DRAFT

City of Peterborough

Committee of Adjustment Minutes

September 23, 2025

Draft Minutes Not Approved

Minutes of an Electronic Meeting of Committee of Adjustment held on September 23, 2025, at 6:00 p.m.

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

Also Present: Sarah Dilamarter, Junior Planner
Nun Nil, Junior Planner
Anne Taylor Scott, Manager, Development Planning
Andrea Stillman, Zoning Administrator
Lauren Kublis, Urban Design Planner
Nolan Drumm, Land Use Planner
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. A25/25 – 679 Lundy's Lane**

This matter relates to a minor variance application submitted by Greeshma Gopinath, on behalf of Greeshma Gopinath and Vinod Soman, the owners of the property that is the subject of the application.

The purpose of the application is to seek relief from the following sections of the Zoning By-law to facilitate the construction of up to four dwelling units on a single lot:

a) Section 7.2 to decrease the minimum permitted lot width per dwelling unit from 12.0 metres to 6.0 metres;

b) Section 7.2(h) to decrease the minimum floor area per dwelling unit from 70 square metres to 65 square metres;

c) Section 7.2(i) to increase the maximum permitted lot coverage by open parking areas, driveways and vehicle movement from 20% to 26%; and

d) Section 4.3.1(f)(ii) to decrease the minimum permitted drive aisle width from 6.4 metres to 6.0 metres.

Grishma Gopinath attended the meeting and addressed the Committee as follows:

- The proposed development with three units aligns with the new zoning by-laws passed by City Council to facilitate missing middle housing.

- The project retains the existing residential building while adding a two-storey building as an extension to the south.

- The project contributes to the City's housing objectives while maintaining the scale and character of the neighborhood and will provide gentle intensification.

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

The Chair acknowledged that the Committee had received and reviewed a letter in objection to the application from Janice McCall.

The following persons attended the meeting and addressed the Committee with regards to this application:

i) Vicky Shoup, 660 Lundy's Lane, Peterborough, ON

- Opposes the application due to concerns regarding parking and increased traffic as well as privacy concerns due to the proximity of the proposed driveway for the development to the existing neighbouring dwelling

Sarah Dilamarter, Junior Planner, provided the following in response to questions from the Committee:

- Section 4.3.2(c) of the City's Zoning By-law speaks to a habitable room in an apartment dwelling or group home and does not apply to this application.

- Accessible parking is not required for the proposed additional units. Requiring accessible parking would also increase the percentage of lot coverage for open parking areas, driveways, and vehicular movement and necessitate recirculation of the application.

- Planning, Development and Urban Design staff have reviewed the application and recommended minor adjustments to the site plan to make it eligible for Missing Middle Community Improvement Plan funding.

- Staff have not recommended the condition that the site be built substantially in accordance with the site plan to allow some flexibility for the applicant.

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

- A fence can be provided as a barrier between the proposed units and the neighboring property.

- The proposed units would be accessed through the main door on the east side and no entrance is planned for the west side to access the rear yard.

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

- Noise attenuation such as fencing is governed by the Ministry of Environment, Conservation, and Parks, and City staff would require a noise impact study to recommend the installation of a fence to reduce noise.
- Legal Services would need to be consulted if a development agreement were required between the City and the applicant to impose the condition of a privacy fence.

Andrea Stillman, Zoning Administrator, clarified the following:

- Fences are not within the purview of the Building Services Division, and if made a condition for the minor variance, it would need to be completed before a building permit could be issued.

Discussion

Robert Short and Rod Hines both voiced concern regarding the issue of vehicle noise impacting the neighboring properties. Rod Hines noted that the City by-laws likely would not support the proposed 2 metre fence to run along the driveway to the street.

Moved by Rod Hines

That the application be approved with the addition that a condition be required for the applicant to enter into an agreement with the municipality to secure the advancement of a 2 metre board on board fence from the building set back from Lundy's Lane to the southern limit of the parking area to be finalized prior to occupancy.

"CARRIED"

Decision

The Committee heard from members of the public concerning the application and gave due consideration and weight to the comments made and received.

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 additional condition from the Committee. They determined 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 7.2 to decrease the minimum permitted lot width per dwelling unit from 12.0 metre to 6.0 metres;**

b) **Section 7.2(h) to decrease the minimum floor area per dwelling unit from 70 square metres to 65 square metres;**

c) **Section 7.2(i) to increase the maximum permitted lot coverage by open parking areas, driveways and vehicle movement from 20% to 26%; and**

d) **Section 4.3.1(f)(ii) to decrease the minimum permitted drive aisle width from 6.4 metres to 6.0 metres.**

Conditional upon the Following:

i. **That the applicant enter into a development agreement with the City to require a 2 metre board on board fence from the building set back from Lundy's Lane to the southern limit of the parking area to be finalized prior to occupancy.**

2. **File No. A31/25 – 664 Montrose Street**

This matter relates to a minor variance application submitted by Karan Leal, on behalf of Karan Leal and Jeff Leal, the owners of the property that is the subject of the application.

The owners are seeking a minor variance to facilitate the proposed widening of the existing driveway off McKellar Street. They are requesting relief from the following:

a) Section 4.8(1)(i) to increase the maximum driveway width at the streetline from 6.0 metres to 9.0 metres, and the maximum width at or more than 1.0 metres from the streetline from 8.5 metres to 9.0 metres;

b) Section 4.3.1(Table 4.2)(ii) to reduce the minimum parking space width from 2.7 metres to 2.3 metres;

c) Section 4.3.2(a) to increase the number of motor vehicles permitted within 6.0 metres of a streetline from two to three; and,

d) Section 4.3.2(h) to reduce the required 0.25 metre additional width requirement for a parking space abutting a wall or column to 0.0 metres.

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

Karan Leal attended the meeting and addressed the Committee as follows:

- Additional parking is required as a result of the Additional Residential Unit and the inconvenience for the tenant in accessing the allotted tandem parking.
- The existing carport limits the space for additional vehicles in the current driveway layout.
- There is no sidewalk present on that side of the property to interfere with the additional curb cut and parking space.

In response to questions from the Committee, Sarah Dilamarter, Junior Planner, advised as follows:

- Asset Management and Capital Planning as well as Transportation Planning Section were consulted on the application, and did not choose to provide comment

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

- The existing tandem parking is burdensome to their current tenant, and the proposed additional width would alleviate this burden.
- There is at least one other property in the immediate area with a driveway that is 3 parking spaces in width at the street line.

Moved by Stewart Hamilton

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

i. **Section 4.8(1)(i) to increase the maximum driveway width at the streetline from 6.0 metres to 9.0 metres, and the maximum width at or more than 1.0 metres from the streetline from 8.5 metres to 9.0 metres;**

ii. **Section 4.3.1(Table 4.2)(ii) to reduce the minimum parking space width from 2.7 metres to 2.3 metres;**

iii. **Section 4.3.2(a) to increase the number of motor vehicles permitted within 6.0 metres of a streetline from two to three; and,**

iv. **Section 4.3.2(h) to reduce the required 0.25 metre additional width requirement for a parking space abutting a wall or column to 0.0 metres.**

PROVIDED THAT construction proceed substantially in accordance with the concept plan attached as Exhibit B.

3. **File No. A32/25 – 162 Wallis Drive**

This matter relates to a minor variance application submitted by Brendan Curry of Draftify, as applicant on behalf of Vipesh Kantilal Patel, Pushpa Patel, and Vijyaben Patel, the owners of the property that is the subject of the application.

The application is seeking relief from the following Sections of the Zoning By-law to facilitate a proposed expansion to the existing dwelling:

a) Section 3.4(8)(b) to decrease the minimum permitted side lot line setback from 1.8 metres to 1.0 metres; and,
b) Section 3.4(10)(d) to decrease the minimum permitted rear lot line setback from 12 metres to 1.0 metres from the northerly rear lot line, and from 12 metres to 4.4 metres from the easterly lot line.

Brendan Curry attended the meeting and addressed the Committee as follows:

- The purpose of the application is to allow for the expansion of the existing footprint of the home by squaring it up and adding a large canopy at the rear to improve the usability of the backyard space.

- The property was subject to a previous severance on the north side which created an unusual lot configuration.
- The expansion and canopy is designed to complement the existing dwelling and the character of the neighborhood without negative impacts on light, privacy or separation between properties.

The chair acknowledged that the Committee had received and reviewed two letters in support of the application from:

i) Nick Patel

ii) Robert Stocker

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

In response to questions from the Committee, Sarah Dilamarter, Junior Planner, advised as follows:

- The bend in the north property line marks the transition from a side lot line to a rear lot line, in accordance with the definition.

Discussion

Rod Hines noted a concern in the application of the definition for a rear lot line as the site plan indicates a minor bend in what would usually be considered a side lot line. As well as a concern about the variance requesting 4.4 metre setback from the easterly rear lot line and suggested a modification to the decision to indicate that the variance is specifically for a canopy, and not for an extension for house construction.

Moved by Robert Short

That the application be approved in accordance with the recommendation in the Staff Report with the modification that the variance from the second part of item (b), to decrease the minimum permitted rear lot line setback from 12 metres to 4.4 metres from the easterly rear lot line be specific to the construction of a canopy.

“CARRIED”

Decision

The Committee heard from members of the public concerning the application and gave due consideration and weight to the comments made and received.

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 modification that the second part of variance (b) be specific to a canopy. They determined 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 3.4(8)(b) to decrease the minimum permitted side lot line setback from 1.8 metres to 1.0 metres; and,**

b) **Section 3.4(10)(d) to decrease the minimum permitted rear lot line setback from 12 metres to 1.0 metres from the northerly rear lot line, and**

c) **Section 3.4(10)(d) to decrease the minimum permitted rear lot line setback from 12 metres to 4.4 metres from the easterly rear lot .**

PROVIDED THAT construction proceed in general accordance with the concept plan attached as Exhibit C and that variance (c) only applies to the construction of a rear canopy.

4. **File No. B04/25, A33/25 & A34/25 – 220 Simcoe Street**

This matter relates to a severance and two accompanying minor variance applications submitted by Kevin MacDonald, on behalf of 220 Simcoe Street Holdings Limited, the owner of the property that is subject to the application.

The purpose of the application is to obtain consent to sever the property to establish two building lots, each with a proposed 24-unit apartment buildings.

In addition to the consent application, the applicant is seeking the following variances from the Zoning By-law to accommodate the proposed development

A33/25 - 220 Simcoe Street (Retained Lot)

a) Section 6.37(i) to reduce the minimum unit size for a bachelor unit from 37 square metres to 17 square metres;

b) Section 6.37(ii) to reduce the minimum unit size for dwelling units other than a bachelor unit from 56 square metres plus 14 square metres for each habitable room in excess of four to 28 square metres;

c) Section 6.8(a) to reduce the minimum building setback from the centreline of Aylmer Street from 16 metres to 13.3 metres;

d) Section 6.19(e) to reduce the required intersection sight-triangle leg length from 21.3 metres to 18.8 metres along both Aylmer Street and Simcoe Street;

e) Section 4.2 to reduce the number of required parking spaces for a 24-unit apartment dwelling in Parking Area 1, from 15 spaces to 6 spaces;

f) Section 18.2(c)(i) to increase the maximum building floor area ratio of building containing 21 or more dwelling units from 1.2 to 4.0;

g) Section 4.3.1 to permit parking configuration with the following specifications:

    a. Minimum parking stall width of 2.5 metres (reduced from 2.7 metres)

b. Minimum parking stall length of 5 metres (reduced from 5.5 metres)
c. Minimum accessible parking stall width of 3.3 metres plus 1.2 metres access aisle (reduced from 3.7 and 1.5 metres)
d. Minimum two-way driveway aisle width of 5.5 metres (reduced from 6 metres)
e. Minimum one-way driveway aisle width of 2.7 metres (reduced from 3 metres)

h) Section 4.6 to permit development on the subject land without the provision of a designated loading space, whereas a minimum of one loading space is required.

A34/25 - 220 Simcoe Street (Severed Lot)

a) Section 6.37(i) to reduce the minimum unit size for a bachelor unit from 37 square metres to 17 square metres;
b) Section 6.37(ii) to reduce the minimum unit size for dwelling units other than a bachelor unit from 56 square metres plus 14 square metres for each habitable room in excess of four to 28 square metres;
c) Section 6.8(a) to reduce the minimum building setback from the centreline of Aylmer Street from 16 metres to 13.3 metres;
d) Section 4.2 to reduce the number of required parking spaces for a 24-unit apartment dwelling in Parking Area 1, from 15 spaces to 6 spaces;
e) Section 18.2(c)(i) to increase the maximum building floor area ratio of building containing 21 or more dwelling units from 1.2 to 4.0;
f) Section 4.3.1 to permit parking configurations with the following specifications:
    a. Minimum parking stall width of 2.5 metres (reduced from 2.7 metres)
    b. Minimum parking stall length of 5 metres (reduced from 5.5 metres)
    c. Minimum accessible parking stall width of 3.3 metres plus 1.2 metres access aisle (reduced from 3.7 and 1.5 metres)
    d. Minimum two-way driveway aisle width of 5.5 metres (reduced from 6 metres)
    e. Minimum one-way driveway aisle width of 2.7 metres (reduced from 3 metres)
g) Section 4.6 to permit development on the subject land without the provision of a designated loading space, whereas a minimum of one loading space is required.

The Committee Chair noted that a letter requesting to include a further variance was received today and proposed deferring the application until it was complete and could be adequately reviewed by the Committee.

In response to questions from the Committee, Nun Nil, Junior Planner, clarified as follows:

- The cash-in-lieu of parking policy discourages Planning Act applications for a reduction in parking rates when cash-in-lieu of parking is applicable
- The decision for reductions in parking in the central area would be decided by Council thus the request to reduce parking rates was not included in the staff recommendation as it would contradict the Cash-In-Lieu of Parking Policy.
- The issue of loading spaces and the need to establish a shared right-of-way would be identified in greater detail during the site plan process before returning to the Committee for a consent for easement.
- The applicant has undertaken a Pre-Consultation meeting with staff for their site plan application.

The applicant, Kevin MacDonald, attended the meeting and requested that the letter be retracted and the Committee hear the application at today's hearing rather than deferring. The Committee agreed and the applicant addressed the Committee as follows:

- The intent of the application is to maintain site function on the northern lot while severing the property and be able to have infill residential commence to the north.
- An easement would allow the severed lot (the north lot) to be developed with an infill residential development which could access the shared drive aisle and loading space through the easement.
- The south lot (retained) is not planned to be developed right away so the intent is to structure the application in phases.
- The consultant hired for this project, D.M. Wills, has run models regarding flood concerns and is satisfied that the project can conform with the City's regulations and policies for floodplain, and the Special Policy Area with regards to development.
- The intent of the application is to be able to intensify within the spirit of the Official Plan and Zoning By-law while allowing some design flexibilities through site plan for intensification of the site for residential purpose.

In response to further questions from the Committee, Nun Nil, Junior Planner, advised as follows:

- The applicant has been issued a Record of Pre-Consultation and they have been provided with a list of studies that would be required to undertake a full site plan approval process.
- The intent of the application is to gain some flexibility for changes where needed, but there is a possibility that the applicant will need to revisit the Committee for further variances.
- The Site Plan process would identify the need to establish an easement and then

a further application for consent for easement would be required.

- The C.6 Zoning does not require a minimum lot width or depth so the severance would not create a deficient lot under the zoning.

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

- He recognized that the proposed shared easement would necessitate another application to the Committee of Adjustment.
- The Otonabee Regional Conservation Authority is in the process of adjusting the lines of the floodplain which may impact the quality of the site plan if the severance and variances are granted at a later date.
- More flexibility in design will allow for a better site plan and would allow for a faster and more efficient site plan approval process.

Moved by Kaes Vanderkooy

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

"CARRIED"

Decision – B04/25 – 220 Simcoe Street

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.

In that both the severed and retained lands would conform to the Official Plan policy and the zoning regulations applied to the property, consent is granted to sever the 22.4 metres northerly portion fronting Aylmer Street, conditional upon the following:

i. **Approval of Minor Variance applications A33/25 and A34/25 associated with the retained and severed lands;**

ii. **Conveyance, at no cost and encumbrance to the City, a 5 metres by 5 metres daylight triangle at the corner of Aylmer Street and Simcoe Street;**

iii. **The applicant shall demonstrate that the development can address the natural hazard policies under Sections 5.1 and 5.2 of the Provincial Planning Statement, to the satisfaction of Otonabee Region Conservation Authority through the provision of any technical studies/reports deemed necessary by the Authority, the undertaking of any recommended measure as appropriate, and obtaining the required permits from the Otonabee Region Conservation Authority;**

iv. **Site Plan Approval to the satisfaction and approval of the Urban Design Supervisor, if applicable;**

v. **Confirmation from the City's Building Division that the temporary structure associated with a previous minor variance approval (A22/22) has been removed;**

vi. **Prior to the registering of the Reference Plan, the applicant shall, at their cost, submit for approval a draft Reference Plan to the Secretary-Treasurer, showing the proposed severed parcels. 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;**

vii. **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 Division. It is recommended that the applicant's Ontario Land Surveyor consult with the City of Peterborough's Geomatics Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instruction on how to submit this document;**

viii. **The applicant shall provide the Secretary-Treasurer with a draft of the Transfer/Deed of Land;**

ix. **That if the above conditions are not satisfied within two years of the circulation of the Committee's decision that this consent will lapse.**

Decision – A33/25 – 220 Simcoe Street

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, variances to the Zoning By-laws are granted as follows:

i. **Section 6.37(i) to reduce the minimum unit size for a bachelor unit from 37 square metres to 17 square metres;**

ii. **Section 6.37(ii) to reduce the minimum unit size for dwelling units other than a bachelor unit from 56 square metres plus 14 square metres for each habitable room in excess of four to 28 square metres;**

iii. **Section 6.8(a) to reduce the minimum building setback from the centreline of Aylmer Street from 16 metres to 13.3 metres;**

iv. **Section 6.19(e) to reduce the required intersection sight-triangle leg length**

from 21.3 metres to 18.8 metres along both Aylmer Street and Simcoe Street

v. **Section 18.2(c)(i) to increase the maximum building floor area ratio of building containing 21 or more dwelling units from 1.2 to 4.0;**

vi. **Section 4.3.1 to permit parking configuration with the following specifications:**

   a. **Minimum parking stall width of 2.5 metres (reduced from 2.7 metres)**
   b. **Minimum parking stall length of 5 metres (reduced from 5.5 metres)**
   c. **Minimum two-way driveway aisle width of 5.5 metres (reduced from 6 metres)**
   d. **Minimum one-way driveway aisle width of 2.7 metres (reduced from 3 metres)**

vii. **Section 4.6.2 to permit the erection and usage of a 24-unit or less residential building without the need to provide vehicle loading space associated with the residential use that would otherwise be required in accordance with Table 4.9 and/or Section 4.6.2(d).**

Decision – A34/25 – 220 Simcoe Street

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

i. **Section 6.37(i) to reduce the minimum unit size for a bachelor unit from 37 square metres to 17 square metres;**

ii. **Section 6.37(ii) to reduce the minimum unit size for dwelling units other than a bachelor unit from 56 square metres plus 14 square metres for each habitable room in excess of four to 28 square metres;**

iii. **Section 6.8(a) to reduce the minimum building setback from the centreline of Aylmer Street from 16 metres to 13.3 metres;**

iv. **Section 18.2(c)(i) to increase the maximum building floor area ratio of building containing 21 or more dwelling units from 1.2 to 4.0;**

v. **Section 4.3.1 to permit parking configurations with the following specifications:**

a. **Minimum parking stall width of 2.5 metres (reduced from 2.7 metres)**
b. **Minimum parking stall length of 5 metres (reduced from 5.5 metres)**
c. **Minimum two-way driveway aisle width of 5.5 metres (reduced from 6 metres)**
d. **Minimum one-way driveway aisle width of 2.7 metres (reduced from 3 metres)**

vi. Section 4.6.2 to permit the erection and usage of a 24-unit or less residential building without the need to provide vehicle loading space associated with the residential use that would otherwise be required in accordance with Table 4.9 and/or Section 4.6.2(d).

5. **File No. A28/25 – 721 Frank Street**

This matter relates to a minor variance application submitted by Victoria Suen of Build X Design on behalf of TVM Frank Street Inc., the owners of the property that is the subject of the application.

The purpose of the application is to seek relief from the following Sections of the Zoning By-law to facilitate the construction of a 4-unit dwelling:

a. Section 7.2(b) to decrease the minimum permitted lot area per dwelling unit from 370 square metres to 231.9 square metres;
b. Section 7.2(c) to decrease the minimum lot width per dwelling unit from 12 metres to 5.0 metres; and,
c. Section 7.2(h) to decrease the minimum permitted floor area per dwelling unit from 70 square metres to 54.5 square metres.

Victoria Suen attended the meeting and addressed the Committee as follows:

- The current property is a vacant lot.
- The applicant is proposing the construction of 4 dwelling units.
- The provided parking will be parallel spots.

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

In response to questions from the Committee, Sarah Dilamarter, Junior Planner, advised as follows:

- The staff recommendation for the application is unchanged from the July 22, 2025 Staff Report.
- The parking layout in the Site Plan provided is for visual purposes to demonstrate one possible parking format.

- Staff have not included the provision in the Staff Report that construction proceeds in accordance with the concept plan to afford the applicants the ability to redesign within the regulations permitted to them.
- Staff have not requested any conditions tied to the approval of the variance.

Responding to questions from the Committee, the applicant advised as follows:

- The configuration of the neighboring property and the proposed development would result in side-by-side, parallel driveways.

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

- Under Section 45(9) of the Planning Act, the Committee may attach conditions to a minor variance approval, but such conditions must be reasonably related to the variances being granted.

Discussion

Robert Short voiced concern regarding the proximity of the proposed driveway to the neighboring property and posed the idea of imposing the condition of a fence. Rod Hines noted that the requirement of a fence should be relegated to future development of the property.

Moved by Rod Hines

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 to the Zoning By-law is granted as follows:

a) **Section 7.2(b) to decrease the minimum permitted lot area per dwelling unit from 370 square metres to 231.9 square metres;**
b) **Section 7.2(c) to decrease the minimum lot width per dwelling unit from 12 metres to 5.0 metres; and,**

c) Section 7.2(h) to decrease the minimum permitted floor area per dwelling unit from 70 square metres to 54.5 square metres provided that all other provisions of the Zoning By-law are met to the satisfaction of the City's Planning, Development and Urban Design Division.

6. **File No. B03/25 – 90 Hunter Street East**

This matter relates to a severance application submitted by Aditya Srinivas of EcoVue Consulting Services Inc., as applicant on behalf of The Board of Trustees of Mark Street United Church, the owner of the property that is the subject of the application.

Aditya Srinivas attended the meeting and addressed the Committee as follows:

- The severed lot would be approximately 1500 square meters in area, while the retained lot would be approximately 3300 square meters in area.
- The severed lot would contain the existing church along with the proposed addition.
- The retained lot would contain the proposed 17-storey mixed-use building.
- City Council approved a Zoning by-law Amendment on September 3, 2025 and Notice of Passing was issued on September 15, 2025

Nun Nil, Junior Planner, clarified further to their report regarding the Zoning By-law Amendment, advising that as it is still within the appeal period and will be subject to site plan approval. This process will identify if any easements are required and will revisit the committee for an approval for an easement at that time.

The following persons attended the meeting and addressed the Committee in opposition to this application:

i) John MacMillan-Jones, Peterborough, ON

- The applicant has failed to provide the updated materials requested by the Committee at the July 22, 2025 meeting and the application for a severance to facilitate the development of a 17-storey building is not in public interest or suitable for the land.

In response to questions from the Committee, Nun Nil, Junior Planner, advised as follows:

- Staff have recommended the condition for the removal of the existing church extension on the retained lands.

Moved by Rod Hines

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

"CARRIED"

Decision

The Committee heard from members of the public concerning the application and gave due consideration and weight to the comments made and received.

Consent is granted to sever a portion that contains the existing church with a lot frontage of 26.31 metres along Hunter Street East and 57.60 metres on Mark Street. The proposed severed lot would have an area of 1515.17 square metres as illustrated in Exhibit F CONDITIONAL UPON THE FOLLOWING:

i) **The approval of Zoning By-law Amendment File Z2507, affecting the severed and retained lands;**

ii) **Receipt of confirmation that the existing church extension on the retained land has been removed through the appropriate permits from the Building Division;**

iii) **Prior to the registering of the Reference Plan, the applicant shall, at their cost, submit for approval a draft Reference Plan to the Secretary-Treasurer showing the proposed severed parcel. 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 Division. It is recommended that the applicant's Ontario Land Surveyor consult with the City of Peterborough's Geomatics Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document;**

v) **That the applicant shall provide the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and**

vi) **That if the above conditions are not satisfied within two years of the circulation of the Committee's decision that this consent will lapse.**

Minutes

Moved by Robert Short

That the minutes of the Committee of Adjustment hearing held on July 22, 2025 be approved.

"CARRIED"

Other Business

Planning, Development and Urban Design staff prepared a memo for the Committee of Adjustment to address questions that came up during the July 22, 2025 Hearing.

The Development Planning Manager provided clarification to committee members on questions raised at previous hearing and further discussion regarding Site Plan process, new Provincial Legislation, and City policies.

Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Tuesday, October 21, 2025.

Adjournment

The meeting was adjourned at 8:21 p.m.

Stewart Hamilton, Chair

Jennifer Stern, Secretary-Treasurer