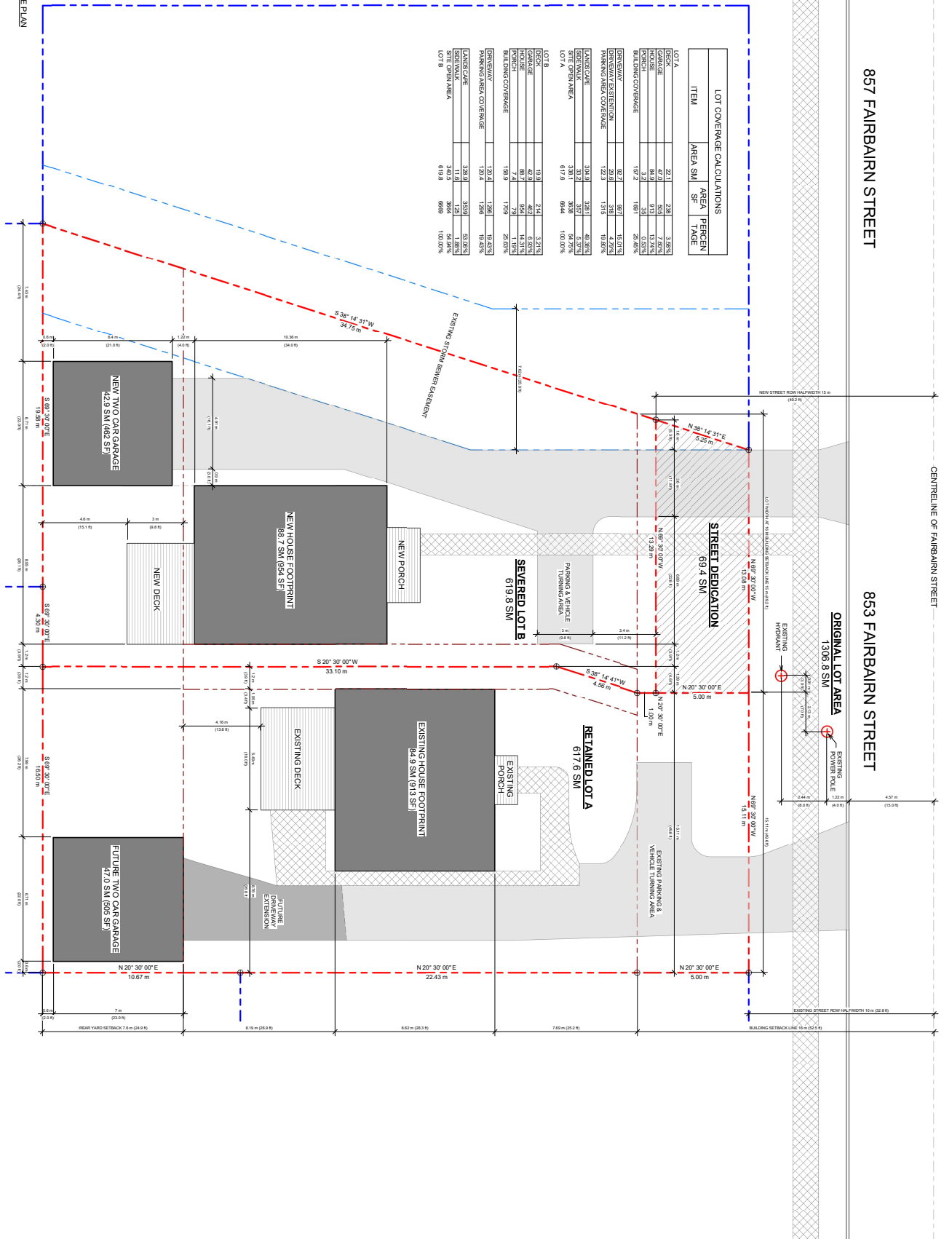
PROJECT:

NEW TIMBER DEC
559 DOWNIE STREET
PETERBOROUGH, ON

ND CONFIDENTIAL: THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF JAMES +

Exhibit G, Page 1 of 1

PROPOSED SEVERANCE PLAN
1:96



PROPOSED SEVERANCE

Project Address: 853 FAIRBAIRN STREET, PETERBOROUGH, ON

William Rudell Architect

Site Plan with Proposed Severance Layout

Project No: 19-100 Scale: 1 : 96 Drawn by: WR Date: 2020.06.11

2128 Arbutus Street, Vancouver, BC V6J 3X8 PH: 739-1940 EM: wmrudell@shaw.ca

$$Y_4^{\text{ss}} = 1.0''$$

NOTE: CLOSEST FIRE
HYDRANT IS 25m

