



City of
Peterborough

To: **Members of the Planning Committee**

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

Meeting Date: **August 28, 2017**

Subject: **Report PLPD17-040**
Zoning By-law Amendment – 880 Parkhill Road West

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 880 Parkhill Road West from R.1, 1e, 2j, 4d – Residential District to R.2-314 'H' – Residential District to permit the conversion of the existing 12 bedroom residential dwelling into a duplex with two units, each with 6 bedrooms, in accordance with site specific regulations to address the existing development of the property.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-040 dated August 28, 2017, of the Director, Planning and Development Services Department, as follows:

- a) That Section 3.9 – Exceptions, be amended to add Exception .314 in accordance with Exhibit 'C' attached to Report PLPD17-040; and
- b) That the subject property be rezoned from R.1, 1e, 2j, 4d – Residential District to R.2-314 'H' – Residential District in accordance with Exhibit 'C' attached to Report PLPD17-040.

Budget and Financial Implications

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

Background

The property known as 880 Parkhill Road West supports a large rental dwelling unit with 12 bedrooms and subsequent to a case before the Ontario Fire Marshall, the owner has initiated an amendment to facilitate the conversion of the 12 bedroom unit into a duplex, having 6 bedrooms in each.

An inspection by Peterborough Fire Services (PFS) in 2016 resulted in items that required attention by the current owner. In 2017, the Ontario Fire Marshall rescinded all but one of the required items contained in the inspection order. In its January 2017 decision, the Fire Marshall found that “the building bears a strong resemblance to a two dwelling unit and not a single dwelling unit”. In April, 2017, a case conference before the Fire Safety Commission was held between the owner and Peterborough Fire Services. As a result of conversations held between January and April, 2017, the City and the owner agreed that the appropriate resolution to the question of “what type of dwelling unit this is” would be to undertake a rezoning and permit the conversion of the existing 12 bedroom residential dwelling into a duplex with six bedrooms in each. Converting or establishing a duplex will address the life safety issues interests of the PFS.

The owner intends to maintain the duplex as two single housekeeping units with six bedrooms in each. Under the recently approved Business Licensing provisions for Rental Dwelling Units, the City will require the owner to obtain a Business License for each Large Rental Dwelling.

The subject application was received on May 29, 2017, deemed to be complete on June 9, 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 October 10, 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 2020 m² (21743 ft²) rectangular shaped property with driveway access to Parkhill Road West and parking facilities on the northerly portion of the lot, accessed by a driveway along the easterly property line.

A Site Plan showing the existing buildings, parking and driveway areas has been submitted in support of the application. The Concept Site Plan illustrates a 19.6m setback for the existing dwelling from the street line along Parkhill Road West.

The lands are serviced with full municipal services and no changes are proposed to the existing buildings or driveway/parking areas.

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 the property for a duplex is in keeping with the low density residential policies.

The proposed amendment contemplates the conversion of the existing dwelling to divide the existing unit into two dwelling units (upper and lower), retaining the current number of bedrooms, resulting in a density of approximately 10 units per hectare.

The neighbourhood is characterized by low and medium density residential dwellings and the subject lands front onto Parkhill Road West, identified as a High Capacity Arterial Road on Schedule B – Roadway Network, of the Official Plan. 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, 1e, 2j, 4d – Residential District, permitting a maximum of one dwelling unit on the property. The redevelopment of the land for a duplex requires an amendment to the zoning. The proposed R2 Zoning District permits up to 2 dwelling units and includes regulations associated with a duplex. 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.2-314 – Residential District to permit the conversion of the existing building to a duplex with associated parking and landscaped areas with site specific regulations as follows:

| REGULATION | Zoning Provision | Proposed |
|---|---------------------------------|--|
| Maximum Lot Coverage by open parking areas, driveways and vehicle movement areas | 20% | 35% |
| Minimum Distance from lot line for Residential Driveway and Parking Area for 5 or more vehicles | 1.5m from side or rear lot line | 0.0m from easterly side lot line for existing driveway |
| Minimum height of ceiling of basement unit to average grade | 1.0m | 0.8m for existing condition |

It is recommended that Exception .314 be added to the Zoning By-law to address the site specific regulations noted above. The proposed regulations are intended to reflect the existing standards of development of the site. There are no changes proposed to increase any existing deficiency with respect to these regulations.

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 July 6, 2017.

No agency has expressed any significant concerns 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 July 31, 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 August 3, 2017.

Submitted by,

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Director, Planning and Development Services

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Attachments:

Exhibit A - Land Use Map

Exhibit B – Site Plan

Exhibit C – Draft Zoning By-law

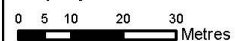


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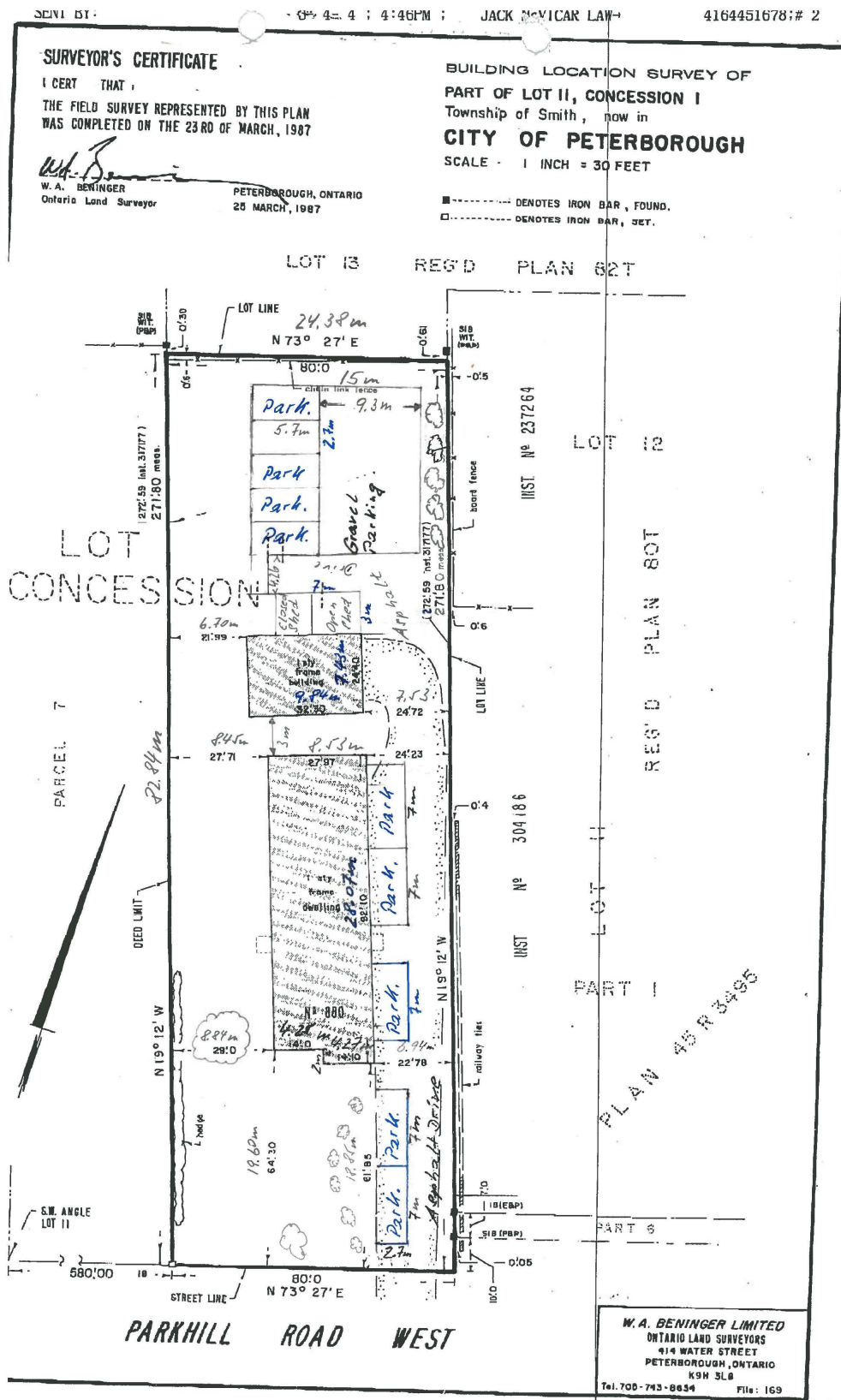


Exhibit C – Draft Zoning By-law – Page 1 of 2



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 880 Parkhill Road West

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 10 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, 1e, 2j, 4d – Residential District to the R.2-314 ‘H’ – Residential District.
3. That the ‘H’ Holding Symbol be removed at such time as the owner conveys a 5.18m road widening along the entire Parkhill Road West frontage of the property and payment of cash in lieu of parkland is received for the creation of a new dwelling unit.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

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