



**City of
Peterborough**

To: **Members of the Planning Committee**

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

Meeting Date: **November 20, 2017**

Subject: **Report PLPD17-053
Official Plan and Zoning By-law Amendment
461 Paterson St.**

Purpose

A report to evaluate the planning merits of amending the Official Plan Designation and Zoning of the property known as 461 Paterson Street to permit a proposed residential infill development with a maximum of eight (8) one bedroom units under the High Density Residential Designation policies.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-053 dated November 20, 2017, of the Director, Planning and Development Services, as follows:

- a) That Schedule 'E' – Residential Density, of the Official Plan be amended to include the lands known as 461 Paterson Street in the 'High Density Residential' designation in accordance with the draft amendment attached as Exhibit 'D' to Report PLPD17-053;
- b) Amend Section 3.9, Exceptions, of Zoning By-law 1997-123, to add Exception .319 to provide site specific regulations, including lot width per unit, setbacks, lot area per dwelling unit, lot coverage, dwelling unit size and parking standards, in accordance with Exhibit 'E' attached to Report PLPD17-053; and
- c) That the zoning of the lands known as 461 Paterson Street Street be amended from the R.1,R.2 – Residential District to the R.1,R.2,R.3-319 – Residential District in accordance with Exhibit 'E' attached to Report PLPD17-053.

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 461 Paterson Street was created in 2017 via Consent Approvals for severance, facilitating the assembly of the rear portions of two lots that front onto Park Place. The owner/applicant proposes to construct a new 2 storey brick 490.5m² (5280 ft²) residential building with a total of 8 independent one-bedroom units, together with a total of 4 parking spaces and landscaping.

The property is situated between Park Place and Hart Avenue, on the south side of Paterson Street, west of the Central Area boundary along Park Place. This area is characterized by a mix of residential and industrial land uses and is situated mid block between residential singles and duplex dwellings. Habitat for Humanity Peterborough & District is currently constructing a duplex on the lot directly adjacent to the rear property line of the subject lands, also recently created, and fronting onto Wolfe Street.

The application has been submitted together with supporting documentation including a Planning Justification Letter. A survey, concept site plan and elevations, dated March 2017 were also submitted in support of the application.

The Planning Justification Letter, prepared by the applicants, suggests that the proposal meets the overall intent and purpose of the Residential policies of the Official Plan and specifically, the infill provisions. The letter further suggests that the introduction of the proposed units is meeting an area of demand for current housing needs and provides sufficient off-street parking for the proposed use. The Justification Letter also indicates that 7 of the proposed units are one-bedroom units, together with 1 bachelor unit and compares the intensity of use to a permitted duplex unit with 4 bedrooms in each unit. The applicant further justifies the reduction in parking based on the proposed tenancy of the building for tenants who require quality and affordable rental units, in close proximity to public transit, stores and services. The applications recognize the need for an amendment to the Official Plan and for rezoning and proposes site specific regulations to accommodate the proposed concept site plan.

The applicant hosted an Open House for the neighbourhood on October 18, 2017 at the Prince of Wales' School library on Monaghan Road. Approximately 9 neighbouring residents attended in addition to the applicants, Planning Staff and Ward Councillor Parnell. Neighbours expressed an interest in preserving the existing lilac bush to the west of the subject lands and asked the applicants to maintain a buffer to the west, adjacent to the rear yards of the lots fronting onto Hart Avenue.

Analysis

a) Official Plan

The lands are designated 'Residential' and located half of a block west of the Transitional Uses Sub-District of the Central Area boundary and the Transitional Uses Area. Schedule 'A-1: City Structure' identifies the lands as part of the Built Boundary and a few blocks west of the Urban Growth Centre. Lands located within the Built Boundary are expected to support a minimum of 40% of the annual residential development occurring within the city as per the Official Plan, in accordance with the 2006 Provincial Growth Plan. Park Street North is identified as a 'Transportation Corridor' on Schedule A-1: City Structure.

The Residential designation anticipates a range of housing and other land uses that are integral to and supportive of a residential environment. The proposed residential land use is consistent with the intent of the policies.

The density proposed for the redevelopment for 8 units on this property is equivalent to 142 units per hectare. This would be considered to be high density and subject to the provisions of the Official Plan for development outside of the Central Area of the City. An amendment to Schedule 'E' – Residential Density, is required to allow the high density residential land use of the subject lands.

The proposed two storey brick dwelling with a maximum of 8 residential dwelling units with one bedroom or less in each unit, introduces a housing type that has been identified as a need in the community. High density residential uses are contemplated in the City's Central Area 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 proposed elevations of the building.

The policies further provide opportunity for affordable housing projects under Municipal programs to reduce on-site parking requirements.

The applicant has provided conceptual elevation drawings of the proposed two storey dwelling with a common entrance at the front of the dwelling facing Paterson Street. The proposed building height, scale and materials are compatible with the character of the neighbourhood.

Full municipal servicing is available in the area and there are no known constraints or issues with respect to sanitary or storm sewers within the neighbourhood. The subject lands are located within an area that is well served by parks, trails, public transit and in proximity to schools.

The location of the property and opportunities for active transportation in addition to its proximity to transit routes supports the 2017 Provincial Places to Grow targets that have recently been increased from 40% to 60% of residential intensification, to be supported within the built-up area.

b) Zoning By-law

The subject property is currently zoned R.1,R.2 – Residential District, permitting up to two units on the lands, at a density consistent with the Medium Density policies. The development of the newly created infill lot to support up to 8 one-bedroom units requires an amendment to zoning to bring the property into a Zoning District, consistent with the High Density policies of the Official Plan.

The applicant proposes to amend the zoning of the lands from the R.1, R.2 – Residential District to the R.1, R.2, R.3-319 – Residential District to permit the redevelopment of the lands for up to a maximum of 8 dwelling units with site specific regulations as follows:

Regulation	R.3 Provision	Proposed by Applicant	Recommended by Staff
Minimum lot area per dwelling unit	230m ²	69m ² (8 Units)	69m ² (8 Units)
Minimum lot width per dwelling unit	6m	2.2m	2.2m
Minimum building setback: i) side lot line ii) rear lot line	2.4m 9.0m	1.5m 6.0m	1.5m 6.0m
Maximum building coverage	35%	48%	48%
Maximum number of storeys	2	2	2
Minimum number of parking spaces	1.75 per unit	0.5 per unit	1.0 per unit
Minimum dwelling unit size i) One bedroom ii) Bachelor	70m ² 37m ²	50m ² 28m ²	50m ² 28m ²
Minimum distance between parking, driveway and vehicle movement areas and windows to habitable rooms	6m	1m	1m

The proposed regulations above are based on the concept site plan and will support a building massing and height that is consistent with the neighbourhood, ensuring that the infill development will be in keeping with the physical character of the surrounding lands. The use of the lands for 8 individual units introduces a much higher density of units per hectare; however, in consideration of the size of the parcel and the limitation to 2 storeys, the unit sizes are inherently restricted to one bedroom or bachelor type of accommodation as proposed by the applicant.

In the absence of a parking study justifying the proposed parking reduction, the parking ratio of 0.5 spaces per unit is not supportable. If the units are linked to the City's Community Improvement Program for Affordable housing and subject to a municipal affordable housing agreement, it will lessen the probability that tenants will own cars. As such, it is recommended by Planning Staff that a minimum parking ratio of 1 parking space per unit be assigned to the zoning to be applied to the lands, consistent with other approved developments in the periphery of the central area.

The City can accept cash-in-lieu of parking for projects subject to a Municipal Affordable Housing program for the difference between what is required and what is provided on site, without further amendment to the Zoning By-law. If the project is approved for 8 units and 4 parking spaces are being proposed, cash-in-lieu of parking will be an option for the difference in number of parking spaces required on site. If the proposed units are not subject to a Municipal Affordable Housing program, the total number of units permitted on the lands would reduce to 4 units as a result of a parking challenge. Planning Staff have discussed this with the applicant, and the applicant has agreed to the revision in the minimum parking requirement to 1 parking space per unit. The draft by-law amendment attached as Exhibit 'C' to Report PLPD17-053 reflects the revised parking requirement of a minimum of 1 parking space per unit.

b) Site Development

Access to the subject lands is proposed by way of two driveways connecting to Paterson Street, divided by a walkway and entrance feature to the proposed building. Each driveway will support 2 parking spaces for a total of 4 parking spaces to be provided on site. The applicant has provided concept elevations for the proposed building, being all brick construction with a common covered entrance feature facing Paterson Street and walkway connections to the building. (Exhibit 'E' to Report PLPD17-053).

The development of the land for 8 units will be subject to Site Plan Approval. This will address landscaping, parking layout, driveway connections, exterior lighting and stormwater management.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on September 12, 2017.

The City's Affordable Housing Advisory Committee (AHAC) supports the applications in that it will increase housing stock available to persons who rent and is close to more intensive housing neighbourhoods.

Peterborough Utilities Services Inc. noted that development charges and/or frontage charges are applicable for water services and provided minimum horizontal separation distances from the existing overhead electrical line. Peterborough Utilities further notes that if electric heat is provided in the rental units, it has to be metered separately.

The City's Utility Services Department (USD) has reviewed the applications and have no objection to the proposed rezoning subject to payment of cash-in-lieu of parkland where required and justification for the proposed parking reduction by a qualified traffic consultant. In the absence of the parking study, Planning Staff have recommended a ratio of 1 parking space per unit. In addition, Utility Services Department has forwarded comments to the applicant for their consideration at Site Plan Approval stage, including grading plan, stormwater management design brief (including water quantity, quality and Low Impact Development methodologies). USD further requests a 3.0m road widening across the frontage at Site Plan Approval stage.

Peterborough Fire Services recommend residential sprinklers and note that alarm system and fire separations be addressed with the Building Code permit.

Canada Post provided comments regarding proposed service type and location via a centralized Lock Box Assembly, to be supplied, installed and maintained in accordance with Canada Post specifications, at the developers' 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 was issued on September 29th, 2017 by newspaper advertisement (Peterborough Examiner) and Notice of Public Meeting was issued on October 23rd, 2017 by newspaper advertisement (Peterborough Examiner) and by direct mail. The notice complies with the requirements of the **Planning Act**.

No comments have been received as of November 8th, 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 – Proposed Elevations
Exhibit D – Draft Official Plan Amendment
Exhibit E - Draft Zoning By-law

Exhibit A – Land Use Map, Page 1 of 1

Land Use Map

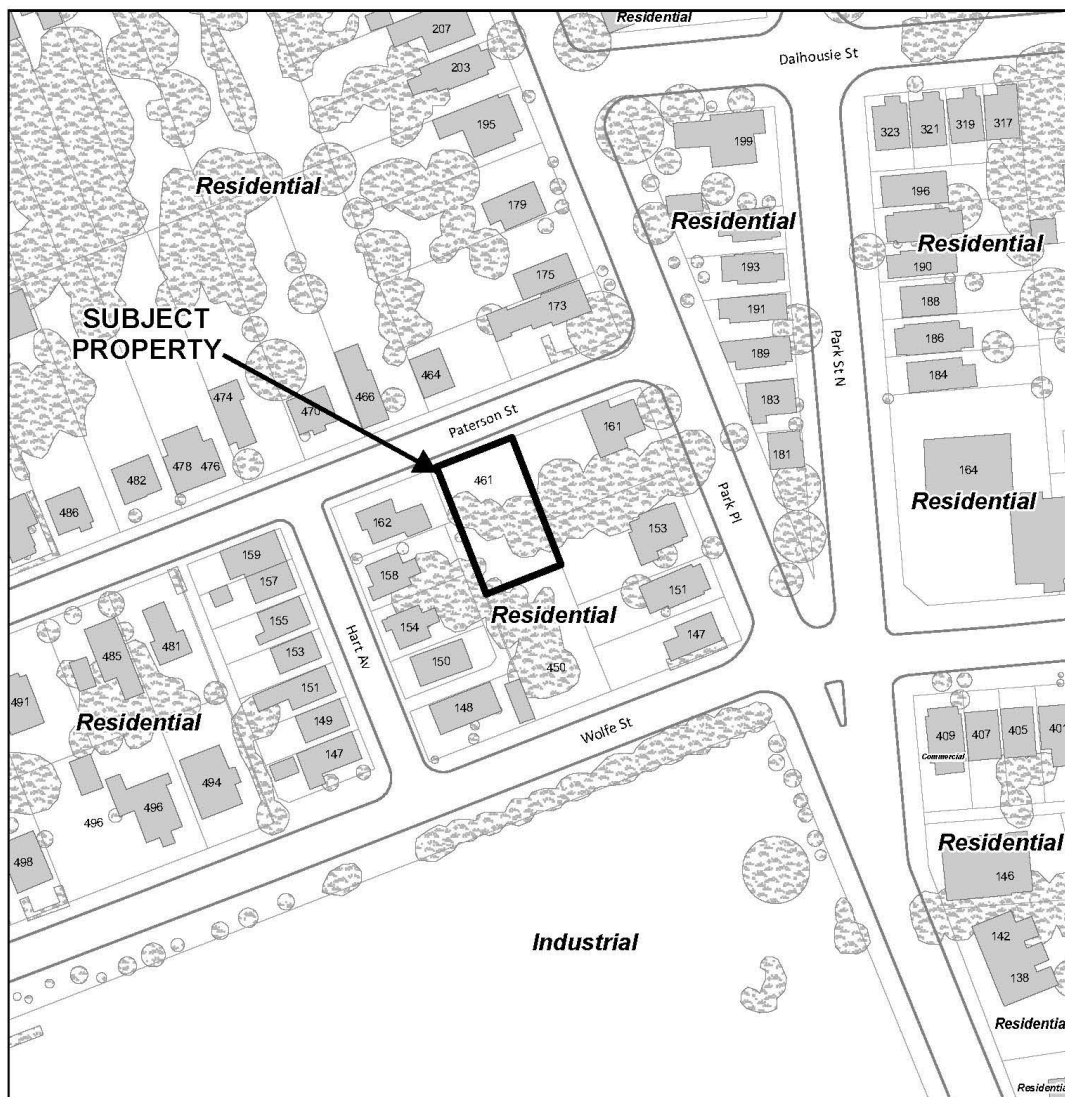
File: O1703 & Z1712

Property Location: 461 Paterson St

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: August 18, 2017

Map by: JEllis

0 5 10 20 30 Metres

Exhibit B – Concept Plan, Page 1 of 1

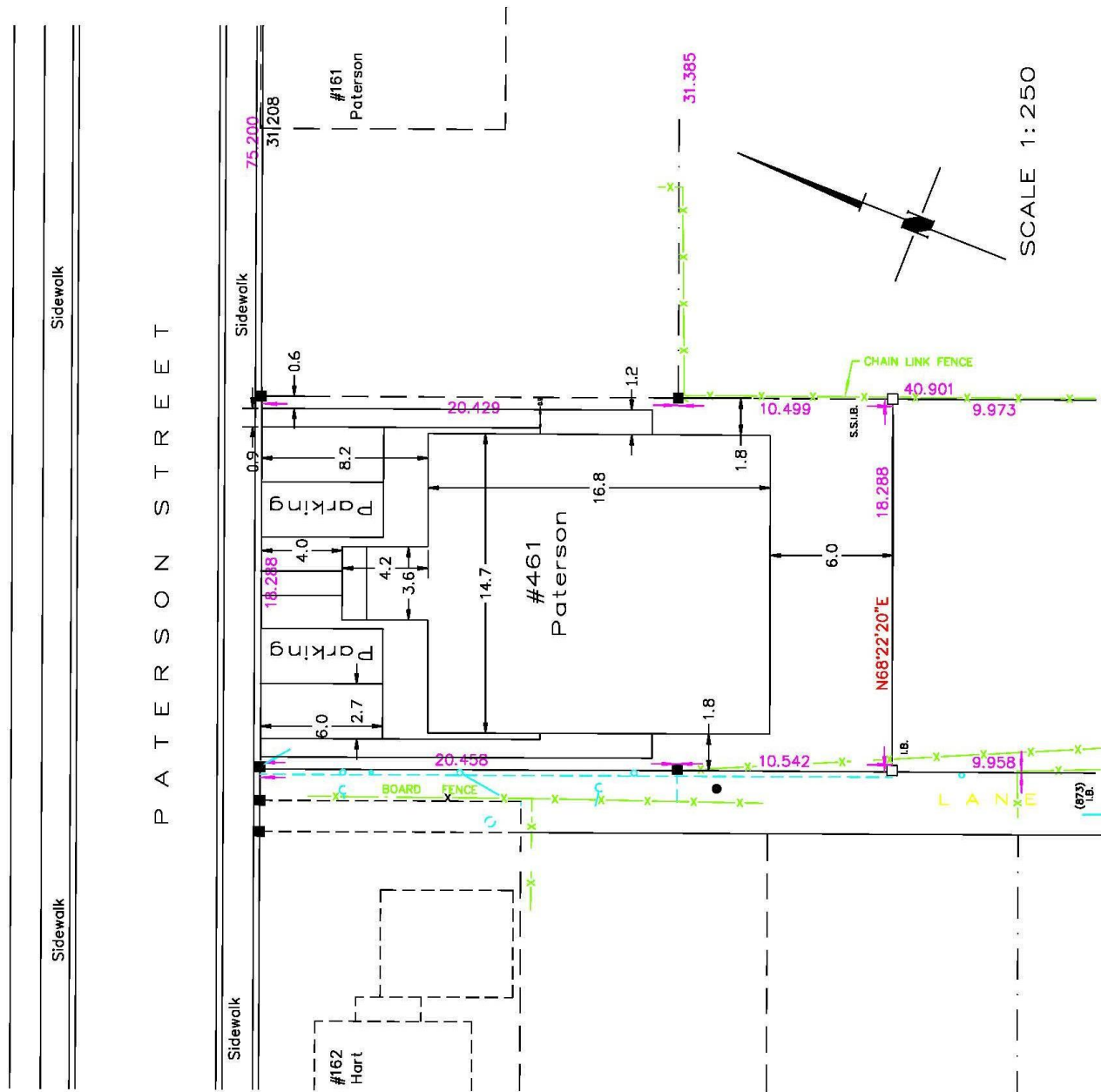


Exhibit C – Proposed Elevation, Page 1 of 1

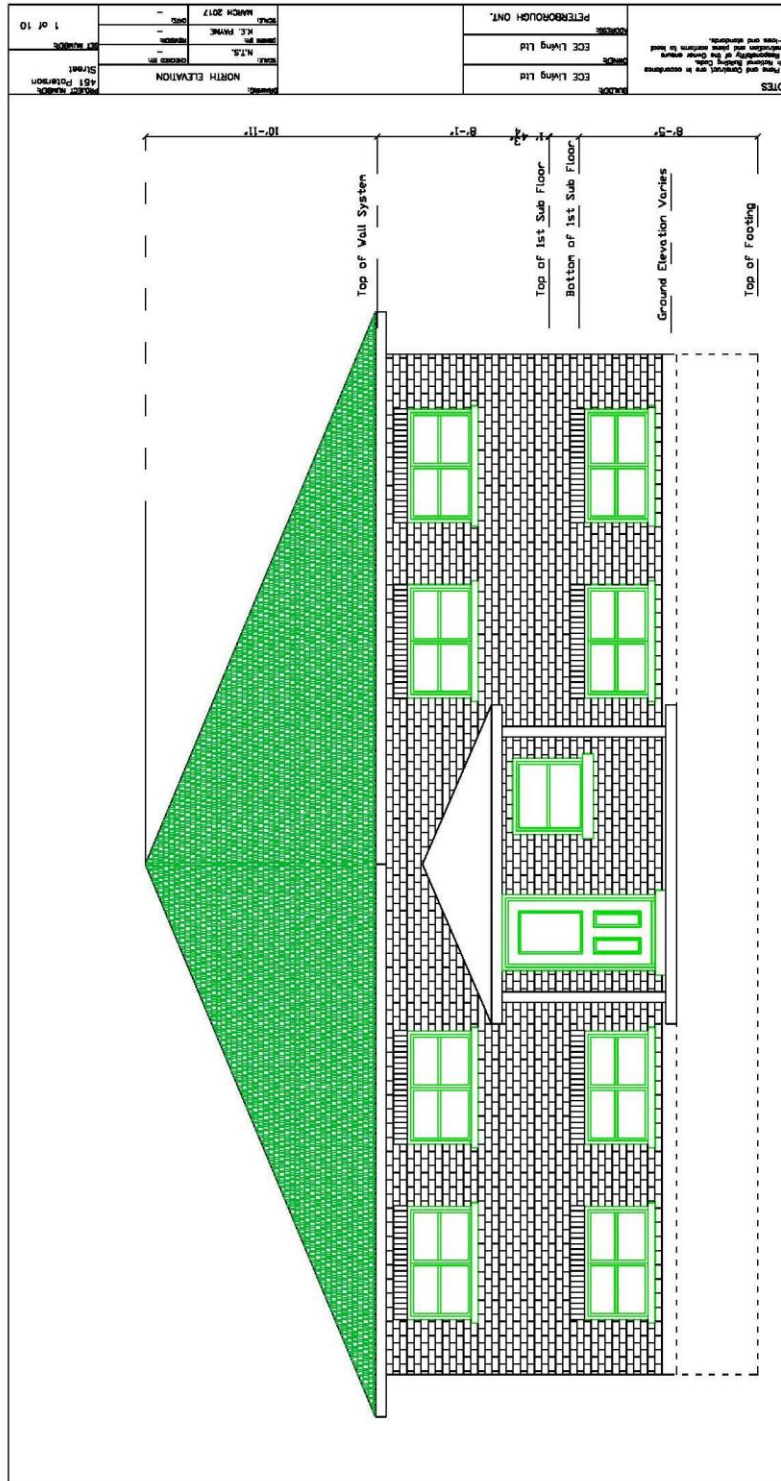


Exhibit D – Draft Official Plan Amendment, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 17-

Draft Official Plan Amendment

Being a By-law to Adopt Amendment Number to the Official Plan of the City of Peterborough for the property known as 461 Paterson Street

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

Schedule 'E' Residential Density of the Official Plan of the City of Peterborough is hereby amended by adding the '**High Density Residential**' designation to the subject lands in accordance with Schedule 'A' attached hereto.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

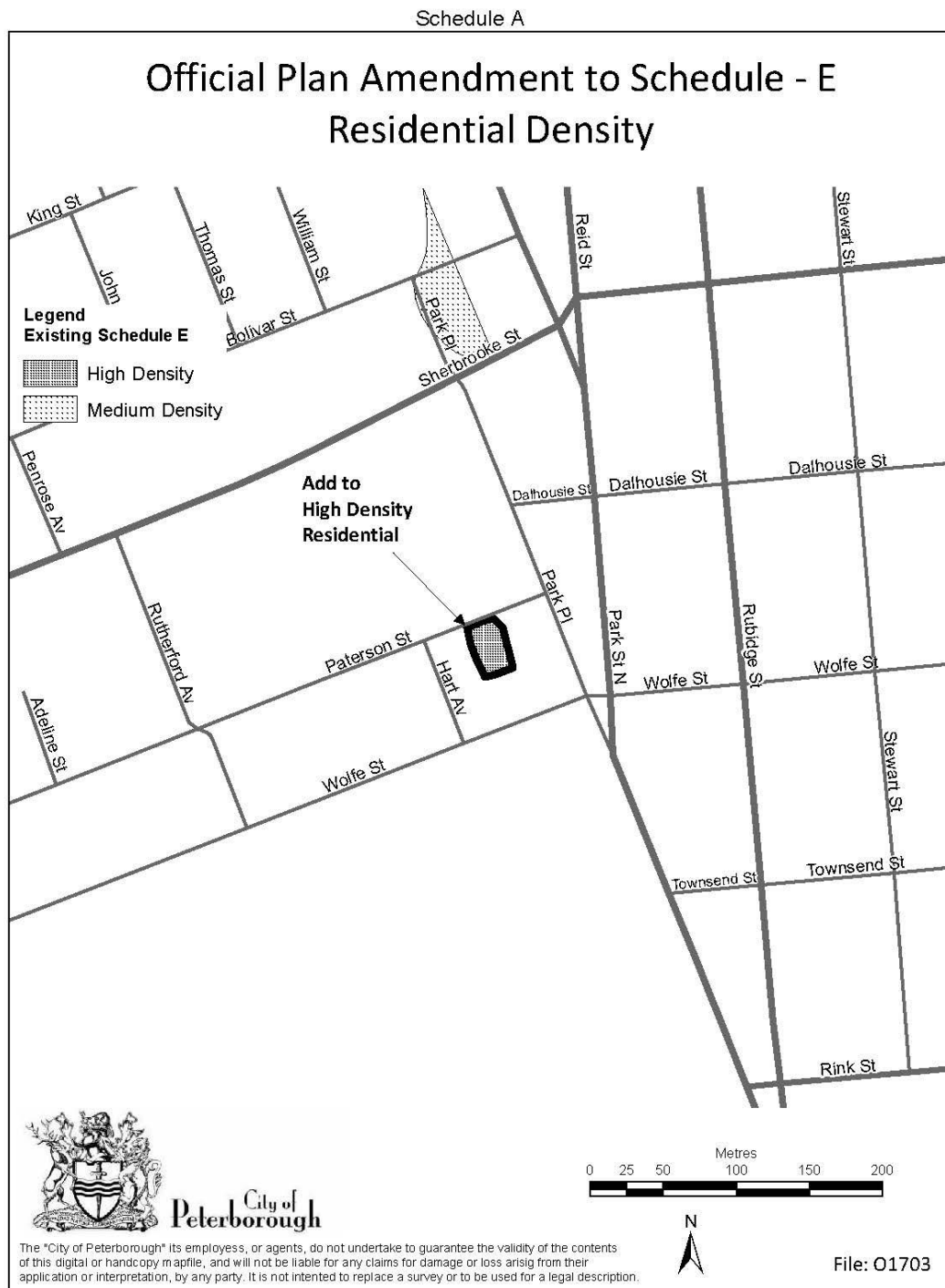
Exhibit D – Draft Official Plan Amendment, Page 2 of 2

Exhibit E – Draft Zoning By-Law Amendment, Page 1 of 3**The Corporation of the City of Peterborough****By-Law Number 17-**

Being a By-law to amend the Zoning By-law for the lands known as 461 Paterson Street

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:

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

Regulation	Proposed
Minimum lot area per dwelling unit	69m ²
Minimum lot width per dwelling unit	2.2m
Minimum building setback: i) side lot line ii) rear lot line	1.5m 6.0m
Maximum building coverage	48%
Maximum number of storeys	2
Minimum number of parking spaces	1 per unit
Minimum dwelling unit size iii) One bedroom iv) Bachelor	50m ² 28m ²
Minimum distance between parking, driveway and vehicle movement areas and windows to habitable rooms	1m

Exhibit E – Draft Zoning By-Law Amendment, Page 2 of 3

2. That Map 17 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,R.2 – Residential District to the R.1,R.2,R.3-319 – Residential District.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit E – Draft Zoning By-law, Page 3 of 3