



City of
Peterborough

To: **Members of the Planning Committee**

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

Meeting Date: **July 17, 2017**

Subject: **Report PLPD17-034
1657 College Park Drive
Zoning By-law Amendment**

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 1657 College Park Drive from the D.2 - Development District to R.1, 1f, 2e – 'H' – Residential District to permit the redevelopment of the existing property for a new single detached dwelling oriented toward College Park Drive, replacing the existing dwelling.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-034 dated July 17, 2017, of the Director, Planning and Development Services, as follows:

- a) That the subject property be rezoned from D.2 – Development District to R.1, 1f, 2e 'H' – Residential District in accordance with Exhibit 'C' attached to Report PLPD17-034; and
- b) That the 'H' – Holding Symbol be removed subject to the removal of the 0.3 m reserve abutting the College Park Drive lot line (Block 129, Plan 45M-126) and the land being dedicated as a public highway known as College Park Drive, at the applicant's expense, to allow legal access to College Park Drive.

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 April 5, 2017, deemed to be complete on April 6, 2017, 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 August 7, 2017 if Council has not made a decision.

The subject lands support an existing dwelling, constructed in 1958 and oriented toward Brealey Drive, known as 1657 College Park Drive (formerly addressed as 766 Brealey Drive), owned by the applicant.

A Plan of Subdivision (known as the College Park Plan of Subdivision) was approved in 1989 for the surrounding lands along the east side of Brealey Drive, south of Lansdowne Street West and west of Pinewood Drive. The subject lands and three other lots along Brealey Drive that supported dwellings at that time were excluded from the Plan of Subdivision. A reserve block measuring 0.3 m (Block 129) was created adjacent to the rear lot line.

A building permit was issued in 1996 to establish a connection to the City sewer along College Park Drive and Development Charges were paid by the owner at that time. In 2005, a Reference Plan (Plan 45R-13376) was deposited on title, effectively creating a reserve along the Brealey Drive frontage of the subject lands and redirecting access to College Park Drive, in accordance with the servicing connection. A gravel driveway was established although the 0.3 m reserve remained along the College Park Drive frontage.

The applicant now proposes to demolish the existing dwelling (constructed in 1958) and replace it with a new one storey single detached dwelling on the existing lot. The existing zoning recognizes the established use of the property, however, does not permit the construction / replacement of the proposed dwelling. A rezoning application is therefore required to accommodate the new dwelling unit.

A concept plan showing the location of the proposed dwelling has been submitted in support of the application (Exhibit 'B').

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 anticipates accessory uses.

The proposed amendment contemplates the introduction of a new dwelling and the proposed implementing zoning regulations will ensure that the lot configuration remains in accordance with the surrounding Plan of Subdivision in terms of its size and orientation of the new dwelling.

b) Zoning By-law

The subject property is currently zoned D.2 – Development District. The use of the D.2 zoned lot is limited to the established use in this instance. Other uses would require a much larger lot area and a reduced lot coverage. The demolition and replacement of the existing single unit dwelling is also prohibited under the existing D.2 – Development District Zoning. A Zoning Amendment is therefore, required to permit the lands to support the introduction of the new single detached dwelling.

The applicant proposes to amend the zoning of the lands from D.2 – Development District to R.1, 1f, 2e – Residential District to permit the use of the lands for a new single detached dwelling and accessory uses, replacing the existing dwelling. The applicant intends to orient the new dwelling to College Park Drive with a driveway connection to College Park Drive as well, respecting the reserve along Brealey Drive.

Considering that the reserve along College Park Drive has not been lifted, it is recommended that an ‘H’ – Holding Symbol be applied to the R.1, 1f, 2e – Residential District to ensure the removal of the 0.3 m reserve abutting the College Park Drive lot line (Block 129, Plan 45M-126). A By-law will need to be passed to have this block dedicated as a public highway and legal access be given, known as College Park Drive, and registered on title. All associated costs will be at the expense of the applicant.

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

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on April 27, 2017.

The City's Utility Services Department indicated no objection to the rezoning request, subject to a new driveway access from College Park Drive; removal of the existing 0.3 m reserve along the College Park Drive frontage of the site to allow legal access to College Park Drive; the applicant agreeing to connect to municipal water and sewer for the new residence; decommissioning of any existing septic system and/or well on the property; and cash-in-lieu of parkland, where required. The applicant has also been made aware that they shall be responsible for all development and physical costs for the provision of any additional municipal services to the property.

Peterborough Utilities Services Inc. notes that Development Charges and/or Frontage Charges are applicable for water servicing and that the owner of the new dwelling will be required to contact PDI to review electrical servicing costs from College Park Drive.

Legal Services indicated that a By-law will be required to dedicate Block 129, 45M-126 as a public highway known as College Park Drive and register same on title, with all associated costs to be at the applicant's expense.

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 19, 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 June 23, 2017.

Submitted by,

Jeffrey Humble, MCIP, RPP
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 D - Draft Zoning By-law

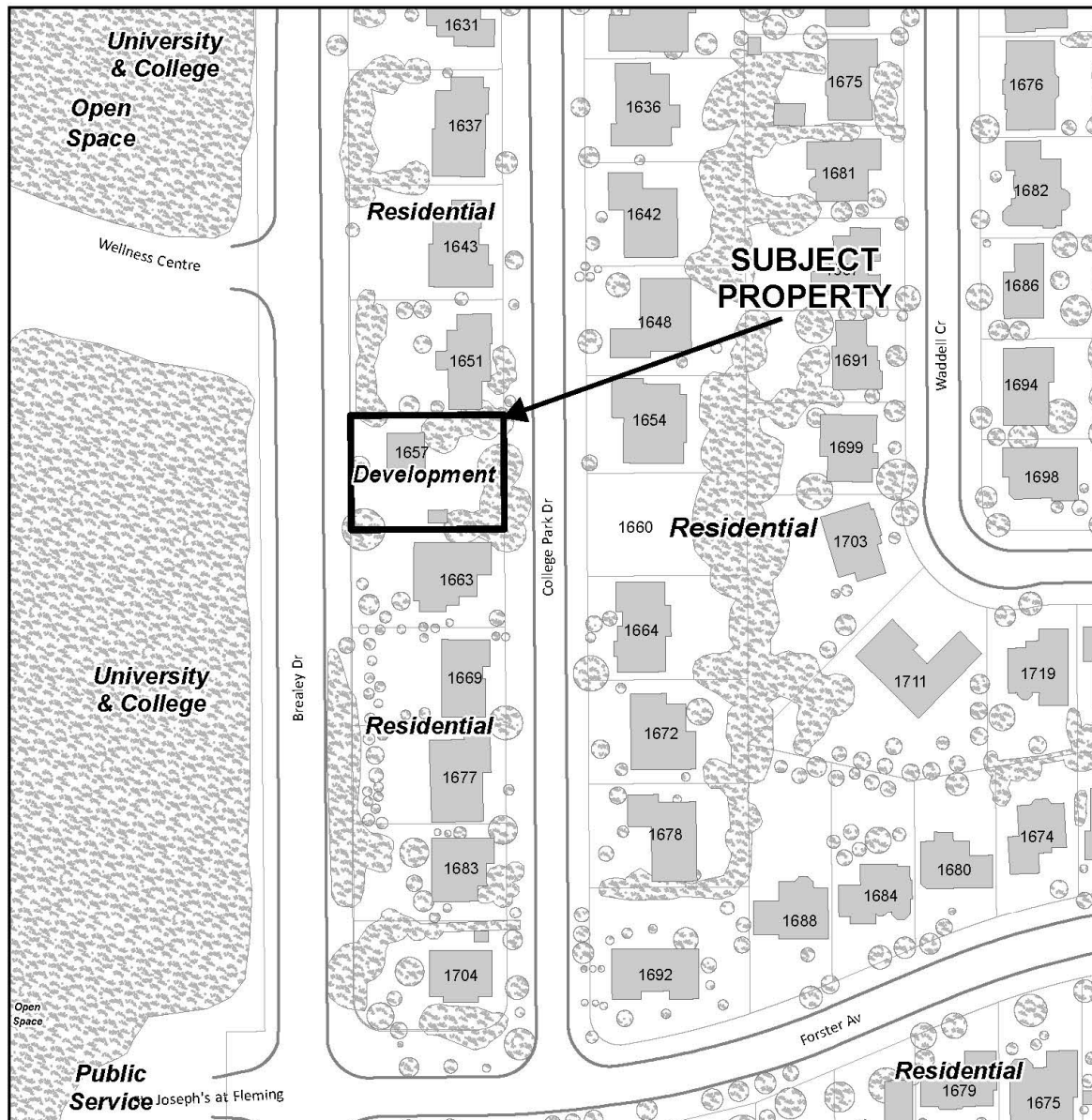
Exhibit A – Land Use Map – Page 1 of 1

Land Use Map

File: Z1703

Property Location: 1657 College Park 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 25, 2017

Map by: JEllis

0 10 20 40 60 Metres

Exhibit B – Concept Plan – Page 1 of 1

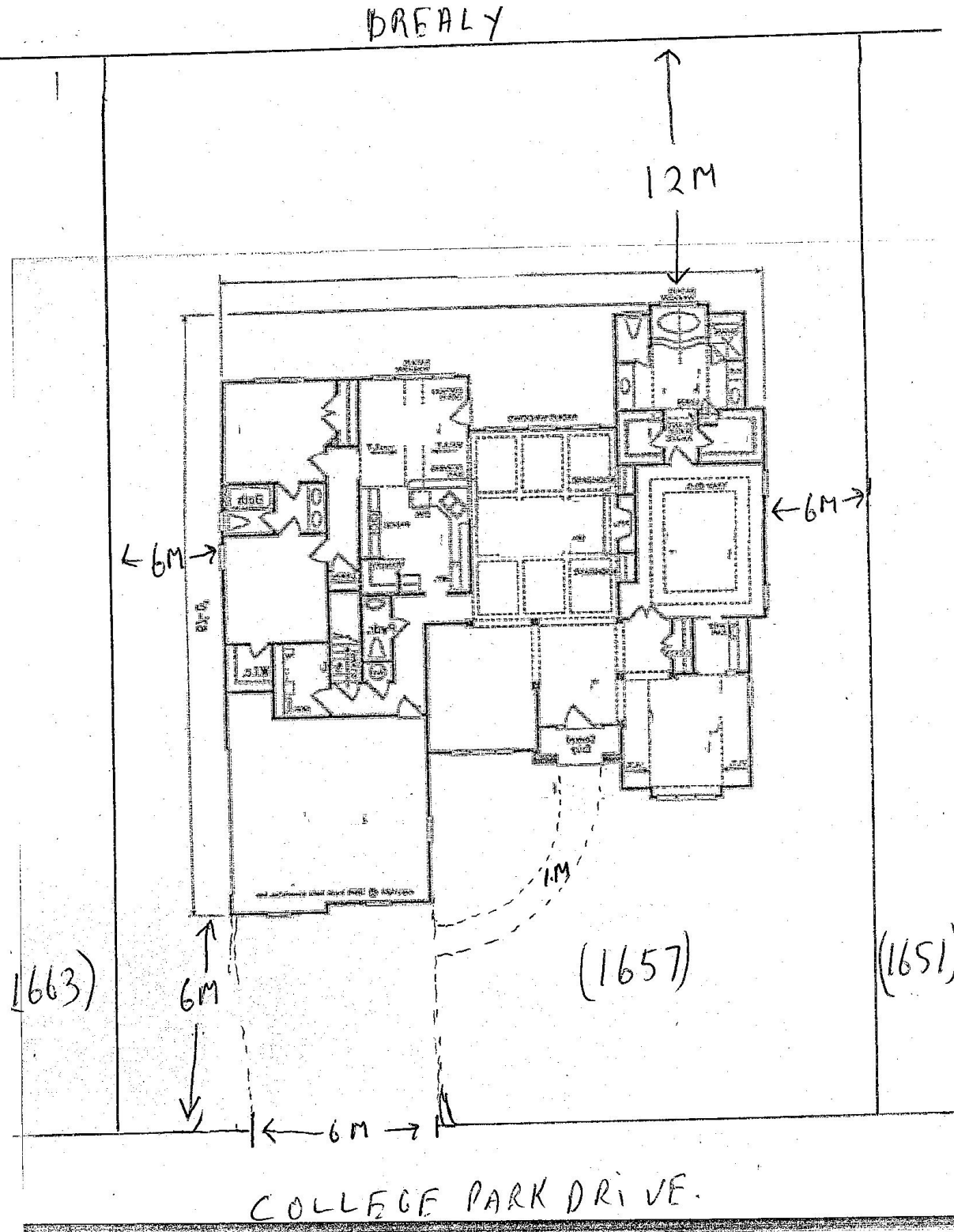


Exhibit C – Draft Zoning By-law – Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 17-XXXX

Being a By-law to amend the Zoning By-law for the property known as 1657 College Park Drive

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

1. That Map 20 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 D.2 – Development District to R.1, 1f, 2e ‘H’ – Residential District.
2. That the ‘H’ – Holding Symbol be removed subject to the removal of the 0.3 m reserve abutting the College Park Drive lot line (Block 129, Plan 45M-126) and that the land be dedicated as a public highway known as College Park Drive, at the applicant’s expense, to allow legal access to College Park Drive.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit D – Draft Zoning By-law – Page 2 of 2

