



City of  
**Peterborough**

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**To:** **Members of the Planning Committee**

**From:** **Ken Hetherington, Manager, Planning Division**

**Meeting Date:** **July 20, 2015**

**Subject:** **Report PLPD15-037**  
**188-198 Edinburgh Street**

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## **Purpose**

A report to evaluate the planning merits of amending Schedule 'E' – Residential Density of the Official Plan to designate the properties known as 188 and 198 Edinburgh Street as 'High Density Residential' to amend the Zoning By-Law from the R.1,R.2,R.3 – Residential District to the SP.361 – Residential District, to permit the redevelopment of the lands to support a 28 unit, 3 storey apartment building with associated parking and landscaping.

## **Recommendations**

That Council approve the recommendations outlined in Report PLPD13-037 dated July 20, 2015, of the Manager, Planning Division, as follows:

- a) That Schedule 'E' – Residential Density of the Official Plan be amended to include the lands known as 188-198 Edinburgh Street in the 'High Density Residential' designation in accordance with the draft amendment attached as Exhibit "D" to Report PLPD15-037;
- b) That Section 391 be added to Zoning By-law 1997-123 to create Special District SP.361, to permit the use of the land for an apartment building with up to 28 dwelling units, in accordance with Exhibit 'E' attached to Report PLPD15-037; and
- c) That the subject property be rezoned from R.1,R.2,R.3 – Residential District to the SP.361 – Residential District in accordance with Exhibit 'E' attached to Report PLPD15-037.

## Budget and Financial Implications

The applicants have applied to the City for approval as an Affordable Housing Project under the City's Affordable Housing Community Improvement Plan.

## Rationale

Approval of this Zoning By-Law Amendment is based upon the following:

The subject property is designated 'Residential' on Schedule 'A' – Land Use and located within the Central Area as identified in the City's Official Plan. High Density Residential development is contemplated within the central area at a density range of 100 to 250 dwelling units per hectare. The subject application proposes the introduction of 3 storey apartment building with up to 28 units, equivalent to a density of 136 dwelling units per hectare, based on the size of the subject lands.

A Functional Servicing Report prepared by D.M. Wills Associates Limited confirms that there is sufficient capacity within the sanitary and water systems to service the proposed development and stormwater management is expected to facilitate stormwater quality and quantity controls so as not to have an impact on the neighbouring properties. A Parking Justification Study has been prepared by NexTrans Engineering supporting the proposed parking at a reduced rate, and concluding that it will function adequately for the proposed use. A shadow study has been completed by Gregg Gordon, Architect, in support of the application, indicating that the impact of the proposed building will not shadow the adjacent lands to the west between May 15<sup>th</sup> and September 15<sup>th</sup>, considered to be the growing season. The shadow study was prepared in response to concerns expressed by an adjacent landowner at 202 Edinburgh Street about the impact of potential shading of the gardens in the rear yard of her property which is located behind the property known as 200 Edinburgh Street. The applicants have also revised the site plan to relocate the proposed building moving further east on the property, further improving any shadow impacts on the property to the west. The plan has also been revised to increase the amount of on-site parking, to address concerns of the neighbourhood with regard to street parking and pick-up/drop off facilities on site.

The relaxed zoning regulations and reduction in parking are supported by the Official Plan policies for the Municipal Affordable Housing Program. The owner is proposing to create the units under the City's Community Improvement Program for Affordable Housing. The reduction in parking is supported by Official Plan policy that encourages the introduction of affordable housing within the City's Community Improvement Area, subject to the owner receiving approval under the Municipal Affordable Housing Program whereby the rent per unit is capped at affordable levels for up to a 20 year term.

The application demonstrates the ability of the site to maintain the character of the area with the introduction of a new building, sympathetic to the character of the buildings in the neighbourhood, together with improvements to the landscape features and parking layout.

## Background

The subject applications were received on January 29, 2015, deemed to be complete as of February 17, 2015 and were processed in accordance with department procedures. 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 June 17, 2015 if Council has not made a decision.

The subject properties are a total of approximately 0.2 ha. (0.51 ac.) in size, located on the north side of Edinburgh Street, between George St. N. and Aylmer St. N, formerly two separate dwellings (boarding houses) on two lots and currently support one vacant single detached unit, formerly used as a boarding house. The buildings on each property were being used as boarding houses until they were damaged extensively by two separate fires in 2012. An earlier fire in 2010 caused damage to the building at 188 Edinburgh Street and then recently demolished due to the damage caused by the 2012 fire. The applicant purchased both properties in 2014 with the intent to redevelop them for new residential units.

The applicant intends to redevelop the property and construct a 3 storey apartment building with a maximum of 28 dwelling units and associated parking and landscaping. A site specific zoning category is proposed to accommodate the proposed use.

The application also proposes to provide 19 on-site parking spaces and utilize the cash-in-lieu exemption policies for Municipal Affordable Housing Projects for the balance.

The applicant hosted a neighbourhood meeting at the Peterborough Public Library on Tuesday, April 28, 2015 to introduce the project to the neighbours. Approximately 20 neighbours attended the meeting. Comments were predominantly supportive of the redevelopment of the lands, with some concern expressed about the amount of parking proposed, type of tenants who may reside in the building, details proposed for the façade of the building, including the elevator shaft, massing of the building in relation to shadow effect on neighbouring, garbage collection and construction traffic. Many neighbours commented on the narrow road allowance and trouble in the winter months with snow clearing from both the sidewalk and the roads.

The Parking Justification Study prepared by NexTrans Engineering, dated April, 2015 concludes that a total of 14 on-site spaces (equal to a ratio of 0.5 spaces per unit) will satisfy the anticipated parking demand for the development proposal. Since the preparation of the parking justification study, and the Neighbourhood Meeting, the applicant has revised the concept site plan to illustrate how the property could support

up to 19 parking spaces, thus increasing the parking ratio to 0.68 spaces per unit on site. The City can accept cash-in-lieu of parking for projects subject to a Municipal Affordable Housing program for the difference between what is required and what is provided on site, without amendment to the Zoning By-Law. A total of 42 parking spaces is required, based on Section 4 of the City's Zoning By-Law for market value units, whereas 19 spaces are proposed, resulting in a requirement for cash-in-lieu of parking payment for 23 spaces.

The application is supported by a Concept Site Plan, prepared by Gregg Gordon Architect. Since the Neighbourhood Meeting, the Concept Site Plan has been revised to add another 5 parking spaces for a total of 19 proposed spaces, including a wider driveway and improved secondary entrance facilities at the west side of the building that will facilitate drop off and pick up on site vs. on Edinburgh Street. The revised plan also shifts the building eastward on the property and increases the setback from the westerly lot line, reducing the impact of shadowing on the adjacent property to the west.

## **Analysis**

### **a) Official Plan**

The lands are currently designated "Residential" on Schedule 'A' – Land Use in the City of Peterborough Official Plan. The proposed use for 28 dwelling units has the effect of increasing the density of the property to a high density development and requires an amendment to Schedule 'E' – Residential Density to permit the proposed Zoning Amendment and development of the lands.

The proposed amendment contemplates the construction of a 3 storey residential apartment building with a maximum of 28 residential dwelling units with one bedroom in each unit. High density residential uses are contemplated in the City's central area where the lands are adequately serviced by full municipal servicing including parks, trails, recreation areas, schools, public transit, and other amenities such as adequate parking, buffering, landscaping and compatibility of the type of housing form and proposed elevations of the building.

The policies further provide opportunity for affordable housing projects under Municipal programs to reduce on-site parking requirements. The site is able to support up to 19 parking spaces.

### **b) Zoning By-law**

The subject property is currently zoned R.1, R.2, R.3 – Residential District, permitting multi-unit residential use at a density consistent with the Medium Density policies. The redevelopment of the property to support up to 28 units requires an amendment to the zoning to bring the property into a Zoning District, consistent with the High Density policies of the Official Plan.

The applicant proposes to amend the zoning of the lands from the R.1,R.2,R.3 – Residential District to the SP.361 – Special Residential District to permit the redevelopment of the lands for a multi-unit apartment dwelling with site specific regulations as follows:

<b>Regulation</b>	<b>Proposed Requirement</b>
Minimum Lot Area per Dwelling Unit	73 m <sup>2</sup>
Minimum Lot Width	30m
Minimum Building Setback	
i) from side lot line	4.4m
ii) from rear lot line	14m
iii) from street line	2.6m
Maximum building coverage	35%
Minimum landscaped open space	25%
Maximum number of storeys	3
Maximum lot coverage by open parking, driveways and vehicle movement areas	40%
Maximum number of parking spaces within 6m of street line	2
Minimum distance between parking and driveway areas to the window of a habitable room	0.5m
Minimum number of loading spaces required	1
Minimum width of planting strip and height of hedgerow along westerly property line, a distance of 11m from the street line	0m
Minimum floor area of a single bedroom dwelling unit	50m <sup>2</sup>
Minimum width of driveway/aisle	5m

### **c) Site Development**

Access to the subject lands is proposed by way of a driveway connection to Edinburgh Street at the westerly portion of the property. It is intended that the existing mature Linden tree be preserved as a significant component of the streetscape along Edinburgh Street. As a result, the driveway is proposed to extend to the westerly lot line for a distance of 11m back from the street line and then move away from the westerly property line for the balance of the depth of the property line. The applicant has illustrated how parking can be achieved together with landscaped open space, including private patio space and privacy screens and buffering around the perimeter of the parking and driveway areas. The development of the lands will be subject to Site Plan Approval. This will address landscaping, parking layout, driveway connection and stormwater management.

## Response to Notice

### a) Significant Agency Responses:

Agency circulation was issued on February 18, 2015.

The City's Utility Services Department indicated no objection to the rezoning request subject to the payment of cash-in-lieu of parkland. The applicant has also been advised of the requirement for details of servicing, grading, and stormwater management during the future Site Plan Approval process.

The Peterborough Architectural Conservation Advisory Committee (PACAC) responded to the circulation of the application with comments related to the proposed design of the building. A maximum height of two and a half storeys is suggested in keeping with the existing neighbourhood, with the front façade of the new building to take its design cues from the existing buildings in the area. PACAC has requested the ability to review and comment on the design submission at the site plan approval stage. The applicants have had discussion with the City's Heritage Preservation Officer and neighbouring residents regarding the design of the façade of the building and have made changes to the proposed elevations in keeping with these discussions.

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 June 25, 2015 by direct mail and by newspaper advertisement (Peterborough Examiner) on June 29, 2015. The notice complies with the requirements of the Planning Act.

Planning Staff have received phone calls from three area residents seeking clarification of proposed parking provisions and qualification requirements for the Municipal Affordable Housing program. The Owner of 202 Edinburgh Street has expressed concern about the proposal based on the scale of the proposed building; the demographic of the proposed tenants as all seniors; heritage preservation of the area; value of the municipal incentives, funding of affordable housing units with a model supported by taxpayers; elimination of several mature trees; not consistent with the Municipal Cultural Plan.

No further written comments have been received as of June 25, 2015.

Submitted by,

Ken Hetherington  
Manager, Planning Division

Prepared by,

Caroline Kimble  
Land Use Planner

Concurred with,

Malcolm Hunt, Director  
Planning and Development Services

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**Attachments:**

Exhibit A - Land Use Map  
Exhibit B - Concept Plan  
Exhibit C - Concept Elevation  
Exhibit D - Draft Official Plan Amendment  
Exhibit E - Draft Zoning By-law

**Exhibit A, Page 1 of 1**

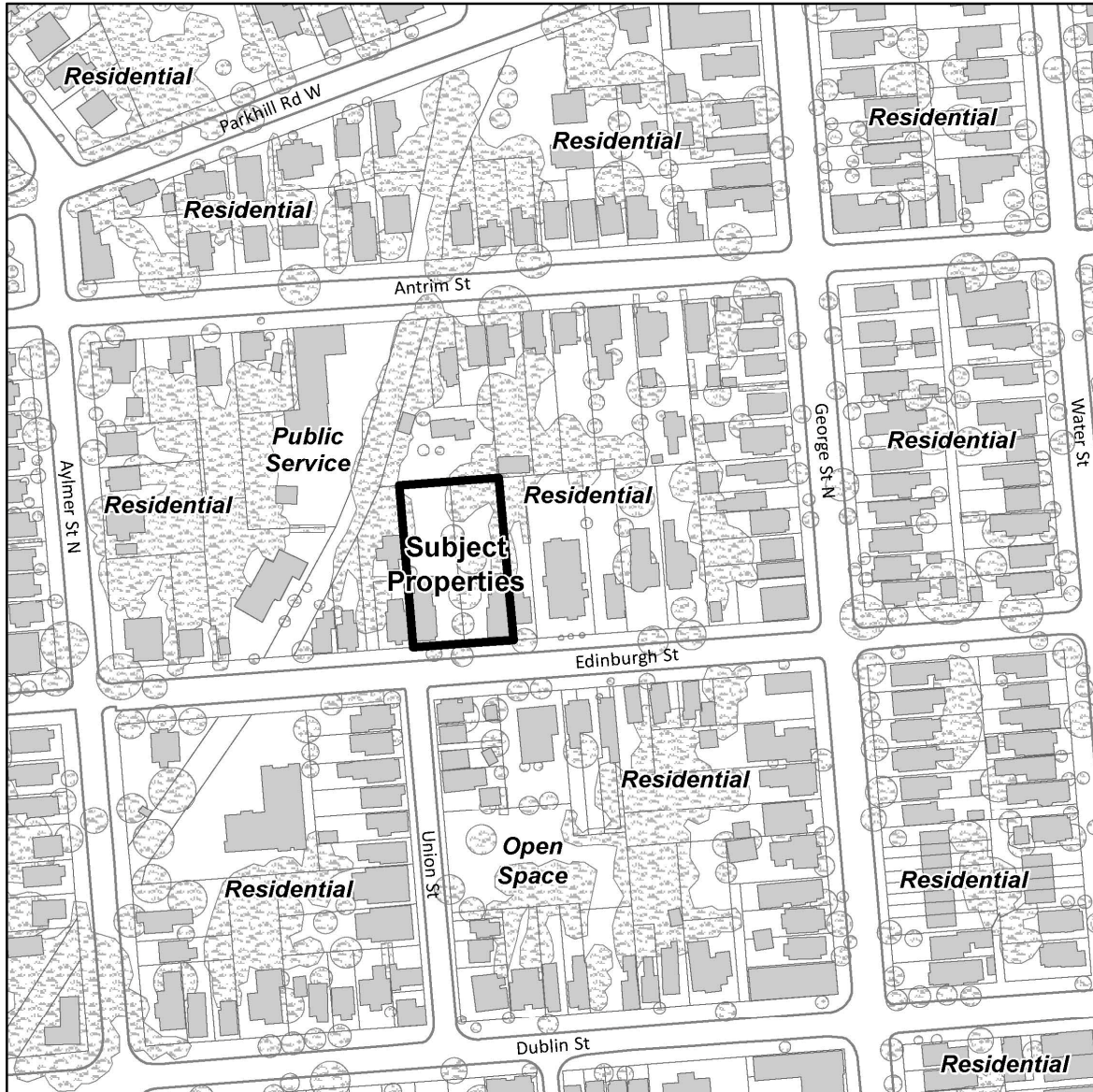
# Land Use Map

File: Z1502 &amp; O1501

Property Location: 188 &amp; 198 Edinburgh St

EXHIBIT

SHEET OF

**The City of Peterborough Planning Division**

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.



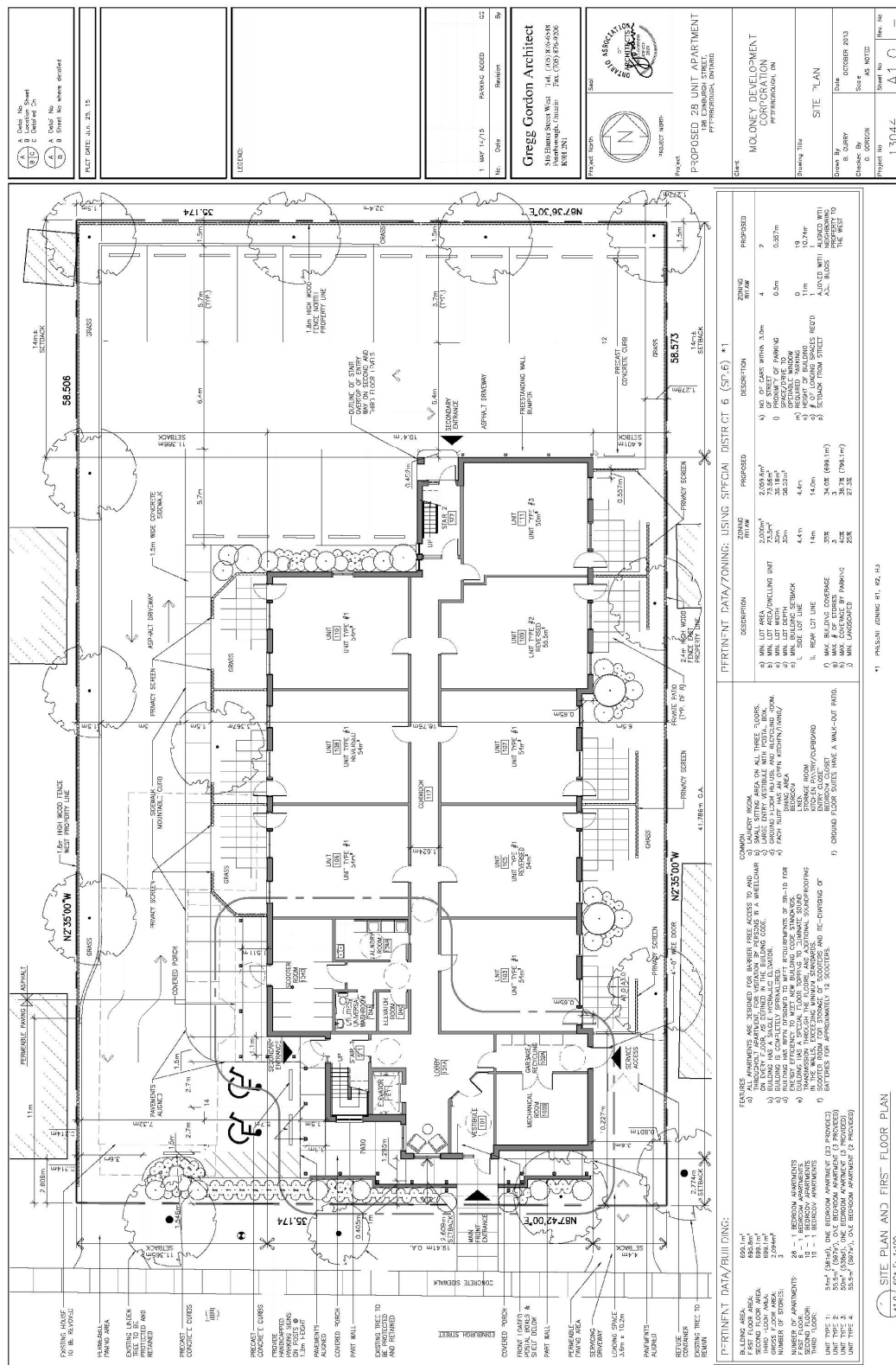
Date: February 17, 2015

Map by: KMuma

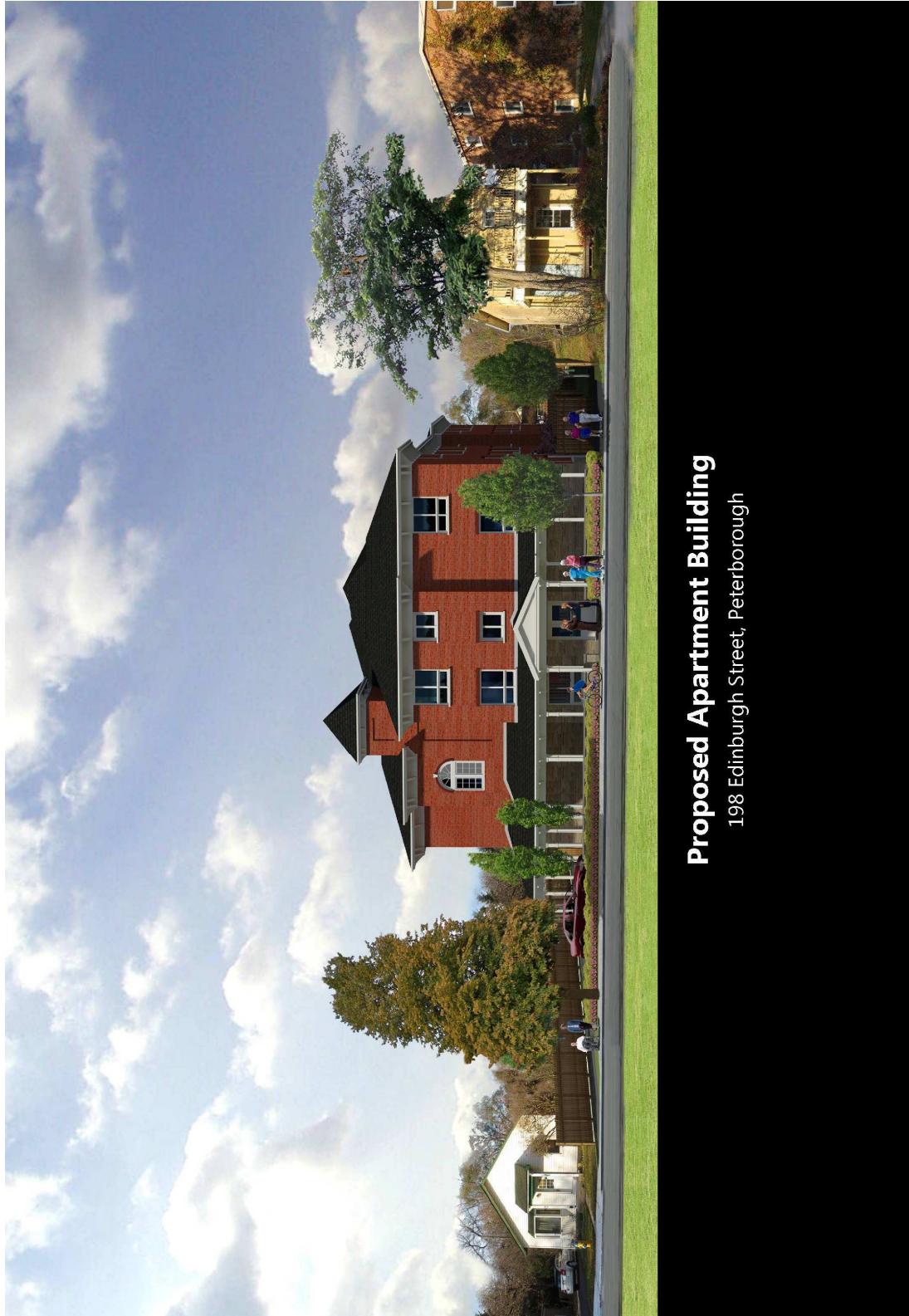
0 5 10 20 30 40 50 Metres



**Exhibit B, Page 1 of 1**



**Exhibit C, Page 1 of 1**



**Proposed Apartment Building**

198 Edinburgh Street, Peterborough

## Exhibit D, Page 1 of 2



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### The Corporation of the City of Peterborough

#### By-Law Number 15-

#### Draft Official Plan Amendment

Being a By-law to Adopt Amendment Number      to the Official Plan of the City of Peterborough for the properties known as 188 and 198 Edinburgh Street

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

**Schedule 'E' Residential Density** of the Official Plan of the City of Peterborough is hereby amended by adding the '**High Density Residential**' designation to the subject lands in accordance with Schedule 'A' attached hereto.

By-law read a first, second and third time this      day of      , 2015.

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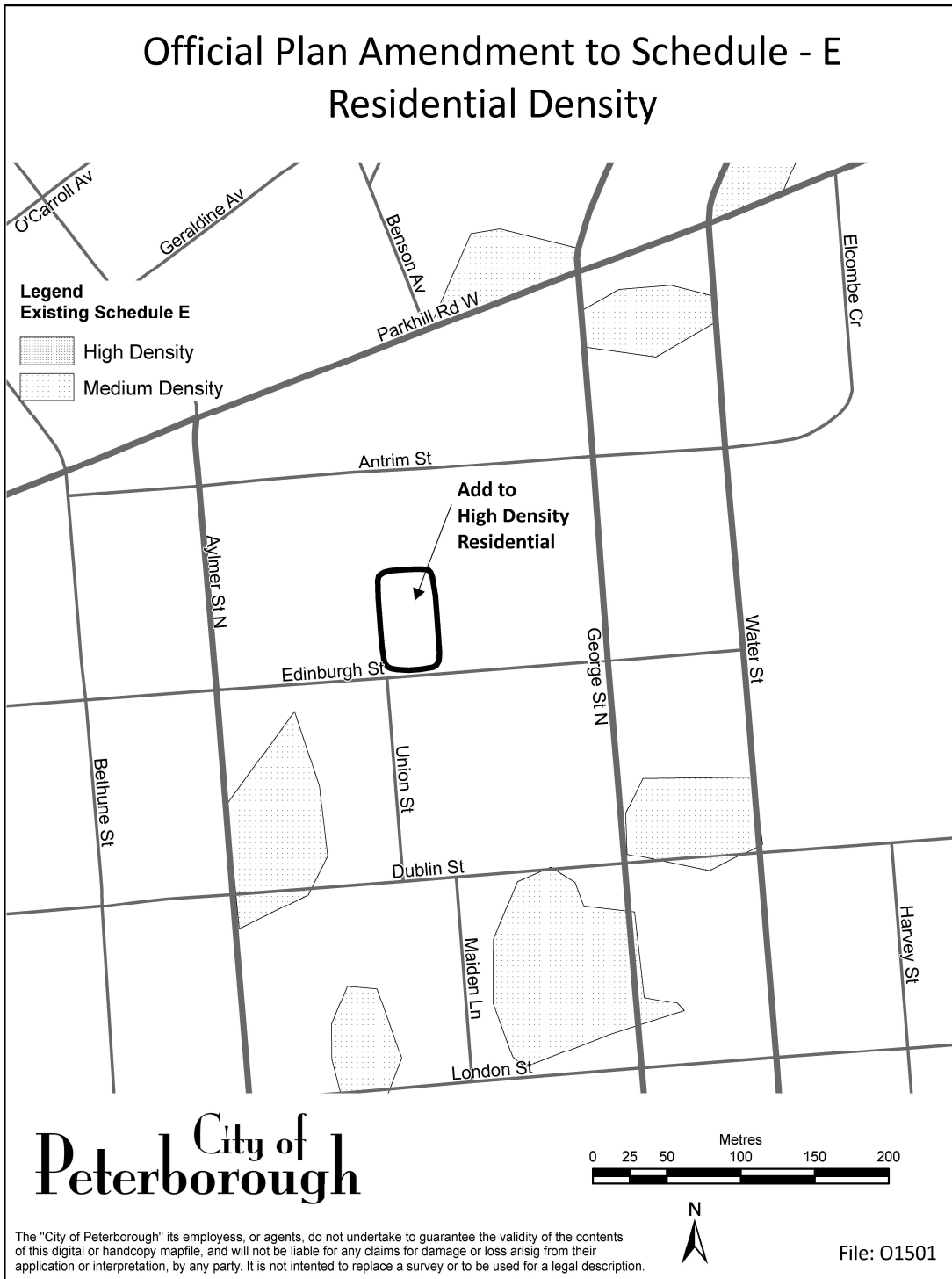
Daryl Bennett, Mayor

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John Kennedy, City Clerk

**Exhibit D, Page 2 of 2**

Schedule A



## **Exhibit E, Page 1 of 3**



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### **The Corporation of the City of Peterborough**

#### **By-Law Number 15-**

Being a By-law to amend the Zoning By-law for the properties known as 188 and 198 Edinburgh Street

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

1. That Section 391 be added for Special District 361 (SP.361) as follows:

“Section 391  
SPECIAL DISTRICT 361 (SP. 361)

391.1 For the purpose of this by-law, land use district ‘Special District 361’ is hereby established and may be referred to by the symbol ‘SP.361’.

Permitted Uses:

391.2 No person within a SP.361 District shall use any land or erect, alter or use any building or part thereof for any purpose other than:

a dwelling unit

#### **Regulations**

391.3 No person shall within a SP.361 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

**Exhibit E, Page 2 of 3**

<b>Regulation</b>	<b>Requirement</b>
Minimum Lot Area per Dwelling Unit	73 m <sup>2</sup>
Minimum Lot Width	30m
Minimum Building Setback	
i) from side lot line	4.4m
ii) from rear lot line	14m
iii) from street line	2.6m
Maximum building coverage	35%
Minimum landscaped open space	25%
Maximum number of storeys	3
Maximum lot coverage by open parking, driveways and vehicle movement areas	40%
Notwithstanding Section 4.3.2, Minimum distance between parking and driveway areas to the window of a habitable room	0.5m
Notwithstanding Section 4, Minimum number of loading spaces required	1
Notwithstanding Section 4.3.2, Minimum width of planting strip and height of hedgerow along westerly property line, a distance of 11m from the street line	0m
Notwithstanding Section 6.37, Minimum floor area of a single bedroom dwelling unit	50m <sup>2</sup>
Notwithstanding Section 4, Minimum width of driveway/aisle	5m

391.4 SP.361 District is hereby designated as a Residential District”

- Map 12b 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 R.1,R.2,R.3 to SP.361.**

By-law read a first, second and third time this                      day of                      , 2015.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

**Exhibit E, Page 3 of 3**