



City of
Peterborough

To: Members of the Planning Committee

From: Ken Hetherington, Manager, Planning Division

Meeting Date: June 13, 2016

Subject: Report PLPD16-047
909 Brealey Drive

Purpose

A report to evaluate the planning merits of amending the Zoning By-law for the property known as 909 Brealey Drive to recognize the use of the property for a single detached dwelling unit.

Recommendations

That Council approve the recommendations outlined in Report PLPD16-047 dated June 13, 2016, of the Manager, Planning Division, as follows:

- a) That the subject property be rezoned from the D.1 – Development District to the R.1 – Residential District, in accordance with the draft amendment attached as Exhibit ‘C’ to Report PLPD16-047.
- b) That Staff initiate a Zoning By-law Amendment for other D.1 – Development District properties along Brealey Drive where full municipal services are available following the Brealey Drive reconstruction process.

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 February 24, 2016, deemed to be complete as of March 11, 2016, and was 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 July 11, 2016 if Council has not made a decision.

The subject property is approximately 927 m² (9975 ft.²) in size, located on the west side of Brealey Drive, north of Lansdowne Street West. The property supports a one storey frame dwelling with a front walkout. Parking is provided by way of a double wide asphalt driveway accessed by Brealey Drive.

The dwelling was originally constructed in 1951 and was privately serviced (well and septic) until 1987 when it was connected to full municipal services. The property backs onto Dainard Park.

The applicant intends to expand the rear of the dwelling with a 23.5m² (250ft²) addition adjacent to the existing deck. The conversion of the garage space with living area above in 1999 utilized the maximum expansion potential of 10% of the floor area as permitted in the current D.1 – Development Zoning District, and therefore, the owner is seeking to amend the zoning of the lands to the Residential R.1 Zoning District and facilitate the proposed addition in keeping with the R.1 regulations.

The existing retaining wall is proposed to remain, and flanks the driveway from street to the house.

Analysis

a) Official Plan

The lands are currently designated “Residential” on Schedule ‘A’ – Land Use of the City of Peterborough Official Plan. The density of the single detached residential use is within the range of a low density residential development.

The proposal to permit the subject property to support a single detached dwelling at 909 Brealey Drive respects the objectives of the City’s Official Plan.

Singles, semis and duplexes are permitted in Low Density Residential designations within the City. The Official Plan policies support up to a maximum of 25 units per hectare (61 units per acre) through an amendment to the Zoning By-law, provided the development respects the scale and physical characteristics of existing development in the surrounding neighbourhood.

The property is located on the City's west end in an area that is well served by parks and schools. The size and character of the existing dwelling is well established in the neighbourhood and is consistent with other dwellings on the street.

b) Zoning By-law

The subject property is currently zoned D.1 – Development District and the use of the lands as a single unit dwelling has been considered the permitted 'established use' of the property.

The applicant has requested a Zoning By-law amendment to rezone the property to permit the use of the property to recognize the single unit dwelling and to facilitate the expansion thereto. The existing dwelling and lot conform to the regulations of the R.1 – Residential District.

The current D.1 – Development District was assigned to the property at a time when the lands were privately serviced. The D.1 – Development District serves to limit the use of the lands to the 'established use' to prevent further development of the lands until such time as municipal services are available and/or to facilitate a more efficient use of large parcels via a Zoning Amendment process. The subject lands support a dwelling that was originally constructed in 1951 at a time when the lands were privately serviced. The lands were connected to municipal sanitary sewer and water in 1987 and it is appropriate, therefore, to recognize the residential use within the R.1 – Residential District on full municipal services.

The owner proposes to expand the rear of the dwelling to permit a proposed 23.5m² (250ft²) building addition situated adjacent to the existing deck. The garage space and the space above was converted to living area in 1999 and utilized the maximum expansion potential of 10% of the floor area as permitted in the current D.1 – Development Zoning District.

The subject property is one of several properties situated along Brealey Drive with the D.1 – Development District zoning, originally assigned at a time when servicing was not available along Brealey Drive. Since 1987, and subsequent to the City's Brealey Drive Reconstruction Program, servicing has been extended and most of the properties in vicinity of the subject lands along Brealey Drive have been connected. Planning Staff is therefore recommending that Council authorize Staff to initiate a Zoning By-law Amendment to amend the zoning of the lands to address the antiquated zoning.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on April 11, 2016.

No 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 by direct mail and by newspaper advertisement (Peterborough Examiner) on May 16, 2016. The notice complies with the requirements of the *Planning Act*.

No written comments have been received as of May 20, 2016.

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 - Draft Zoning By-law

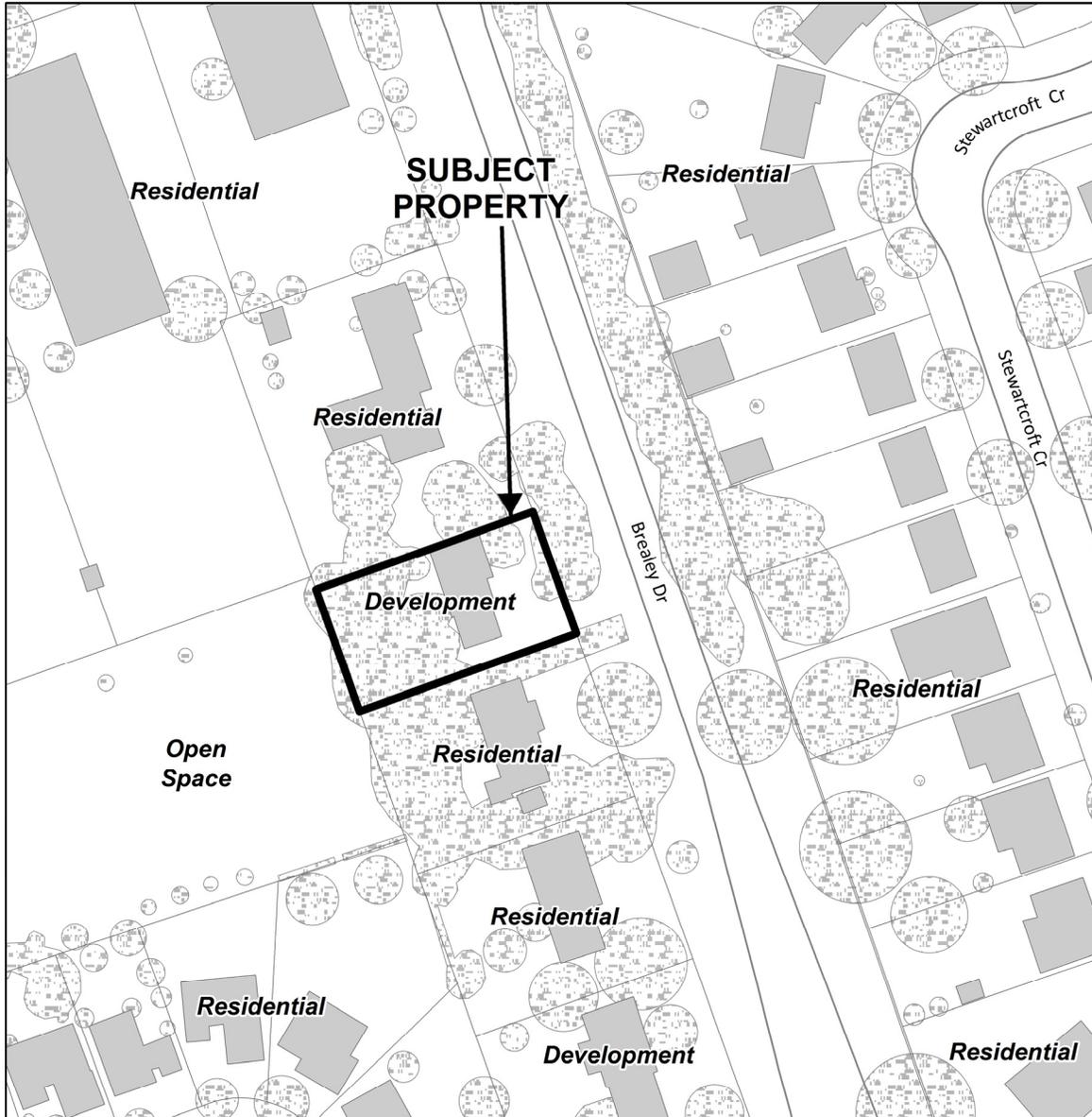
Exhibit A, Page 1 of 1

Land Use Map

File: Z1610

Property Location: 909 Brealey Dr

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: April 7, 2016

Map by: JEllis



Exhibit C, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 16-

Being a By-law to Amend the Zoning By-law for the property known as 909 Brealey Drive

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

Map 15 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 D.1 to R.1.**

By-law read a first, second and third time this day of , 2016.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit C, Page 2 of 2

