



City of
Peterborough

To: **Members of the General Committee**

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

Meeting Date: **February 26, 2018**

Subject: **Report PLPD18-011**
Zoning By-law Amendment for 235 Bellevue Street

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 235 Bellevue Street from R.1, 1m, 2m – Residential District, to R.2 – Residential District to permit the use of the property for two dwelling units.

Recommendation

That Council approve the recommendation outlined in Report PLPD18-011 dated February 26, 2018, of the Director, Planning and Development Services, as follows:

That the subject property be rezoned from the R.1, 1m, 2m – Residential District to the R.2 – Residential District in accordance with Exhibit 'C' attached to Report PLPD18-011.

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 November 15, 2017, deemed to be complete as of November 16, 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 March 16, 2018 if Council has not made a decision.

The subject property is approximately 697 m² (7502 ft²) in size, located on the southeast corner of the intersection of Bellevue Street and Benson Avenue. The neighbourhood is characterized as a predominantly residential neighbourhood with a mix of low density residential and public service uses. The property supports a detached brick side split dwelling with attached garage. The new owner proposes to convert the existing indoor pool area into a separate dwelling unit, resulting in a two unit dwelling with an additional parking space to be introduced next to the garage on the west side of the lot.

A minor variance was granted in 1987 to facilitate the construction of the addition to support the pool area by reducing the setbacks from the property line and the street line and increasing the maximum permitted lot coverage from 40% to 41% for the lifetime of the building. No additions are proposed to the building area to accommodate the conversion.

Parking is currently provided in an existing driveway and garage and the applicants seek to expand the parking area by providing additional hard surface area to support a fourth parking space beside the garage. The creation of an additional space will require the removal of an existing mature tree and the owner will be required to obtain a permit and seek an approved compensation plan of more than one replacement tree.

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 density and building form contemplated by the low density residential policies (equivalent to approximately 29 units per hectare) 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, schools and pedestrian connections to neighbourhood centre commercial uses. 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, 1m, 2m - Residential currently limiting the use of the lands for a single dwelling unit. The proposed 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, in accordance with the regulations of the R.2 – Residential District and the Minor Variance approval in 1987. The amendment proposes to permit the conversion of the existing pool area to a secondary dwelling unit as a fully contained dwelling unit.

The applicant proposes to introduce a fourth parking space on the subject property, to be located adjacent to the westerly wall of the garage to satisfy the Zoning By-law requirement of 2 spaces per dwelling unit. Provisions to replace the tree at the westerly portion of the property will be addressed via a permit requirement under the City's tree preservation and replacement by-law.

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 December 13, 2017.

The City's Utility Services Department indicated no objection to the proposed rezoning subject to a permit to remove the tree near the garage to accommodate the additional parking space (to be required at building permit stage). More than one replacement tree will be required for compensation. A grading plan is recommended for any future addition. Utility Services would have concerns with any parking shortfall and cash in lieu of parkland is recommended, where required.

Peterborough Utilities Group assume that water is to be supplied from the existing serviced building. The owner will need to decide if they prefer a dedicated water meter for the new unit or use the existing meter as a bulk meter. If the owner would like a separate water meter for the proposed converted space, then PUC should be contacted to discuss the particulars. The suitability of the size of the existing water service for the proposed development is the responsibility of the owner. From a hydro perspective, the property will remain serviced from one connection to the PDI electrical distribution

system. If electric heat is provided in rental units, then the electric heat has to be metered separately from the renter's meter as per O.Reg 389/10.

Peterborough Fire Services notes that the property currently has limited access to the area proposed to support a second unit. No principal entrance is specified on the drawings. This will have to be addressed at the building permit stage.

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 29, 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 30, 2018.

Submitted by,

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

Contact Names:

Ken Hetherington
Manager, Planning Division
Phone: 705-742-7777, Ext. 1781
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: khetherington@peterborough.ca

Caroline Kimble
Planner, Land Use
Planning & Development Services
Phone: 705-742-7777, Ext. 1735
Toll Free: 1-855-738-3755, Ext. 1735
Fax: 705-742-5218
E-Mail: ckimble@peterborough.ca

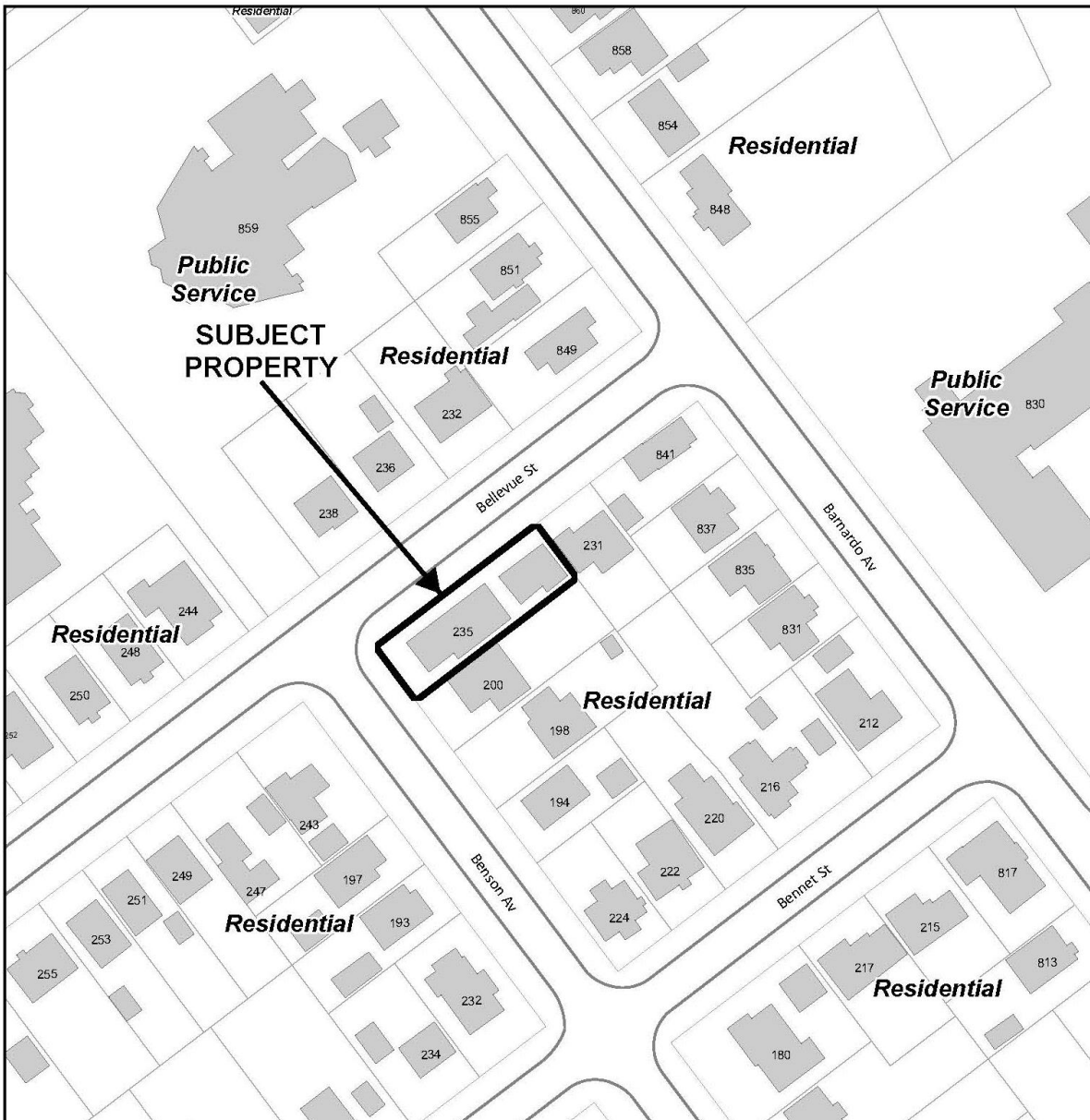
Attachments:

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

Land Use Map

EXHIBIT
SHEET OF

Property Location: 235 Bellevue St

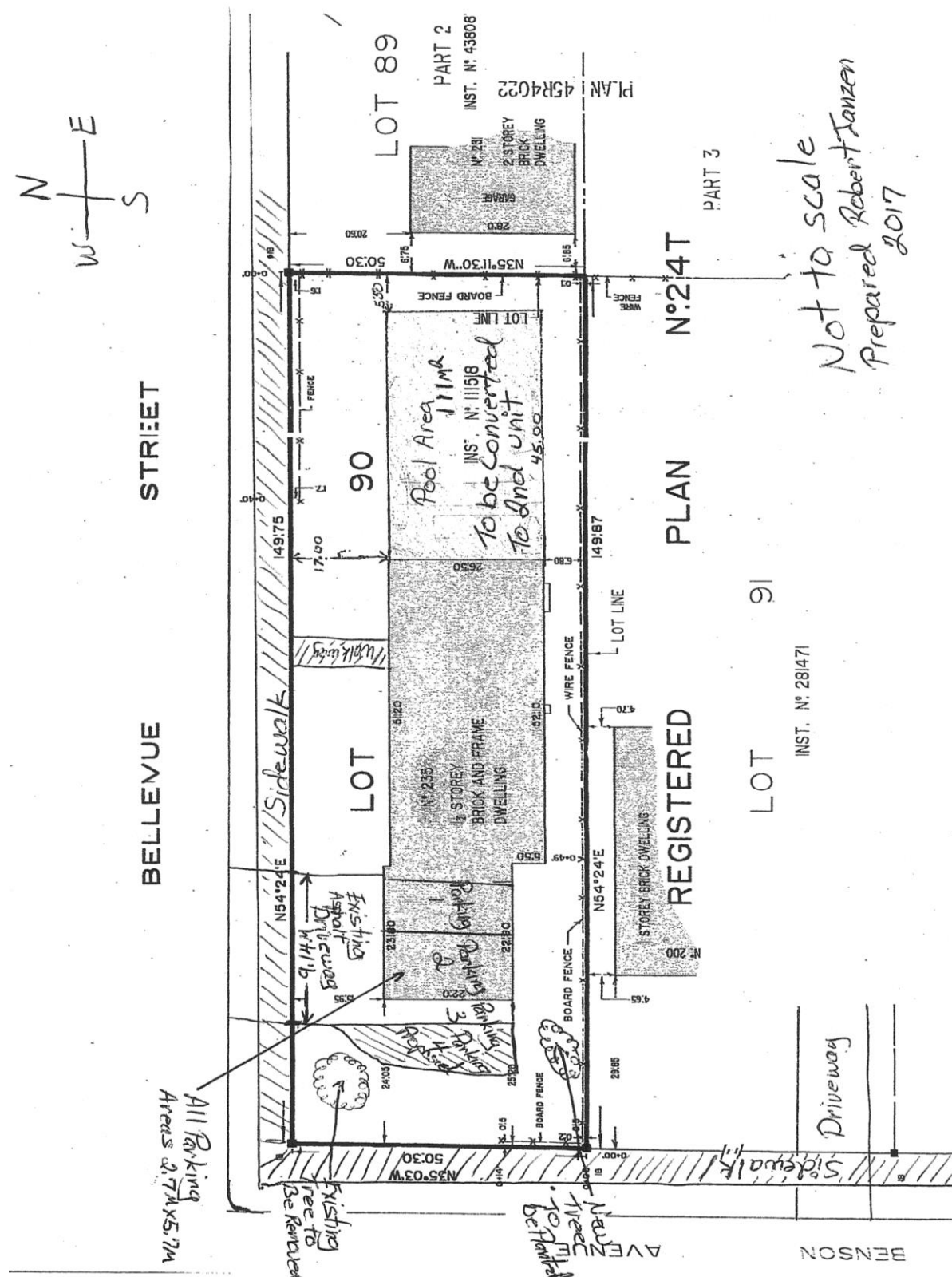


The City of Peterborough Planning Division

 \pm

A scale bar with markings at 0, 5, 10, 20, and 30 metres.

Exhibit B, Concept Site Plan, Page 1 of 2



Bellevue Street

N
W — E
S

House #835

Basement stairwell

Storage closet

Parking 1
35.3038
Sq M

Parking 2
6.096M

Garage Door 16 FT

Existing Asphalt Driveway

Lot line 15.33/14M

Benson Ave.

Not to scale
Prepared by Robert Janzon
2017

New to plant tree plot

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



The Corporation of the City of Peterborough

By-law Number 18-XXX

Being a By-law to amend the Zoning By-law for the lands known as 235 Bellevue Street

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

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, 1m, 2m – Residential District to the R.2 – Residential District.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

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

