



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: January 24, 2011

SUBJECT: Report PLPD11-005
828 Cameron Street

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the property known as 828 Cameron Street to recognize the existing use of the property as a duplex.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD11-005 dated January 24, 2011, of the Director of Planning and Development Services, as follows:

- a) That the zoning of the subject property, be amended from the R.1, - Residential District to the R.2, 3u, 16f, 19f – 'H' – Residential District in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD11-005.
- b) That the 'H' Holding Symbol be removed subject to the following:
 - i. Site Plan Approval is granted for the subject property;
 - ii. Confirmation from the Fire Services and Building Division that the units comply with the requirements of the Ontario Building Code and the Ontario Fire Code;
 - iii. Payment of cash-in-lieu of parkland for the second unit; and
 - iv. Payment of all applicable development charges for the second unit

RATIONALE

Approval of this Zoning By-Law Amendment is based upon the following:

The subject property is designated 'Residential' on Schedule 'A' – Land Use of the City of Peterborough Official Plan. Low Density Residential uses are identified in the City's Official Plan as primarily single detached, semi-detached and duplex dwellings. Infill housing with a density up to 75 units per hectare is supported within the Low Density Residential Designation subject to criteria as outlined in Section 4.2.2.1.3 of the City's Official Plan. The use of the existing building as a duplex with three on-site parking spaces, complies with the policies of the Official Plan.

The impacts of the existing use can be minimized through adequate surfacing and lot grading to widen the existing gravel driveway, in accordance with an approved site plan.

The existing building respects the scale and physical characteristics of existing development in the surrounding neighbourhood. The amendment proposes to utilize the existing building, for the same purpose that has been established within the streetscape of Cameron Street. The applicants are able to provide the 3 on-site parking spaces, at a ratio of 1.5 spaces per unit.

The expansion and resurfacing of the driveway is recommended to be subject to site plan approval.

BUDGET AND FINANCIAL IMPLICATIONS

There are no direct budget or financial implications arising from the approval of this application. The City is able to collect a park levy and development charges for the second unit.

BACKGROUND

The subject application was received on July 21, 2010 and deemed to be complete as of July 22, 2010, and was processed in accordance with department procedures.

The subject property is located on the north side of Cameron Street, between Erskine Avenue and the CPR Rail Line. The land currently supports a raised brick bungalow with a deck and a pool in the rear yard. The brick building is divided horizontally into two units, with the second unit located in the basement. The current owners acquired the property in May of 2007, at which time the second unit was created without a building permit.

After a fire in the dwelling in 2009, a complaint was opened regarding the illegal use of the property as a duplex.

The applicant has provided a letter of support for the application, signed by 11 area residents along Cameron Street.

ANALYSIS

a) Official Plan

The lands are currently designated “Residential” on Schedule ‘A’ of the City of Peterborough Official Plan. The lands are considered to be ‘Low Density Residential’ and subject to the policies of Section 4.2.2.1 of the Official Plan.

The planned function of the Residential designated areas is to provide areas for housing and other land uses that are integral to, and supportive of a residential environment. Various housing types are encouraged to provide a broad range to satisfy the provision of choice. The Low Density Residential areas are intended to consist primarily of single detached, semi-detached and duplex dwellings. Infill housing is encouraged where the impact of the more intensive development can be minimized.

The continued use of the property at 828 Cameron Street as a duplex, maintains the character of the area and the widening and resurfacing of the driveway will serve to formalize the parking spaces on site.

The size and character of the existing duplex is consistent with other dwellings on the street. The property is 545 sq. m. (5866 sq. ft.) in size, with a depth of approximately 42m (138 ft.), and situated between two single detached dwellings. The lot supports parking in the front, with an expansion of the parking area to formalize the third parking space.

b) Zoning By-law

The subject property is currently zoned R.1 – Residential District, permitting a maximum of one residential dwelling unit per lot. The use of the property as a duplex is not permitted under the existing zoning of the site.

The applicant has requested a zoning by-law amendment to rezone the property to recognize the existing duplex use of the property.

The R.2 zoning district permits the existing duplex and provides specific performance standards for two residential dwelling units. The second unit can be accommodated by way of three alternative regulations. Based on the information provided by the applicant, including a Plan of Survey dated Sept. 24, 1993, the property has a lot area of 545m² and a lot width of 12.8m. The amendment recognizes the lot area and lot width and the reduction in the minimum parking requirement from 2 spaces per unit to 1.5 spaces per unit. As such, Planning staff recommend that the property be amended from R.1 to R.2, 3u, 16f, 19f – 'H'.

The alternative regulations proposed to be assigned to the zoning district for the subject lands are as follows:

	R.2 Regulation	Alternative Regulation
Minimum Lot Area Per Dwelling Unit	278 m2	3u : 250m2
Minimum Lot Width Per Dwelling Unit	9 m	16f: 6m
Minimum Motor Vehicle Parking Space Ratio Per Dwelling Unit	2 spaces per unit	19f: 1.5 spaces per unit

c) Site Development

The applicant has provided a Plan of Survey and a Site Plan illustrating the parking and driveway areas to accommodate three parking spaces in the front yard. Two of the three parking spaces are in tandem. The applicant will be required to enter into a Site Plan Agreement with the City of Peterborough to ensure the maintenance of the parking and buffering/landscape facilities on site.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Agency circulation was issued on July 28, 2010.

The City's Building Division indicated that no building permit was issued for the conversion of the basement to a second unit.

The City's Utility Services Department request cash-in-lieu of parkland, where applicable.

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 July 28, 2010 and Notice of Public Meeting was issued by direct mail on December 23, 2010 and by newspaper advertisement on December 30, 2010 (Peterborough Examiner). The notice complies with the requirements of the Planning Act.

Other than the letter of support signed by 11 area residents submitted with the application, no written comments have been received.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Concurred with,

Caroline Kimble,
Land Use Planner

Malcolm Hunt, Director
Planning and Development Services

Contact Name:

Caroline Kimble
Planner, Land Use
Planning & Development Services
Phone – 742-7777 Ext. 1735
Fax – 742-5218
E-Mail – ckimble@peterborough.ca

Attachments:

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

Land Use Map

Exhibit A
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File # z1018

Property Location: 828 Cameron St

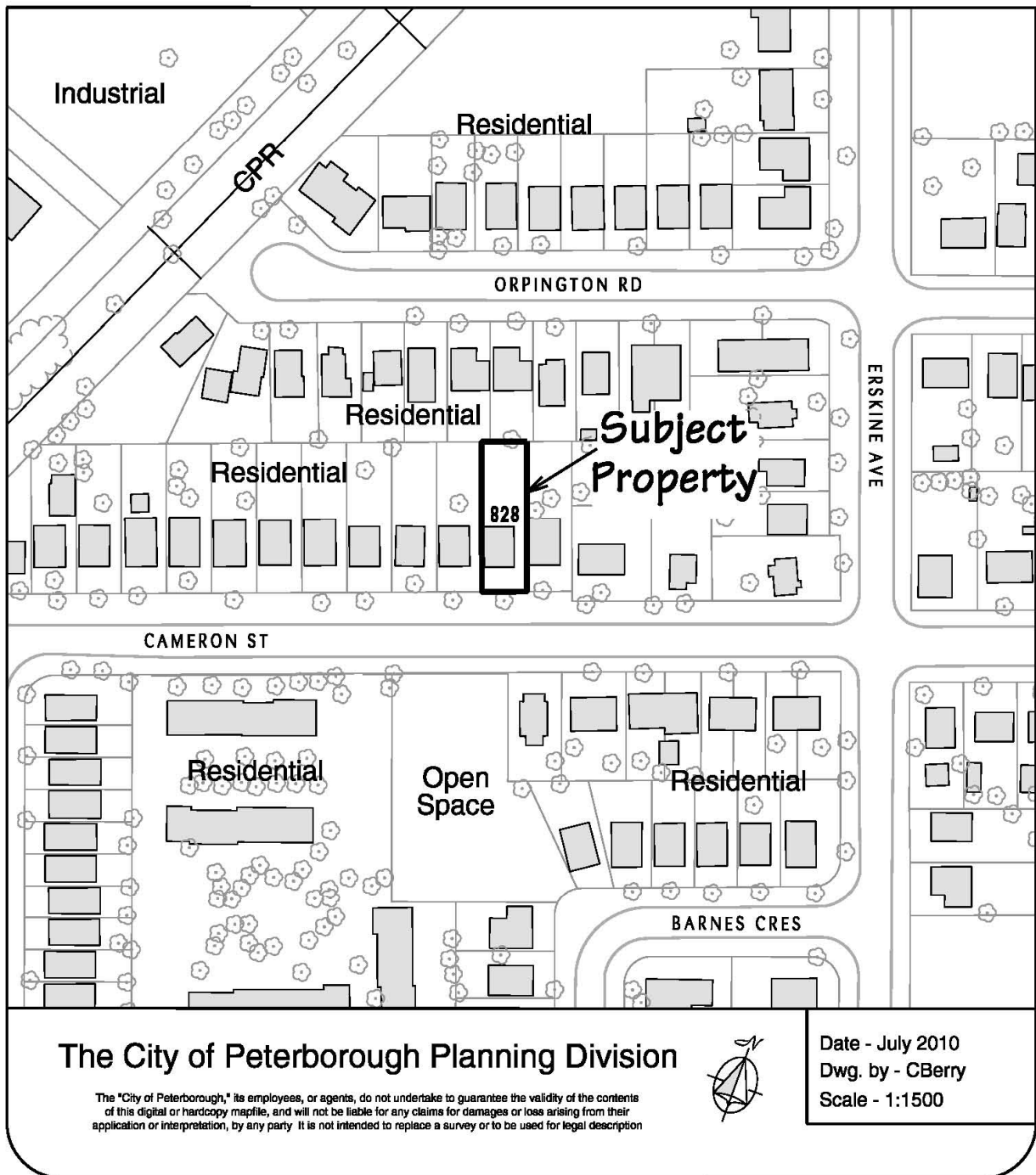
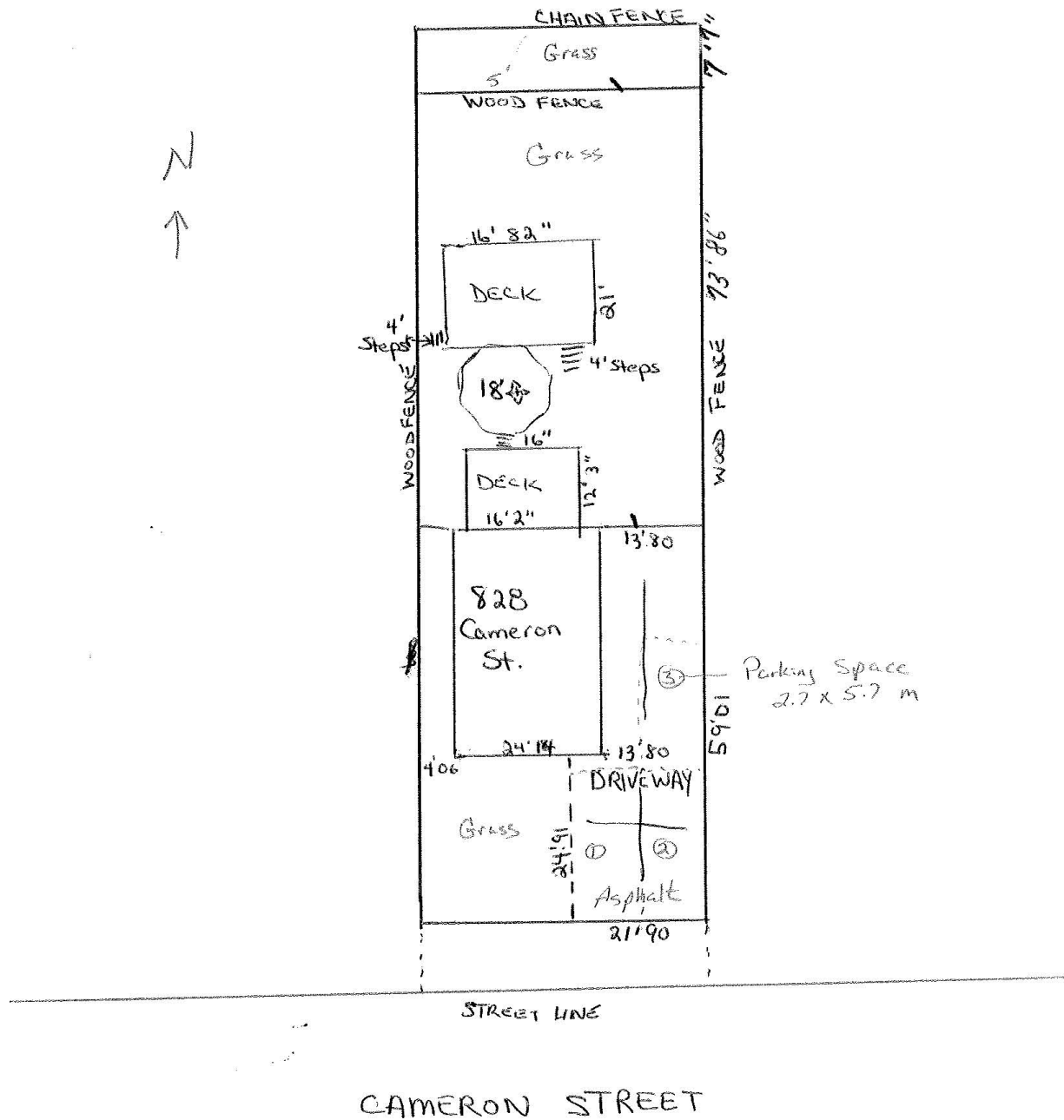


Exhibit B
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THE CORPORATION OF THE CITY OF PETERBOROUGH

Exhibit 'C'
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BY-LAW NUMBER 11- _____

**BEING A BY-LAW TO AMEND THE ZONING FOR
828 CAMERON STREET**

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL
THEREOF HEREBY ENACTS AS FOLLOWS:

1. Map 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 R.1 to R.2, 3u, 16f, 19f - 'H'**.
2. The 'H' Holding Symbol shall be removed subject to the following:
 - i. Site Plan Approval is granted for the subject property;
 - ii. Confirmation from the Fire Services and Building Division that the units comply with the requirements of the Ontario Building Code and the Ontario Fire Code;
 - iii. Payment of cash-in-lieu of parkland for the second unit; and
 - iv. Payment of all applicable development charges for the second unit.

By-law read a first, second and third time this _____ day of _____, 2011.

Daryl Bennett, Mayor

Nancy Wright-Laking, City Clerk

