



City of
Peterborough

To: **Members of the Planning Committee**

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

Meeting Date: **November 20, 2017**

Subject: **Report PLPD17-054
Zoning By-law Amendment for 76 Auburn Street**

Purpose

A report to evaluate the merits of amending the zoning of the property known as 76 Auburn Street from the D.1 – Development District to R.1-320 – Residential District to permit the construction of an addition to the side and rear of the existing dwelling and to connect the dwelling and garage to facilitate a covered walkway for a chair lift.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-054 dated November 20, 2017, of the Director, Planning and Development Services, as follows:

- a) Amend Section 3.9, Exceptions, of Zoning By-law 1997-123, to add Exception .320 to provide site specific regulations including a reduction in the minimum distance between the garage and dwelling from 1.2m to 0.0m and including a reduction in the minimum sideyard setback for the existing garage from 1.2m to 0.7m; and
- b) That the subject property be rezoned from the D.1 – Development District to R.1-320 – Residential District in accordance with Exhibit 'D' attached to Report PLPD17-054.

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 August 16, 2017, deemed to be complete on September 5, 2017. 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 January 3, 2018 if Council has not made a decision.

The subject lands support an existing dwelling, originally constructed in 1890, together with an existing garage and a driveway connecting to Auburn Street.

The applicant proposes to construct an addition to the side and rear of the existing dwelling and to link the dwelling to the existing garage to facilitate a covered walkway for a chair lift. The current D.1 – Development Zoning District recognizes the established use of the property, however, restricts the expansion of the existing buildings to a maximum 10% increase from the existing footprint. As such, a rezoning is required to facilitate the proposed addition.

The applicant requires additional facilities within the dwelling to make it accessible for the current residents. As such, the addition is required to be at the ground floor with a chair lift facility and covered walkway from the parking/garage area to the main dwelling.

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 neighbourhood in terms of its size and location on the lot.

b) Zoning By-law

The subject property is currently zoned D.1 – Development District. The use of the D.1 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 construction of an addition exceeding 10% of the existing floor area is also prohibited under the existing D.1 – Development District Zoning. A Zoning Amendment is therefore, required to permit the lands to support the expansion of the existing dwelling and the connection to the existing garage.

The applicant proposes to amend the zoning of the lands from D.1 – Development District to R.1-320 – Residential District to permit the use of the lands for the expanded single detached dwelling and accessory uses.

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 September 14, 2017.

No 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 23, 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 October 25th, 2017.

Submitted by,

Jeffrey Humble, MCIP, RPP
Director, Planning and Development Services

Contact Names:

Ken Hetherington
Manager, Planning Division
Phone: 705-742-7777, Ext. 1781
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: khetherington@peterborough.ca

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

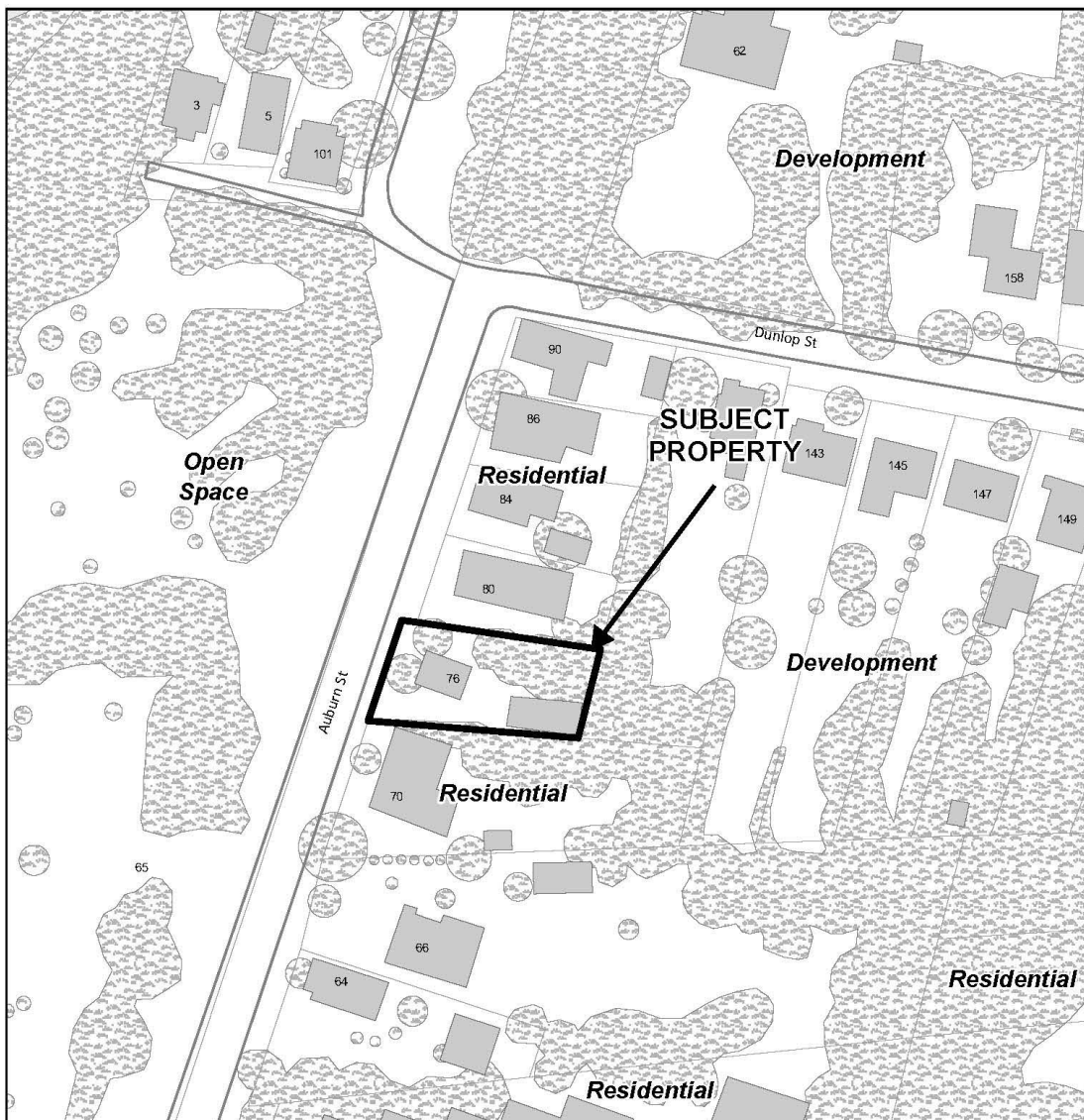
Exhibit A – Land Use Map – Page 1 of 1

Land Use Map

File: Z1714

Property Location: 76 Auburn 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: September 14, 2017
Map by: JEllis

0 5 10 20 30
Metres

Exhibit B – Concept Plan – Page 1 of 1

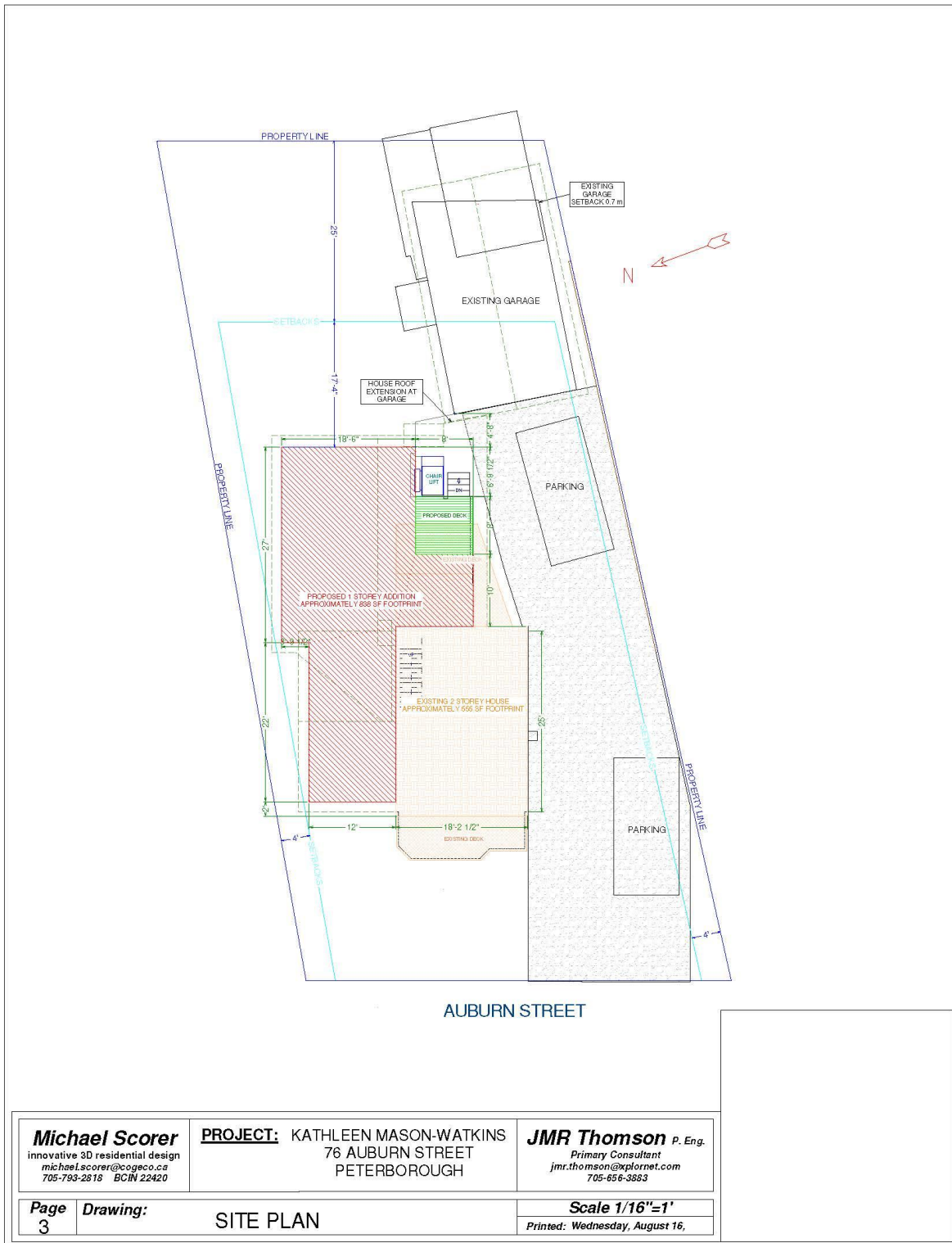


Exhibit C – Draft Zoning By-law – Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 17-

Being a By-law to amend the Zoning By-law for the property known as 76 Auburn 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:

“**.320** Notwithstanding the provisions of this By-law to the contrary, the minimum distance between the main dwelling and the garage shall be 0.0m; and the minimum southerly sideyard setback for an attached garage shall be 0.7m
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 D.1 – Development District to the R.1-320 – Residential District.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

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

