



City of
Peterborough

To: **Members of the Planning Committee**

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

Meeting Date: **January 30, 2017**

Subject: **Report PLPD17-003
53 Leahy's Lane**

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 53 Leahy's Lane from R.1 – Residential District to R.3-311 – Residential District to permit the redevelopment of the lands for two 5 unit dwellings with associated parking and landscaping.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-003 dated January 30, 2017, of the Manager, Planning Division, as follows:

- a) That Section 3.9 – Exceptions, be amended to add Exception .311 in accordance with Exhibit 'C' attached to Report PLPD17-003; and
- b) That the subject properties be rezoned from R.1 – Residential District to R.3-311 – Residential District in accordance with Exhibit 'C' attached to Report PLPD17-003.

Budget and Financial Implications

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

Background

The subject application was received on September 30, 2016, deemed to be complete on October 21, 2016, and was processed in accordance with department procedures. The *Planning Act* permits 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 February 20, 2017 if Council has not made a decision.

The subject lands support an existing single unit dwelling and detached garage and associated parking and landscaping. The lands consist of a 2268 m² (24415 ft²) rectangular shaped property with driveway access to Leahy's Lane and buildings located on the north portion of the property.

A Concept Site Plan showing the proposed location of the two new buildings, together with proposed vehicular and pedestrian access and parking has been submitted in support of the application. The Concept Site Plan has been revised to reflect a future road widening along the Leahy's Lane frontage, to be conveyed at the Site Plan Approval stage. It demonstrates how the lands will function once the conveyance of the road widening is taken. It is the intention of the owner to sever the lands in the future and create two independent parcels, supporting a five-plex on each with associated parking and landscaping.

The lands are serviced with full municipal services and a Functional Servicing Report is being prepared to demonstrate how stormwater management is proposed to be addressed and will address proposed servicing of the lands. It has been determined by the City that a reach of the downstream sanitary sewer system on Armour Road is undersized and requires upgrading. Consequently, the owner/applicant will be required to contribute a proportionate share of the cost of the upgrade to facilitate the proposed development. Details regarding servicing and collection of fees related to downstream upgrades will be collected at Site Plan Approval stage of development.

The City of Peterborough requires that any residential development greater than 4 units be subject to Site Plan Approval. The proposed development, therefore will be subject to Site Plan Approval.

Analysis

a) Official Plan

The lands are currently designated "Residential" on Schedule 'A' – Land Use in the City of Peterborough Official Plan. The Residential designation contemplates the existing low density residential use of the property and provides for infill and intensification. The proposed use of 10 dwelling units has the effect of increasing the density of the lands to a medium density development and requires that the application be considered subject to the Infill and Intensification policies of the Official Plan.

The proposed amendment contemplates the redevelopment of the lands to support the construction of two 5 unit buildings with a height of 2 storeys, resulting in a density of approximately 48 units per hectare. Medium density residential uses are contemplated in the City whereby the Infill Housing provisions of Section 4.2.2.1.3 are met, including 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 elevations of the building.

The neighbourhood is characterized by a mix of commercial, recreational and low and medium density residential dwellings and the subject lands front onto Leahy's Lane, Charlotte Street, identified as a local road. The land is included in the Built Boundary as illustrated on Schedule A-1, City Structure.

b) Zoning By-law

The subject property is currently zoned R.1 – Residential District, permitting a maximum of one dwelling unit on the property. The redevelopment of the land for two 5 unit dwellings requires an amendment to the zoning to a Zoning District that permits multiple dwelling units. The proposed R3 Zoning District permits up to 8 dwelling units per building and includes regulations associated with the medium density type of development. The Zoning Amendment must be consistent with the policies of the Official Plan.

The applicant proposes to amend the zoning of the lands from R.1 – Residential District to R.3-311 – Residential District to permit the redevelopment of the site for up a total of 10 dwelling units within two 5 unit buildings and associated parking and landscaped areas with site specific regulations as follows:

Regulation	Zoning Requirement	Proposed
Minimum Lot Area per Unit	230 m ²	205 m ²
Minimum Lot Width per Unit	6 m	4 m
Maximum Parking Lot Coverage	25% of Lot Area	33% of Lot Area
Minimum Landscaped Open Space Strip	1.5 m	0.6 m on one side
Minimum Parking	1.75 spaces/unit	1.6 spaces/unit

It is recommended that Exception .311 be added to the Zoning By-law to address the site specific regulations noted above. The R.3 zoning district limits the height of buildings to 2 storeys to ensure compatibility with neighbouring low density residential development. The parking reduction results in a difference of 2 parking spaces. (18 required and 16 proposed)

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

c) Site Development

The proposed amendment will result in the redevelopment of the lands to permit a maximum of 10 dwelling units with associated parking, landscaping and driveway entrances. The requirement to enter into a Site Plan Agreement will assist the City in ensuring that the property is maintained in accordance with the approved plan and is binding on all future landowners.

The applicant has illustrated how parking can be achieved together with landscaped open space on the site, including the conveyance of the required 5.18 m road widening. Site Plan approval will address landscaping, parking layout, driveway connection, and servicing including stormwater management.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on November 3, 2016.

The City's Utility Services Department indicated no objection to the rezoning request and requests that the zoning be conditional upon the applicant entering into a Site Plan Agreement with the City regardless of the final development type or configuration. Utility Services indicates that a site stormwater management report with engineering design standards will be required, and notes that the lands are situated within the catchment area in an area that is constrained. As such, a fee of \$2923.00 is requested to be paid. A 5.18m road widening across the entire frontage of the site is also required and can be conveyed as part of the Site Plan Agreement. The applicant has provided a revised Concept Site Plan (attached as Exhibit 'B') that illustrates how the property can function subsequent to the conveyance of the road widening. The revised site plan also illustrates the required landscape strips adjacent to the parking areas around the perimeter of the lot. Cash in lieu of parkland is recommended.

Peterborough Utilities Services Inc. note that the Owner is to confirm the existing service is suitable for the proposed development and note that should a second water service be required, applicable charges will be required. It is expected that the proposed development will be electrically serviced overhead and if electric heat is provided in rental units, then it is to be metered separately from the renter's meter.

Canada Post confirms that mail delivery service will be provided through centralized Lock Box Assembly, to be supplied, installed and maintained by the developer within these buildings and requests new civic addresses and the excavation date for the first foundation/first phase as well as the date that work is scheduled to commence on site.

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 3, 2017 by newspaper advertisement (Peterborough Examiner) and by direct mail. The notice complies with the requirements of the *Planning Act*.

No further written comments have been received as of January 9, 2017.

Submitted by,

Ken Hetherington
Manager, Planning Division

Prepared by,

Concurred with,

Caroline Kimble
Land Use Planner

Allan Seabrooke, Acting Director,
Planning and Development Services

Contact Name:

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 Plan
Exhibit C - Draft Zoning By-law

Exhibit A, Page 1 of 1

Land Use Map

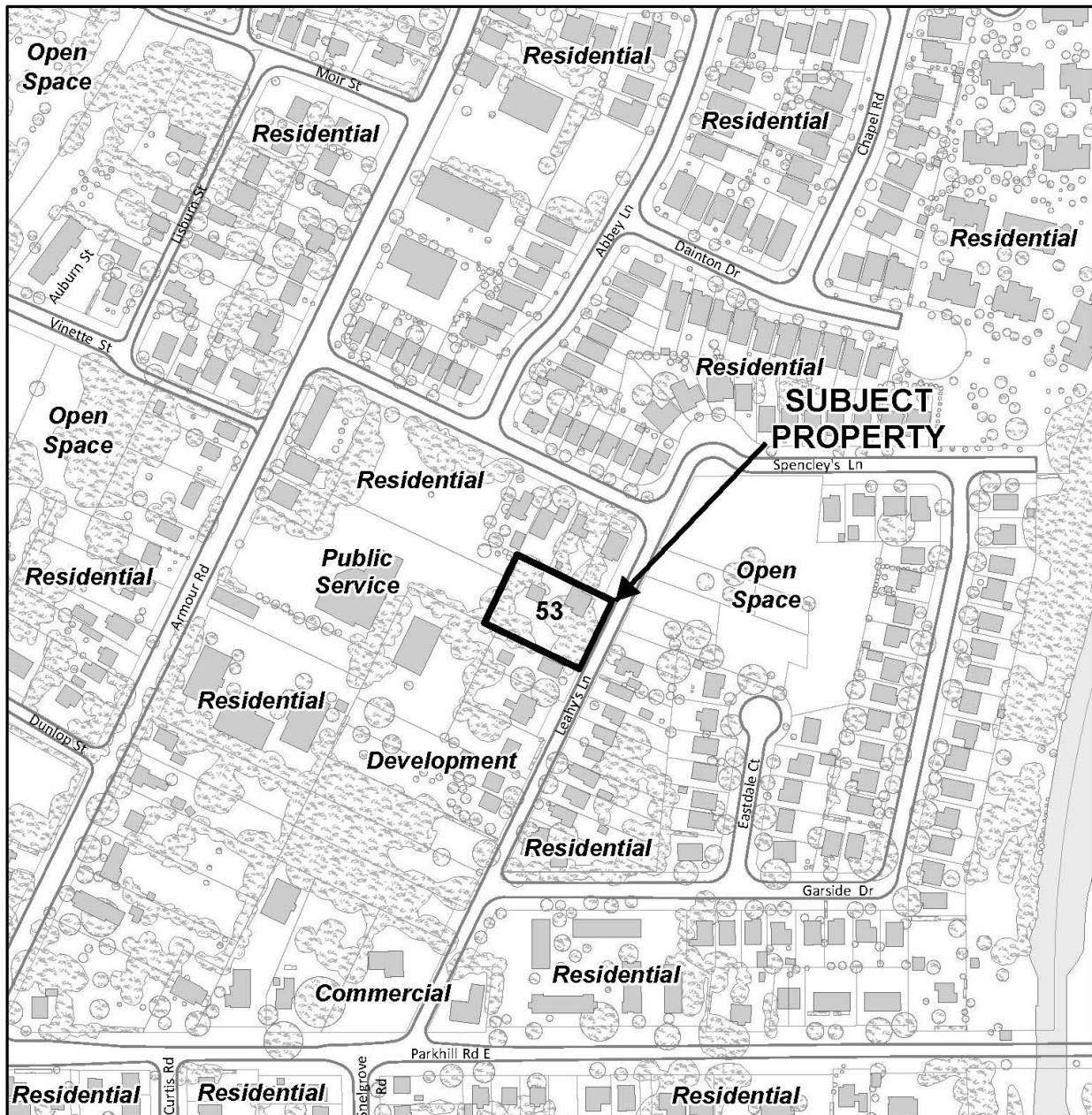
File: Z1619

Property Location: 53 Leahy's lane

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: January 12, 2017

Map by: Jellis



0 12.5 25 50 75 100 125 Metres

Exhibit C, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 17-

Being a By-law to amend the Zoning By-law for the property known as 53 Leahy's Lane

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:

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

Regulation	Requirement
Minimum Lot Area per Unit	205 m ²
Minimum Lot Width per Unit	4 m
Maximum Parking Lot Coverage	33% of Lot Area
Minimum Landscaped Open Space Strip	0.6 m along one side lot line
Minimum Parking	1.6 spaces/unit

”

2. That Map 8b 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.3-311.

By-law read a first, second and third time this day of , 2017.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit C, Page 2 of 2

