



City of
Peterborough

To: **Members of the General Committee**

From: **Jeffrey Humble, Director, Planning and Development Services**

Meeting Date: **February 5, 2018**

Subject: **Report PLPD18-003**
Zoning By-law Amendment for 799 Argyle Street

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 799 Argyle Street from R.1 – Residential District, to R.2-323 – Residential District to permit the use of the property for two dwelling units with an exception to permit modified regulations including a parking ratio of 1.5 parking spaces per unit.

Recommendations

That Council approve the recommendations outlined in Report PLPD18-003 dated February 5, 2018, of the Director, Planning and Development Services, as follows:

- a) That the Zoning By-law be amended to add Exception 323 to Section 3.9, to permit a reduced lot area per unit; a reduced lot width per unit, and a minimum of 1.5 parking spaces per unit, in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD18-003.
- b) That the subject property be rezoned from the R.1 – Residential District to the R.2-323 – Residential District in accordance with Exhibit 'C' attached to Report PLPD18-003.

Budget and Financial Implications

There are no direct budget or financial implications arising from the approval of this application.

Background

The subject application was received on September 27, 2017, deemed to be complete as of September 29, 2017. The **Planning Act** allows applicants to appeal Zoning By-Law Amendment Applications after the expiry of 120 days of the application being deemed complete. The applicant is in a position to file an appeal to the Ontario Municipal Board any time after January 29, 2018 if Council has not made a decision.

The subject property is approximately 474 m² (5102 ft²) in size, located on the west side of Argyle Street, south of Dumble Avenue, opposite the Village on Argyle Student Residence. The neighbourhood is characterized as a predominantly residential neighbourhood with a mix of low and medium density residential and institutional type of uses. The property supports a detached brick bungalow style dwelling with carport. The existing dwelling has been divided into two units (main floor and basement) and the owners seek to rezone to legalize the basement apartment.

Parking is currently provided in an existing driveway and carport along the northerly portion of the lot and the applicants seek to expand the parking area by providing additional hard surface area to support a third parking space. The width of the existing driveway is proposed to expand to 6 m along the street line.

Analysis

a) Official Plan

The lands are currently designated “Residential” on Schedule ‘A’ – Land Use in the City of Peterborough Official Plan. The conversion of the existing single detached dwelling for two units is consistent with the building form contemplated by the low density residential policies and supported by the designation of the lands in the Official Plan.

Single detached, semi detached and duplex dwellings are permitted in Low Density Residential designations within the City. The Official Plan policies support secondary suites provided the development respects the scale and physical characteristics of existing development in the surrounding neighbourhood.

The property is situated in an area that is well served by parks and pedestrian connections to trails in the area. It is anticipated that the use of the lands for a two unit dwelling will function well within the neighbourhood.

b) Zoning By-law

The subject property is currently zoned R.1 - Residential and the use of the lands as a two unit dwelling requires an amendment to the Zoning By-law.

The applicant has requested a zoning by-law amendment to rezone the property to permit the use of the property for two dwelling units, together with relaxed regulations as follows:

Regulation	R.2 Provision	Proposed
Minimum Lot Area per Dwelling Unit	278 m ²	236 m ²
Minimum Lot Width per Dwelling Unit	9 m	7 m
Minimum Motor Vehicle Parking Requirement	2 spaces per unit	1.5 spaces per unit
Maximum Driveway Width (Sec. 4.8)	6 m for 2 units	7.5 m

The amendment proposes to legalize the existing basement unit within the dwelling as an independent dwelling unit. Planning Staff have concerns with the proposed width of the driveway at 7.5 m, given that it is wider than required for two parking spaces within the front yard and inconsistent with the ratio of landscaped and hard space coverage for the west side of Argyle Street within the neighbourhood. Planning Staff is not able to support the 7.5 m and recommends that the driveway be widened in accordance with the existing parking and driveway regulations of the Zoning By-law, permitting a 6 m wide driveway at the street line, that would accommodate the third parking space and maintain a more consistent approach, reducing the hard surface proposed for the front yard.

The proposed Zoning Amendment complies with the intent and purpose of the Residential policies of the Official Plan.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on October 19, 2017.

The City's Utility Services Department indicated concern with the proposed width of the driveway at 7.5 m and recommends a maximum width of 6m; and also express concern with the proposed reduction in parking. Cash in lieu of parkland is recommended, where required.

Peterborough Utilities Group note that a frost washer is required for installation at the owner's expense, if the existing curb stop valve is located in a paved area.

Fire Services recommends a fire safety inspection if this application is not part of a Building Code permit application.

No further agency has expressed any significant concerns or requests with respect to the proposed rezoning of the subject property.

b) Summary of Public Responses:

Notice of Complete Application and Public Meeting was issued on January 8, 2018 by newspaper advertisement (Peterborough Examiner) and by direct mail. The notice complies with the requirements of the **Planning Act**.

No written comments have been received as of January 10, 2018.

Submitted by,

Jeffrey Humble, MCIP, RPP
Director, Planning and Development Services

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Attachments:

Exhibit A – Land Use Map
Exhibit B – Concept Site Plan
Exhibit C – Draft Zoning By-law

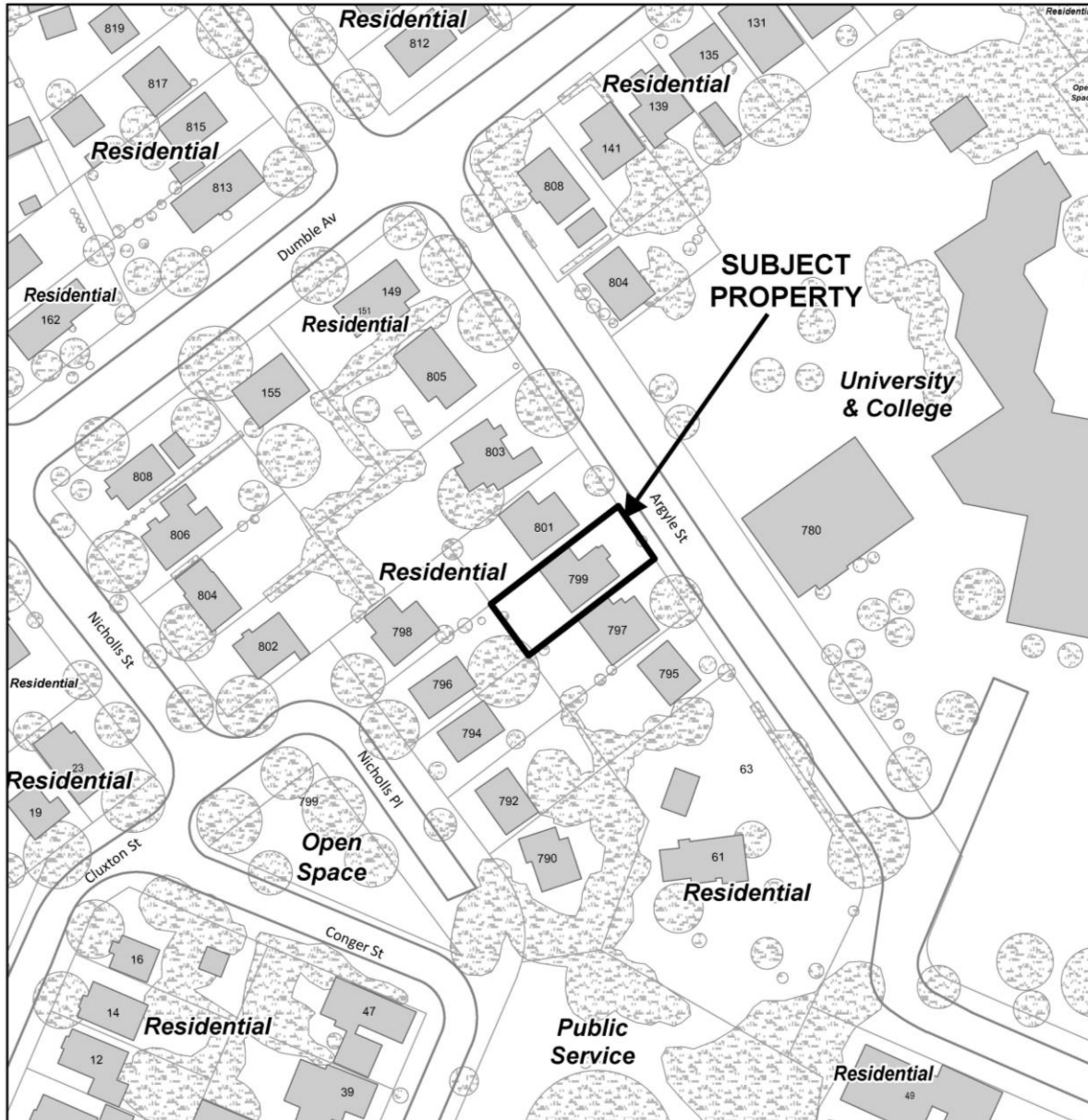
Exhibit A – Land Use Map, Page 1 of 1

Land Use Map

File: Z1716

Property Location: 799 Argyle St

EXHIBIT
SHEET OF



The City of Peterborough Planning Division

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Date: September 28, 2017

Map by: JEllis

0 5 10 20 30
Metres

LOT 7

INST. N° 346492

PLAN

1 STOREY BRICK DWELLING N° 799

FRAME CARPORT N° 45

Deck

FENCE

DEED LIMIT

CONCRETE CURB

ASPHALT

gravel surface

STREET LINE

Proposed Concept Plan

New Asphalt

New Asphalt curb cut

Exhibit C – Draft Zoning By-law, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 18-

Being a By-law to amend the Zoning By-law for the lands known as 799 Argyle Street

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. That Section 3.9 – Exceptions, be amended to add the following:

“**.323** Notwithstanding the provisions of this By-law to the contrary, the following shall apply:

Regulation	Requirement
Minimum Lot Area per Dwelling Unit	236 m ²
Minimum Lot Width per Dwelling Unit	7 m
Minimum Motor Vehicle Parking Requirement	1.5 spaces per unit

2. That Map 7 forming part of Schedule “A” to By-law 97-123, is amended by changing the area shown on the sketch attached hereto as Schedule ‘A’ from the R.1 – Residential District to the R.2-323 – Residential District.

By-law read a first, second and third time this day of , 2018.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit C, Page 2 of 2

