



City of
Peterborough

TO: Members of the Planning Committee

FROM: Malcolm Hunt, Director of Planning and Development Services

MEETING DATE: April 20, 2009

SUBJECT: Report PLPD09-010A
125 Romaine Street

PURPOSE

A report to provide additional information regarding the fire and building inspections and neighbourhood comments related to the request for a Zoning By-Law Amendment at 125 Romaine Street to recognize the existing use of the property for a triplex.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD09-010A dated April 20, 2009, of the Director of Planning and Development Services, as follows:

- a) That the zoning of the subject property, be amended from the R.1, R.2 - Residential District to the R.1, R.2, 7c – 168 -‘H’ - Residential District in accordance with the draft amendment attached as Exhibit ‘C’ to Report PLPD09-010.
- b) That the ‘H’ Holding Symbol be removed subject to the following:
 - i) Site Plan Approval is granted for the subject property;
 - ii) Confirmation from the City’s Fire Services Division that the units comply with the requirements of the Ontario Fire Code;
 - iii) Confirmation from the City’s Building Division that there are no outstanding concerns with regard to the Ontario Building Code;
 - iv) Payment of cash-in-lieu of parkland for the third unit; and
 - v) Payment of all applicable development charges for the third unit

BACKGROUND

At the meeting of March 9, 2009, Planning Committee considered the planning merits of amending the Zoning By-Law for the property known as 125 Romaine Street, to recognize the existing use of the property for a triplex. Planning Committee deferred consideration of the amendment for two cycles of meetings, to address issues raised at the meeting, as follows:

“That this item be referred back to staff to ensure fire and building inspections take place on the property, that a neighbourhood meeting be facilitated and that this matter come back to Planning Committee within two cycles of meetings.”

At the meeting of March 9, 2009, Planning Committee heard from two neighbouring residents who expressed concerns with the use as a triplex, particularly due to lack of privacy and concerns with respect to on street parking. The applicant was not present at the meeting to address these concerns, and as such, the Planning Committee requested that the owner host a neighbourhood meeting to discuss the concerns raised by the neighbours, and in addition, ensure that inspections are conducted to confirm compliance with the Ontario Building Code and the Ontario Fire Code.

A neighbourhood meeting was held on Wednesday, April 8th, 2009.

The expansion of the parking area and buffering treatment of the land is recommended to be subject to site plan approval.

BUDGET AND FINANCIAL IMPLICATIONS

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

ANALYSIS

a) Privacy Fence

The applicant/owner has agreed to the installation of a privacy fence along the easterly property line, to provide additional screening for the expanded parking area. This can be reflected in the site plan agreement, to be registered on title.

b) Parking

The Comprehensive Zoning By-Law requires that a minimum of 5 parking spaces be provided on site, to support three dwelling units in this area. The concept plan illustrates the ability of the property to support five parking spaces. These spaces will

be identified on the site plan, and will be subject to maintenance provisions as set out in the related site plan agreement.

c) Compliance with Fire and Building Code

The property has been inspected by both the Fire Service and the Building Division. The Fire Department has forwarded an inspection report to the owner, requiring repairs to the fire separation in the closet area of the first floor kitchen and to the separation wall between the original building and the rear apartment.

The Building Division has inspected the property to determine whether there are any outstanding concerns with regard to the Ontario Building Code and with the City's Property Standards By-Law. All three units are accessed via porch entries and the stairs for each need to be replaced to address proper rise, run and the addition of handrails or guards. The porch for Unit #3 has to be modified to remove the built in benches. In addition, access to the crawl space is required in Unit #3 to properly evaluate the plumbing. The wood stove in Unit #3 is also required to be removed.

Planning Staff recommend that these matters be addressed as a condition of the removal of the 'H' – Holding Symbol.

d) Site Development

The applicant has provided a Plan of Survey illustrating the parking and driveway areas to accommodate the required parking in the rear. The applicant will be required to enter into a Site Plan Agreement with the City of Peterborough to ensure the maintenance of the parking and buffering/landscape facilities on site.

e) Neighbourhood Meeting

A Neighbourhood Meeting was held by the applicant on April 8, 2009. Ten neighbouring residents attended the meeting. Concerns were expressed relating to the parking in the rear yard; screening of the parking area; increased traffic and parking along Romaine Street; related snow plowing issues; and potential problems with future tenants and the upkeep of the property.

The introduction of Site Plan Control and the registration of an agreement on title, will assist to address some of the maintenance issues raised by the neighbourhood with regard to the parking, snow removal, landscaping and fencing, providing an additional level of control, not currently enjoyed by the neighbourhood.

The owner and the neighbours were encouraged to communicate further regarding specific measures to address concerns. Notwithstanding the receipt of this information, the neighbours who attended, continued to express concern with the third unit.

Submitted by,

Malcolm Hunt, Director,
Planning and Development Services

Prepared by,

Caroline Kimble,
Land Use Planner

Concurred with,

Ken Hetherington,
Manager of Planning

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Attachments:

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

Land Use Map

EXHIBIT 'A'
PAGE 1 OF 1

File # z0821

Property Location: 125 Romaine St

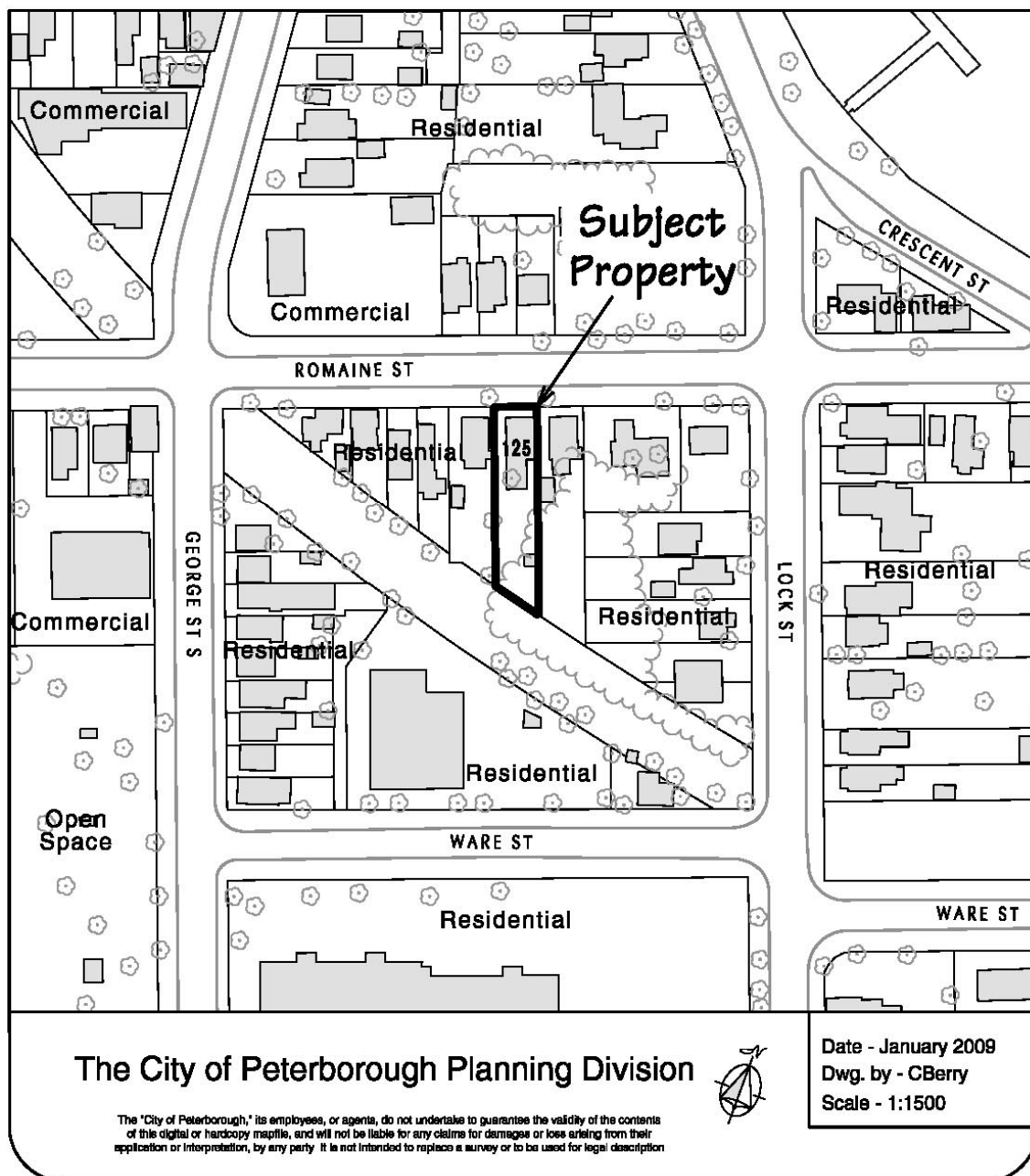


EXHIBIT 'B'
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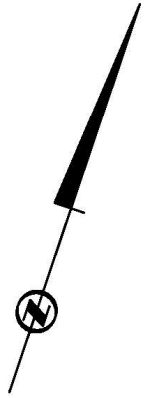


EXHIBIT 'C'
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THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 09-_____

BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR
125 ROMAINE STREET

**THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL
THEREOF HEREBY ENACTS AS FOLLOWS:**

- 1. Map 18** 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 to R.1, R.2, 7c - 168 - 'H'**.
- 2.** The 'H' – Holding Symbol will be removed from the Zoning By-law upon the completion of the following:
 - i. Site Plan Approval being granted for the subject property;
 - ii. Confirmation from the City's Fire Services Division that the units comply with the requirements of the Ontario Fire Code;
 - iii. Confirmation from the City's Building Division that there are no outstanding concerns with regard to the Ontario Building Code;
 - iii. Payment of cash-in-lieu of parkland for the third unit; and
 - iv. Payment of all applicable development charges for the third unit

By-law read a first, second and third time this _____ day of _____, 2009.

D. Paul Ayotte, Mayor

Nancy Wright-Laking, City Clerk

EXHIBIT 'C'
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