City of Peterborough

# Committee of Adjustment Minutes

## June 24, 2025

Minutes of an Electronic Meeting of Committee of Adjustment held on June 24, 2025, at 6:00 p.m.

**Present:** Stewart Hamilton, Chair
Rod Hines
Dan Marinigh
Robert Short
Kaes Vanderkooy

**Also Present:** Sarah Dilamarter, Junior Planner and Acting Secretary-Treasurer
Nun Nil, Junior Planner
Anne Taylor Scott, Manager, Development Planning
Andrea Stillman, Zoning Administrator
Jennifer Stern, Secretary Treasurer

Committee of Adjustment was called to order at 6:00 p.m.

### Disclosure of Pecuniary Interest

There were no disclosures of Pecuniary Interest.

### Applications

1. **File No. A22/25, 615 Water Street**

This matter relates to a minor variance application submitted by Ed Bonisch, the owner of the property that is the subject of the application.

The purpose of the application is to obtain relief from Section 9.2(e)(i) of the Zoning By-law to decrease the minimum permitted rear lot line setback from 9 metres to 6.5 metres to accommodate a proposed 15.3 square metre addition to the rear of the existing rowhouse dwelling.

Ed Bonisch attended the meeting and addressed the Committee as follows:

- The front addition to the dwelling illustrated on the submitted site plan is no longer being pursued due to the presence of an easement on the land.
- The addition being proposed is a single-storey addition, and the applicant does not anticipate excavating the land, pending further discussions with the City's Building Department.
- The applicant intends on matching the existing tutor-style of the four-unit rowhouse.

Sarah Dilamarter, Junior Planner, advised that she had nothing further to add to the information presented in the Staff Report.

No one spoke in objection to the application and no written objections were received.

In response to questions from the Committee, Staff advised as follows:

- Section 6.39 of the City's Zoning By-law permits dwelling units on subdivided lots to build right up to the side lot line so long as the lot only contains one dwelling unit.
- The requirement for an Archaeological Assessment is based off of Ministry screening criteria, which considers a multitude of different factors.
- The condition for an Archaeological Assessment in the staff report is worded in a way that allows the condition to be waived if the applicant can provide documentation from a qualified Archaeologist confirming that the assessment isn't required.
- A fence installation does not trigger the need for an archaeological assessment.

In response to questions from the Committee, the applicant advised as follows:

- They are willing to work with the Building Department to ensure that the southerly wall will be installed in a way that allows it to be sufficiently maintained.

Moved by Dan Marinigh

**That the application be approved in accordance with the recommendation in the Staff Report.**

"CARRIED"

**Decision**

The Committee received no comment or presentation from members of the public concerning the application and thus made its decision on the basis of the Staff Report and the application.

Having reviewed the application and considered the information presented both in the Staff Report and presentation, the Committee determined that the application should be approved as per the Staff Recommendation and that the variances are minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore, a variance is granted to Section 9.2(e)(i) of the Zoning By-law to decrease the minimum permitted rear lot line setback from 9 metres to 6.5 metres provided that construction of the rear addition proceed substantially in accordance with the concept plan attached as Exhibit A, and, unless otherwise waived by a licensed archaeologist, the completion of a Stage 1 and 2 Archaeological Assessment to the satisfaction of Heritage Planning Staff.**

2. **File No., A23/25, 173 Charlotte Street**

This matter relates to a minor variance application submitted by Laura Stone of One Community Planning, as applicant on behalf of 1293720 Ontario Inc., the owner of the property that is the subject of the application.

The purpose of the application is to seek the following variances from the Zoning By-law to facilitate the construction of a three-storey addition to the rear of the existing building:

a. Section 18.2(c)(ii) to increase the maximum building floor area ratio, for building containing more than 21 units, from 1.2 to 2.7;

b. Section 18.2(e) to permit dwelling units and lodging houses on the first storey; and,

c. Section 6.37(ii) to reduce the minimum floor area for dwelling units from 56 square metres to 31.5 square metres.

Laura Stone of One Community Planning Inc. attended the meeting and addressed the Committee as follows:

- The owners are seeking a minor variance in order to obtain similar relief to what was granted to them in the fall, but this time, they're looking to increase the maximum building floor area ratio from 1.2 to 2.7 to accommodate an additional three storeys.

- The intent is to remove the existing single-storey structure, and within its footprint, put up a four-storey structure. This would add approximately 35 additional units.

Nun Nil, Junior Planner, advised that he had nothing further to add to the information presented in the Staff Report.

No one spoke in objection to the application and no written objections were received.

In response to questions from the Committee, Staff advised as follows:

- A past variance approval allowed for the property up to 100% lot coverage, allowing the applicants to build on the entirety of the lot.
- The existing C.6 zone does not require any minimum rear yard setbacks.
- The applicants will be working with Transportation Staff to determine the cash in lieu of parking requirements.
- As parking is a requirement under applicable law, staff did not include a condition with respect to parking in the staff report to avoid redundancy.

In response to questions from the Committee, the applicant advised as follows:

- Amenity space is located in the rear of the building.

Moved by Robert Short

**That the application be approved in accordance with the recommendation in the Staff Report, subject to cash-in-lieu of Parking being provided to the City of Peterborough to staff's satisfaction.**

"CARRIED"

**Decision**

The Committee received no comment or presentation from members of the public concerning the application and thus made its decision on the basis of the Staff Report and the application.

Having reviewed the application and considered the information presented both in the Staff Report and presentation, the Committee determined that the application should be approved as per the Staff Recommendation, with the addition of the Cash-in-Lieu of Parking payment condition, and that the variances are minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore, variances to the Zoning By-law are granted as follows:**

a. **Section 18.2(c)(ii) to increase the maximum building floor area ratio, for building containing more than 21 units, from 1.2 to 2.7;**
b. **Section 18.2(e) to permit dwelling units and lodging houses on the first storey;**
c. **Section 6.37(ii) to reduce the minimum floor area for dwelling units from 56 square metres to 31.5 square metres.**

**Conditional upon the following:**

i. **Provision of a topographic survey and building elevation plans that demonstrate adequate flood proofing measures to the satisfaction of Otonabee Region Conservation Authority through the permitting process;**

ii. **The commercial spaces on the first storey in the front of the building as delineated on the proposed floor plan to be maintained for commercial use, consistent with Exhibit B;**

iii. **Payment of a Parks Levy in an amount to be determined by the Parks Levy Review Committee; and,**

iv. **Payment of cash-in-lieu of parking be provided to the City of Peterborough to the satisfaction of Planning Staff.**

**Minutes**

The Chair requested amending the minutes to recognize that under file A19/25, the Executive Director for the DBIA answered questions in response to the Committee's questions.

Moved by Stewart Hamilton

**That the minutes of the Committee of Adjustment hearing held on May 27, 2025 be approved, as amended.**

"CARRIED"

**Other Business**

**Appointment of Secretary Treasurer**

Moved by Robert Short

**That Jennifer Stern be appointed the Secretary Treasurer to the Committee of Adjustment.**

"CARRIED"

**Request to Change Conditions of Provisional Consent: File B04/23, 872 High St.**

This matter relates to a provisional consent for a lot addition that was granted by the Committee on June 20, 2023.

Pete Lawless, LLF Lawyers LLP, has submitted a request to the Committee of Adjustment to remove condition ii) of provisional consent, in accordance with Section 53(23) of the Planning Act. Condition ii) is as follows:

Removal of the Holding Provision imposed by By-law 13-007, associated with the SP.268-245 zoning district.

Staff addressed the Committee as follows:

- The Committee must determine whether the conditions may be revised, and in this case deleted as requested, and that the change would be considered minor as per section 53(26) of Planning Act
- Should the Committee find that the condition is not minor and that it warranted circulation and formal decision and appeal process, the application would likely lapse as the two-year condition fulfillment period for the applicant's severance will have lapsed.

In response to questions from the Committee, Staff advised as follows:

- The retained parcel, located on High Street, is the property subject to the Holding Provision, while the Lansdowne Street parcel is not encumbered by the Holding Provision.

Moved by Stewart Hamilton

**That condition ii) for file number B04/23. 872 High Street be removed from the list of required conditions of provisional consent.**

"CARRIED"

**Next Meeting**

The next meeting of the Committee of Adjustment is scheduled for Tuesday, July 22, 2025.

**Adjournment**

The meeting was adjourned at 7:07 p.m.

Stewart Hamilton, Chair

Sarah Dilamarter, Acting Secretary-Treasurer