



City of
Peterborough

Committee of Adjustment

Hearing Date: December 2, 2020

Staff Recommendations Regarding Files: B09/20, B10/20, B11/20, A26/20, and A27/20

1. File Number: B09/20
Address: 71 Crescent Street
Applicant: Stan and Kelly Steinsky
Owner: Stan and Kelly Steinsky

File Number: B10/20
Address: 77 Crescent Street
Applicant: Stan and Kelly Steinsky
Owner: Stan and Kelly Steinsky

File Number: B11/20
Address: 79 Crescent Street
Applicant: Stan and Kelly Steinsky
Owner: Sue Connelly-King and Lance King

The subject properties are located on the south side of Crescent Street, between Winch and Haggart Streets, overlooking Little Lake. The subject properties are zoned R.1, R.2 residential district and designated 'Commercial' in Schedule A (Land Use) of the Official Plan and 'Special Policy Area' in the Central Area Land Use Plan (Schedule J). The properties are currently developed with semi-detached dwellings.

The applicants are seeking a series of easements over the northerly 2.5 metres of each property to facilitate utility access (Exhibit A), as follows:

- An easement over 71 Crescent Street in favour of 77, 79, and 81 Crescent Street;
- An easement over 77 Crescent Street in favour of 79 and 81 Crescent Street; and
- An easement over 79 Crescent Street in favour of 81 Crescent Street.

The easements are required as the electrical service wires to each of the above-noted properties from the junction box are privately owned and maintenance is the responsibility of the individual property owner. The junction box, owned by Peterborough Distribution Inc., is located on private property in front of the dwelling at 71 Crescent Street. The establishment of the utility easements is a requirement of the Site Plan executed by the developers.

The establishment of the easement will support the continued residential use and function of the properties by formalizing each owner's right, of each semi-detached unit, to have access over the intervening properties, to the PDI electric service junction box on 71 Crescent Street.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the applications and is of the opinion that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazards) 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 reviewed the application and notes that the electrical junction box owned by Peterborough Distribution is to be included as part of the easement.

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

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

The Ministry of Transportation of Ontario (MTO) reviewed the application in accordance with the **Public Transportation and Highway Improvement Act** and its Highway Access Management Guidelines and has no comments as the subject lands are located outside their permit control area.

Bell Canada reviewed the applications and has no concerns with the proposed easements.

Recommendation

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

- i) Prior to registering 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 easements and the location of the electrical junction box owned by Peterborough Distribution. 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'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;
- iii) That the applicant provides the Secretary-Treasurer with a draft of each Transfer Easement; and
- iv) That if the above conditions are not satisfied within 365 days of the circulation of the Committee's Decision that this consent will lapse.

2. File Number: A26/20
Address: 121 Douro Street
Applicant: Garnet Northey, Spotlight Home and Lifestyle
Owner: Kiley and Jaime Akiyama

The subject property is located on the south side of Douro Street, between Mark and Rogers Streets, to the west of the Rotary Trail. The property is zoned R.1, R.2 residential district and designated 'Residential' in the Official Plan. The property is currently developed with a single-detached dwelling.

The applicant is proposing to remove the existing sunroom at the front of the dwelling and replace it with a front porch that extends along the frontage of the house and wraps around the west side (Exhibit B). To facilitate the construction of the front porch, the applicant has requested a variance from Section 6.11(a) of the Zoning By-law to reduce the minimum building setback from a street line of a local street 20 metres or wider in width from 6.0 metres to 3.5 metres. Staff has reviewed the concept plan submitted in support of the application 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 proposed construction supports the residential function of the property by providing outdoor amenity space at the front of the dwelling. The requested variance maintains the intent and purpose of the Official Plan.

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 or Rotary Trail. Driveway access is currently provided to the subject property from Douro Street and the parking area will not be impacted by the proposed construction. The requested variance maintains the intent and purpose of the Zoning By-law.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the applications and is of the opinion that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazards) 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 reviewed the application and identified that the overhead electrical service to the property needs to be repaired and clearances to the proposed porch be maintained.

Peterborough Utilities Commission (PUC) reviewed the application and notes that the proposed front porch is in close proximity to the existing water service and curb stop. Locates are to be completed prior to construction.

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

The Ministry of Transportation of Ontario (MTO) reviewed the application in accordance with the **Public Transportation and Highway Improvement Act** and its Highway Access Management Guidelines and has no comments as the subject lands are located outside their permit control area.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the application provided that construction related to this approval proceed substantially in accordance with the concept plan attached as Exhibit B and conditional upon the applicant obtaining written approval from PDI regarding the porch clearance from the overhead lines and completing the locates for the water service and curb stop.

3. File Number: A27/20
Address: 1120 Ripplingale Trail
Applicant: Mason Homes Limited
Owner: Mason Homes Limited

The subject property is located in 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 Ripplingale Trail between Macintosh Grove and Marsh Avenue. The property is zoned SP.328, 13a, SP.329, 11j, 13k, SP.330, 11j, 13k, and SP.331, 3q, 11j, 13k, 16c and designated 'Residential' in Schedule A (Land Use) of the Official Plan and 'Low Density Residential' in the Chemong Secondary Plan (Schedule Q). The proposed construction of a single-detached dwelling on this property was considered under the SP.329 zoning district with alternative regulations 11 and 13k.

To facilitate the construction of the proposed single-detached dwelling on the subject property, the applicant has requested a minor variance from Section 359.3(e)(ii) of the SP.329 zoning district to reduce the minimum building setback from a rear lot line from 6.0 metres to 5.6 metres (Exhibit C). Staff has reviewed the concept plan submitted in support of the application 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 Chemong Secondary Plan does not contain any additional land use designations outside of the Official Plan. 'Low Density Residential' permits single-detached, semi-detached, and duplex dwellings. The requested variance maintains the intent and purpose of the Official Plan.

The SP.329 zoning district permits single-detached residential dwellings. The intent of the rear yard setback is to ensure, among other factors, that there is adequate privacy between neighbouring properties and that there is sufficient amenity space at the rear of the lot. The proposed addition is limited in scope and, if approved, the resulting rear yard will still provide sufficient amenity space. Visual impacts on neighbouring properties is also expected to be minimal. The variance maintains the intent and purpose of the Zoning By-law.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the applications and is of the opinion that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazards) 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 reviewed the application and has no comment on the proposal.

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

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

The Ministry of Transportation of Ontario (MTO) reviewed the application in accordance with the **Public Transportation and Highway Improvement Act** and its Highway Access Management Guidelines and has no comments as the subject lands are located outside their permit control area.

Recommendation

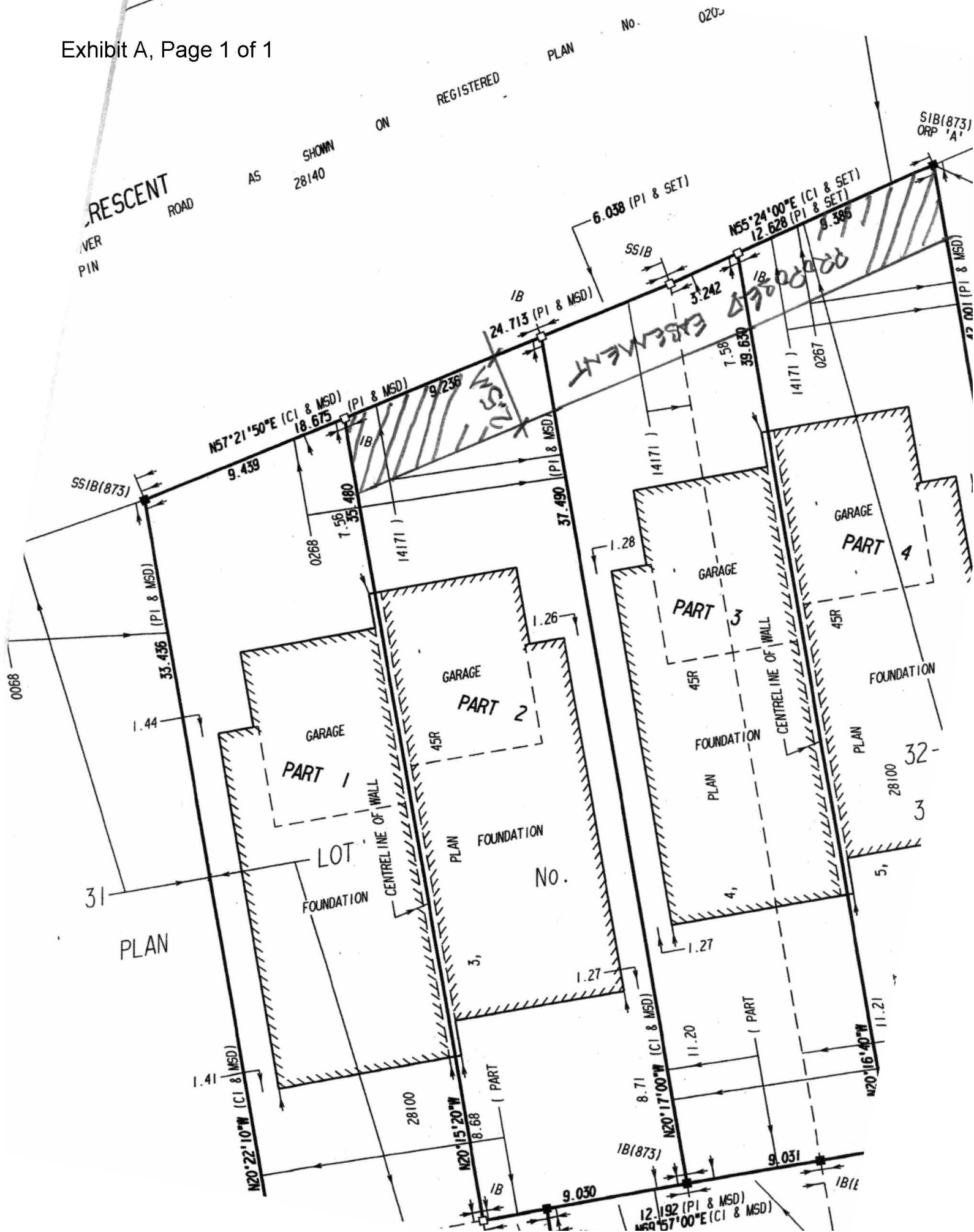
Staff recommends that the Committee of Adjustment **approve** the application provided that construction related to this approval proceed substantially in accordance with the concept plan attached as Exhibit C.

Prepared By:

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

Concurred With:

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



do not scale off drawing

all work to be carried out in accordance with the Ontario Building Code
It is the responsibility of the contractor to confirm that the conditions on site conform to the information provided in the drawings and to report any discrepancies to the designer before proceeding
all new construction dimensions to framing unless otherwise specified
all existing construction dimensions to finished surfaces unless otherwise specified
all lumber to be min. SPF #2 or better
all steel 2-ply 2" x 10" unless otherwise specified
footing design assumes a minimum soil bearing capacity of 75 kPa

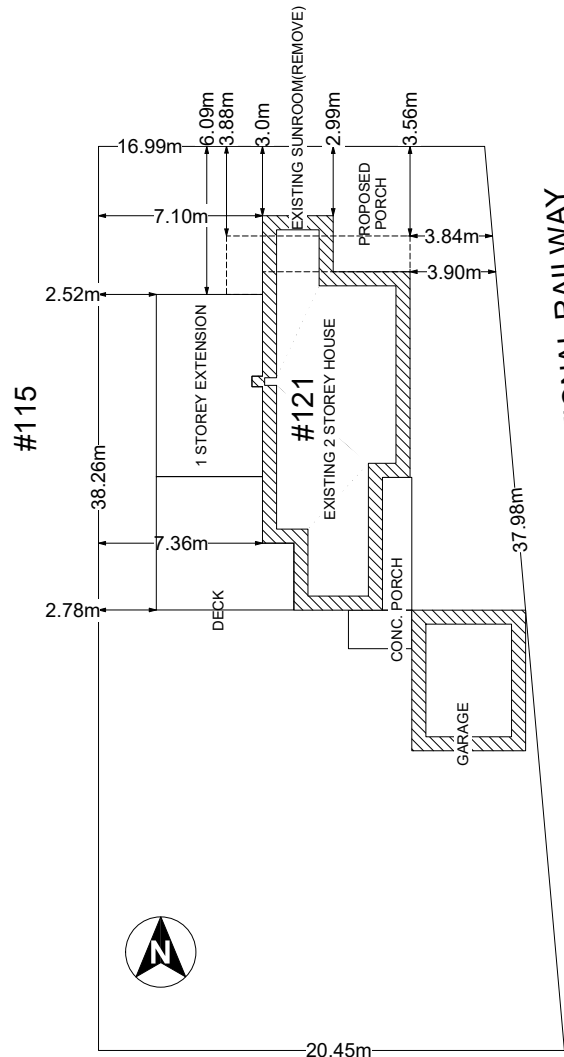


Exhibit B, Page 1 of 1

SITE STATISTICS

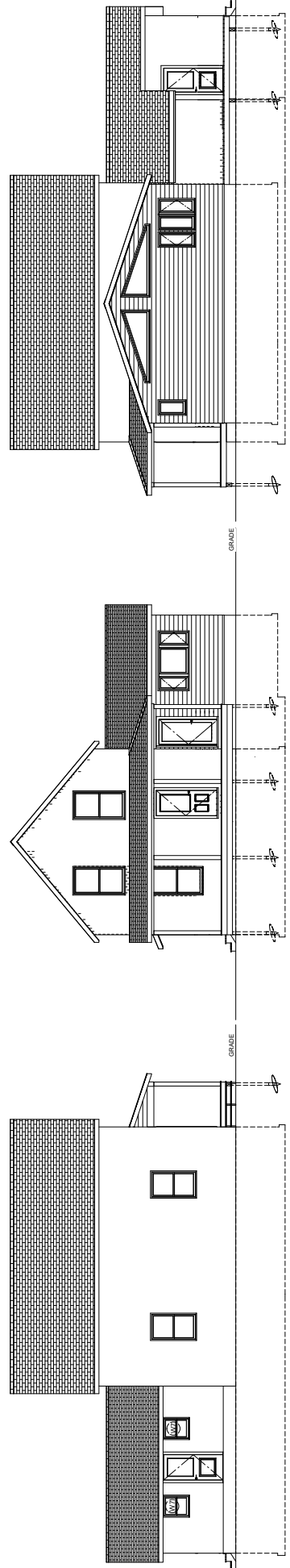
ZONING R.1	2 STOREY MAX COVERAGE = 40%
LOT AREA	~722 M2
EXISTING HOUSE	106.84 M2
DECK	29.35 M2
CONC. PORCH & STOOP	11.89 M2
GARAGE	14.5 M2
TOTAL COVERAGE	162.58 M2
PROPOSED HOUSE	142.8 M2
DECK	30.5 M2
CONC. PORCH & STOOP	11.89 M2
GARAGE	14.5 M2
PROP. PORCH	13.95 M2
TOTAL COVERAGE	213.64 M2
	29.59%

DOURO STREET



CANADIAN NATIONAL RAILWAY

1 1
SITE PLAN
1" = 100'



2 1
PRINCIPAL ELEVATIONS
3/16" = 1'

lino hilsdon design

JAMIE & KYLIE AKIYAMA PORCH
121 DOURO STREET PETERBOROUGH

review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4 of the Building Code. I am qualified and the firm is registered, in the appropriate category category.

14 JULY 2023
LINO HILSDON DESIGN BCIN 31122
LINO HILSDON DESIGN BCIN 31122


















title and scale
AS NOTED

sheet
1 of 1





LEGEND:

123.45	EXIST. ELEVATION
123.45	PROP. ELEVATION
270%	DRAINAGE FLOW
	CATCH BASIN
	HYDRANT
	VALVE
	TRANSFORMER
	LIGHT POLE
	SUMP PUMP OUTLET TO STORM SEWER
	SUMP PUMP OUTLET TO GRADE
*	UNIT IS WITHIN ENGINEERED FILL AND REQUIRES SPECIAL FOUNDATION CONSIDERATION
	ROGERS PEDESTAL
	BELL PEDESTAL
	EXTERIOR DOOR
	OPTIONAL DOOR
	SIDE WINDOW LOC.
	COMMUNITY MAILBOX
	FINISHED FLOOR
FF ENT.	FINISHED ENTRY
TFW	TOP FOUNDATION WALL
BS	BASEMENT SLAB
	DOWNSPOUT LOCATION
	EXISTING TREE (SIZE SPECIFIED ON PLAN)
	EXISTING TREE TO BE REMOVED
----	LINK WALL
USF	UNDERSIDE FOOTING
USFR	UNDERSIDE FOOTING REAR

BUILDER TO VERIFY AND CONFIRM
THE LOCATION, INVERT ELEVATION AND
SIZE OF THE EXISTING STORM AND
SANITARY LATERAL CONNECTIONS.



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person who GHD has agreed can
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NOTE: THE CONTRACTOR IS TO VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.

CONSULTANTS DECLARATION:
THIS PROPOSAL CONFORMS WITH THE APPROVED SUBDIVISION
LOT GRADING PLAN. THE PROPOSED HOUSE TYPE IS
COMPATIBLE WITH THE GRADING. THE PROPOSED DRIVEWAY
LOCATIONS DO NOT CONFLICT WITH THE LOCATION OF ANY
EXISTING ON STREET SERVICES.

CLIENT:

MASON HOMES

PROJECT :

PARKLANDS PHASE 4

CITY OF PETERBOROUGH

PROJECT No.
11116909

SCALE 1 : 250

General Notes

Side yard swales shall be a minimum of 0.15m deep, with maximum 3:1 side slopes.

Side yard swales shall be constructed continuously on the property line, unless otherwise noted.

Builder to verify location of all utilities and other services. If minimum dimensions are not maintained, builder is to relocate at own expense.

Driveway is not to be used as an outlet for any side yard swales or downspouts.

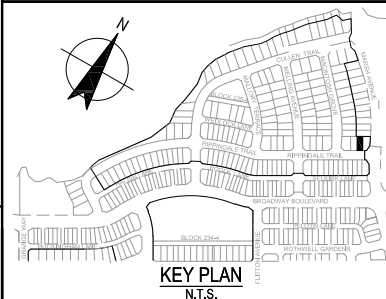
Builder to ensure min. 1.2m cover on all footings.

Underside of footing may be lower than noted elevation due to existing conditions. Exact footing elevation is to be determined onsite during excavation.

Builder to verify location and elevation of RYCB lead prior to pouring footing/foundation. Footing adjacent to RYCB lead is to be placed on undisturbed soils, as per Geotechnical Consultant recommendation.

The builder shall ensure that the siting is consistent with the approved engineering plans and shall ensure that the siting conforms to the CLTV's Design Criteria and Standards.

Roof Leaders are to be connected/outlet as specified on the approved Engineering Plans.



#1120 RIPPINGALE TR.
REG. PLAN NO. 45M-254
CITY OF PETERBOROUGH

LOT
73-4