



City of  
**Peterborough**

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

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

**Meeting Date:** **March 20, 2017**

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

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## **Purpose**

A report to update City Council on the discussions held at a Neighbourhood Meeting on Wednesday, February 22, 2017 relating to the Zoning By-Law Amendment Application for the property known as 53 Leahy's Lane.

## **Recommendations**

That Council approve the recommendations outlined in Report PLPD17-003B dated March 20, 2017, of the Director, Planning and Development Services, as follows:

- a) That the draft By-law attached to Report PLPD17-003 be amended to eliminate the exception for Maximum Parking Lot Coverage, and Section 3.9 - Exceptions adding Exception .311 in accordance with Exhibit 'C' attached to Report PLPD17-003B; and
- b) That the zoning of 53 Leahy's Lane be amended from R.1 – Residential District to R.3-311 – Residential District in accordance with Exhibit 'C' attached to Report PLPD17-003B.

## **Budget and Financial Implications**

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

## **Background**

The Planning Committee of the City of Peterborough held a Public Meeting related to an application to amend the Zoning By-Law for the property known as 53 Leahy's Lane on January 30, 2017. The application proposes to amend the zoning of the property known as 53 Leahy's Lane to permit the redevelopment of the property for up to a total maximum of 10 dwelling units, consisting of up to 5 dwelling units within 2 separate buildings, on 2 separate lots, together with associated parking, driveways and landscaped areas. The Committee heard from several area residents regarding the proposal. Consideration of the application has been deferred until such time as a community meeting has been organized to further discuss the development with neighbours.

## **Neighbourhood Meeting**

A Neighbourhood Meeting was held on Wednesday, February 22<sup>nd</sup>, 2017 at the Peterborough Pagans Rugby Club at 166 Parkhill Road East. Invitations were mailed to all landowners within 120m radius of the property as well as to the Mayor and Councillors.

Approximately 30 residents attended the meeting, in addition to the Ward Councillors, the applicant, owners and Planning Staff.

Discussions regarding the proposed application with the area residents provided an opportunity for the applicants to share the latest revised concept site plan and discuss the details of the proposal. It was generally conveyed by the residents in attendance that the residential use of the lands is acceptable, however, some concerns regarding the number of parking spaces and snow removal/stormwater management were expressed. The applicants discussed proposed buffering with abutting neighbours, including fencing, landscaping and location of the proposed buildings. In addition, several neighbours were seeking confirmation from the owners about the tenancy of the proposed units. There was also concern about the City's future plans for the widening of Leahy's Lane and how that may affect area landowners.

The applicants provided concept elevations and a revised site plan to illustrate a more condensed parking area with reduced driveway/aisle length and width to facilitate the movement of the proposed buildings closer to the street line, while allowing for increased landscaping and screening around the perimeter of the parking area and to facilitate a rear yard amenity space consistent with neighbouring properties.

An explanation of the requirement for a stormwater management design, including the requirement to accommodate snow melt was provided to address concerns related to runoff due to snow melt and rain. The owner will be obligated via the Stormwater Management design and Site Plan Agreement provisions, to ensure that post construction runoff does not exceed pre-construction runoff. Where snow storage on site is excessive, it may be necessary to remove it from the property to manage the runoff.

Information was shared regarding the conclusions of the Functional Stormwater Management Report prepared by Engage Engineering Ltd. on behalf of the applicants. The Report indicates that a catchbasin will also be required within each parking lot to facilitate the control of quantity and quality stormwater runoff via underground storage and low impact development opportunities including greenspace infiltration, bioretention cells and others will be explored during detailed design phase and incorporated where permitted in the site plan process.

## Summary

Planning staff have considered the comments made by the neighbourhood during the rezoning process and have discussed the neighbourhood concerns regarding the detailed design with the applicant and owners. The use of the lands for residential intensification is supportable from a Planning perspective, and Planning Staff have worked with the applicant and owners to refine the concept site plan to address some of the concerns of the neighbourhood with an improved design. The refined plan decreases the amount of hard surface and increases the landscaped open space on the subject properties, for a more acceptable proposal for Council and the neighbourhood, while ensuring that the City is not compromising reasonable development standards.

The applicant has provided a revised concept site plan that has the effect of compressing the parking into a smaller parking lot by reducing the width of the driveway aisle and the length of the proposed parking spaces to meet the minimum standards of the Zoning By-Law and, thereby, increases the landscaped space around the perimeter of the parking areas. This will facilitate additional planting, increased greenspace and will provide room for a landscaped buffer treatment around the perimeter of the proposed parking areas.

The driveway connection from the street is also shortened from 13.35m (43.8ft.) to 9.5m (31.2ft.) and allows the buildings to move closer to the street line by approximately 3.9m (12.66 ft.) adjacent to Leahy's Lane, which increases the rear yard amenity space to a depth of 12.85m (42.2 ft.) provided for future residents of the development, more consistent with the surrounding residential development.

The revisions to the site plan and the conveyance of land for future road widening further demonstrate that the maximum lot coverage by open parking areas, driveways and vehicle movement areas can be reduced to approximately 23.5% of the lot and, within the typical maximum of 25% of the Lot Area, required in the proposed R.3 Zoning District. As such, the proposed exception to the maximum parking lot coverage to 33% of Lot Area is no longer required. The proposed draft By-Law Amendment has been revised to reflect this change and ensure that the hard surface area is limited. Similarly, the Minimum Landscaped Open Space can be increased to 0.7m along the interior side lot of the future lots, while providing a minimum of 1.53m and 1.52m adjacent to existing residential lots to the north and south respectively.

The Minimum Lot Area per unit requirement of 205m<sup>2</sup>/unit is proposed to be varied to 204m<sup>2</sup>/unit to reflect the reduced lot area, resulting from the conveyance of the 5.18m strip across the frontage for purposes of future road widening of Leahy's Lane. This will limit the total number of units to a maximum of 5 units per lot, subject to the approval of the severance by the Committee of Adjustment.

An alternative amending By-law is attached as Exhibit 'C' to Report PLPD17-003B, with revised site specific regulations as follows:

<b>Regulation</b>	<b>Zoning Requirement</b>	<b>Proposed</b>
Minimum Lot Area per Unit	230 m <sup>2</sup>	204 m <sup>2</sup>
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	0.7 m on one side
Minimum Parking	1.75 spaces/unit	1.6 spaces/unit

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

Submitted by,

Jeffrey Humble  
Director, Planning and Development Services

**Contact Names:**

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**Attachments:**

Exhibit A – Revised Concept Plan  
Exhibit B – Report PLPD17-003  
Exhibit C – Revised Draft Zoning By-law

## Exhibit A – Revised Concept Plan, Page 1 of 1

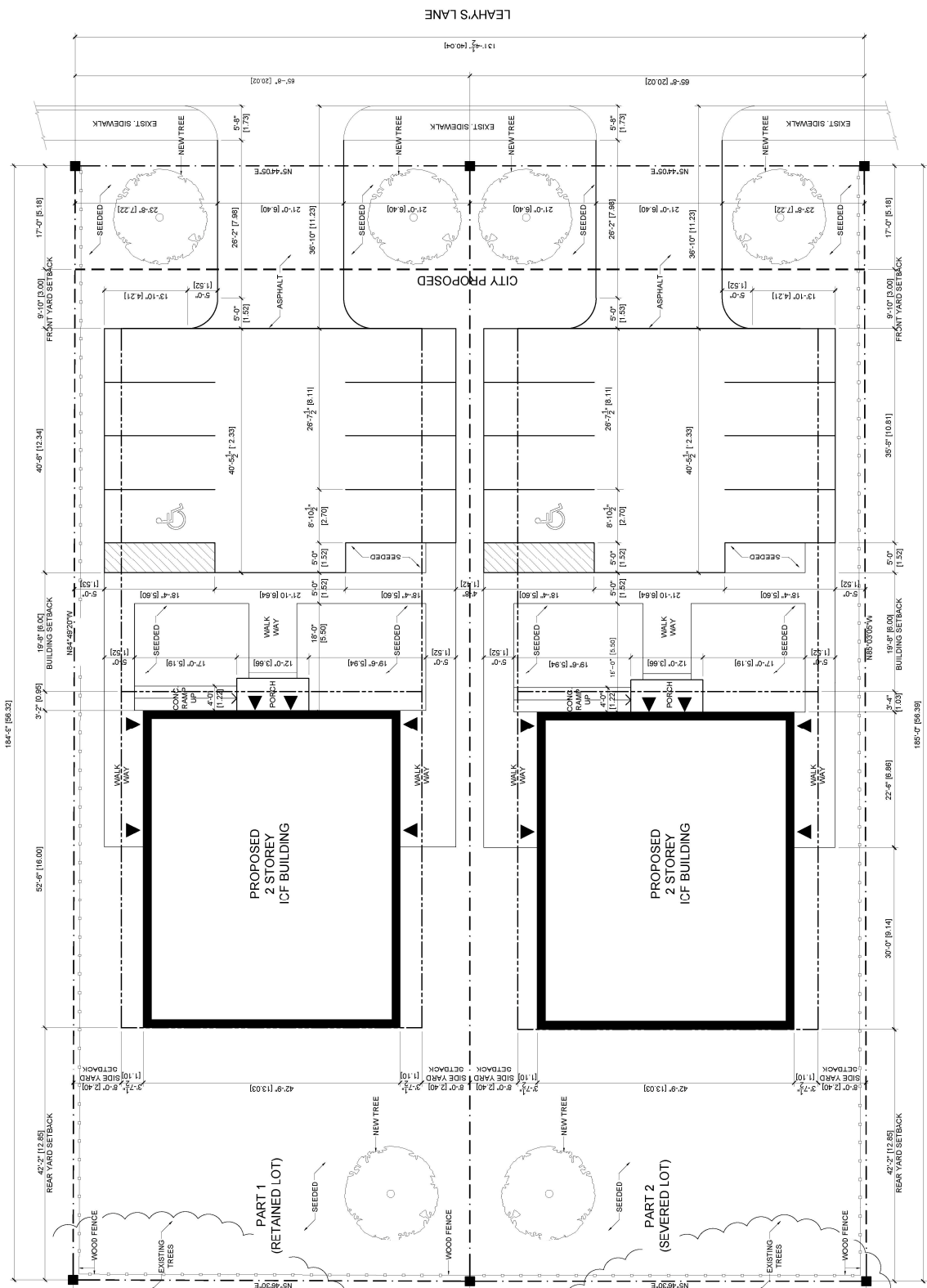


Exhibit B – Report PLPD17-003, Page 1 of 9



City of  
**Peterborough**

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**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**

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## **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.

Exhibit B – Report PLPD17-003B, Page 2 of 9

## 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 m<sup>2</sup> (24415 ft<sup>2</sup>) 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.

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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 <sup>2</sup>	205 m <sup>2</sup>
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.

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**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.

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Report PLPD17-003  
Zoning By-law Amendment – 53 Leahy's Lane

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**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

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**Attachments:**

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

Exhibit B – Report PLPD17-003, Page 6 of 9

Report PLPD17-003  
Zoning By-law Amendment – 53 Leahy's Lane

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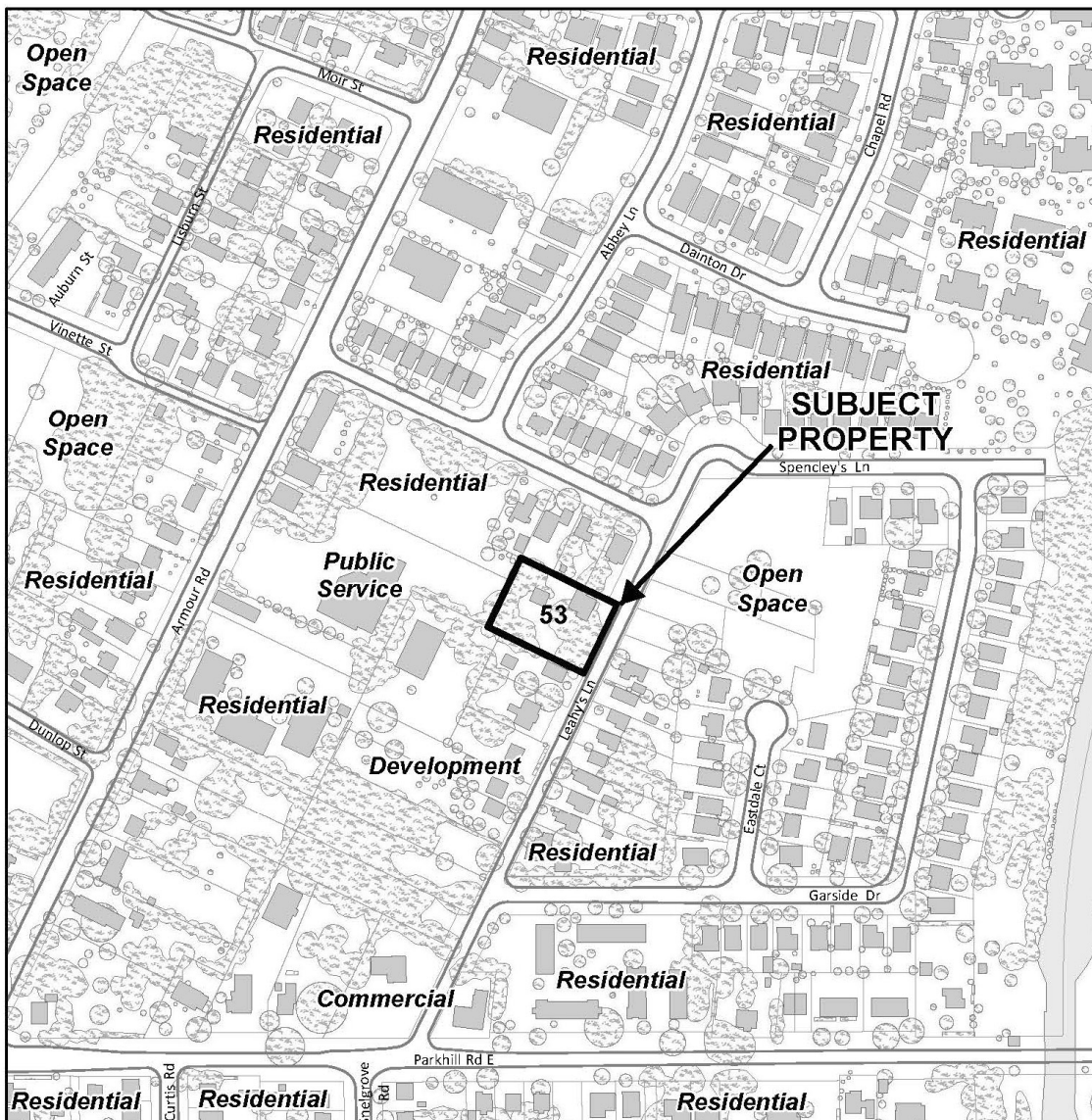
Exhibit A, Page 1 of 1

# 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: J.Ellis  
0 12.5 25 50 75 100 125 Metres

## Page 7

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Report PLPD17-003  
Zoning By-law Amendment – 53 Leahy's Lane

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Exhibit C, Page 1 of 2



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## 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

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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 <sup>2</sup>
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.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

Exhibit B – Report PLPD17-003, Page 9 of 9

Exhibit C, Page 2 of 2

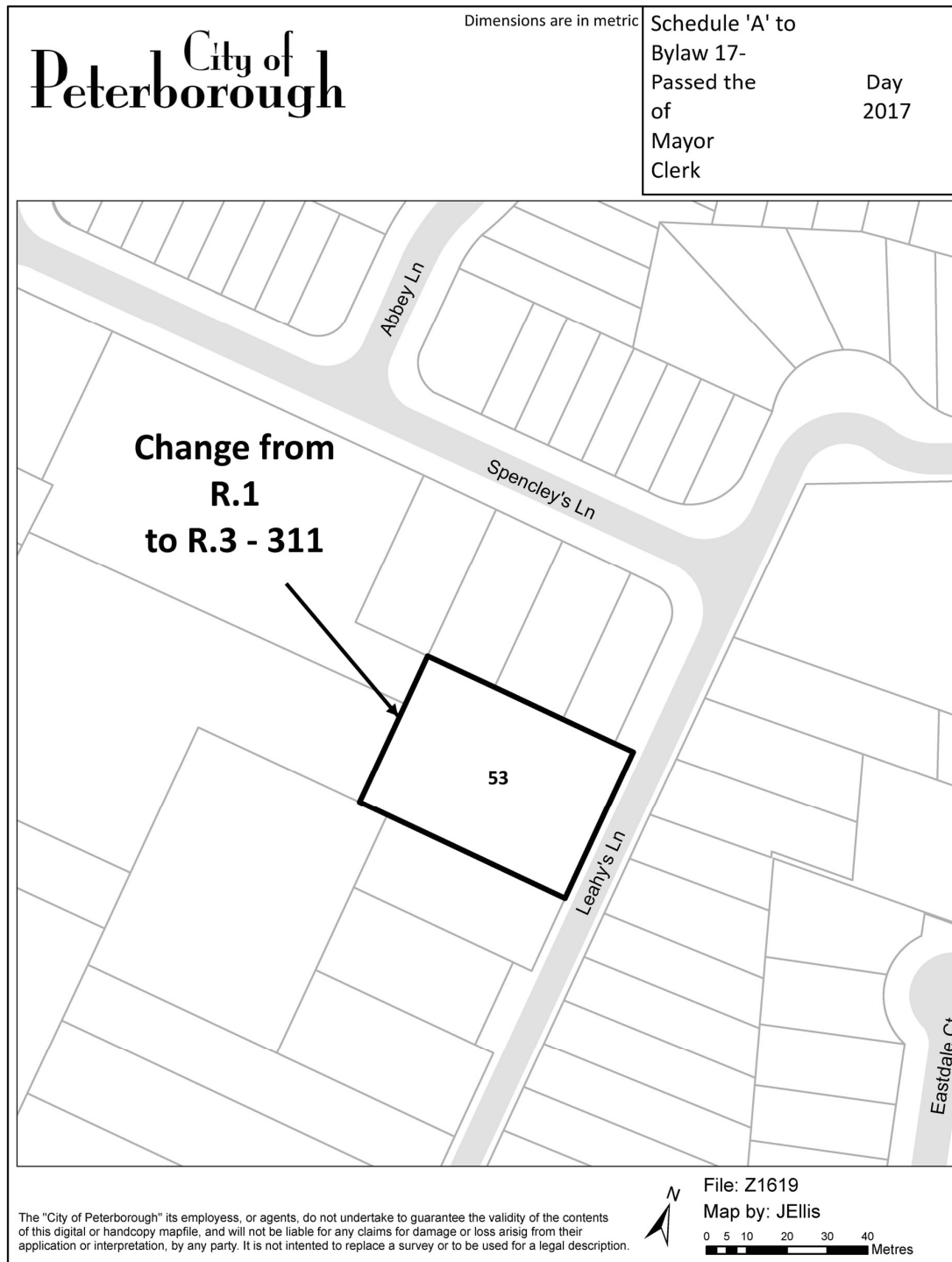


Exhibit C – Revised Draft Zoning By-law, Page 1 of 2



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## 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	204 m <sup>2</sup>
Minimum Lot Width per Unit	4 m
Minimum Landscaped Open Space Strip	0.7 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.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

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

