



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: March 21, 2011

SUBJECT: Report PLPD11-004A
270 Rogers Street

PURPOSE

A report to update Planning Committee on the outcome of the Neighbourhood Meeting held on March 2, 2011 regarding the proposed Zoning By-Law Amendment for 270 Rogers Street.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD11-004A dated March 21, 2011, of the Manager, Planning Division, as follows:

- a) That Council receive Report PLPD11-004A for information.
- b) That the zoning of the subject property, be amended from the R.1, R.2 - Residential District to the R.3, 8a, 16e – 'H' - Residential District in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD11-004.
- c) 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 third unit; and
- iv. Payment of all applicable development charges for the third unit

BUDGET AND FINANCIAL IMPLICATIONS

There are no direct budget or financial implications arising from the receipt of this Report PLPD11-004A.

BACKGROUND INFORMATION

The Planning Committee of the City of Peterborough held a Public Meeting related to an application to amend the Zoning By-Law for the property known as 270 Rogers Street on January 24, 2011. The application proposes to modify the zoning of the property at 270 Rogers Street to recognize the existing triplex as a permitted use. The Committee has heard from several area residents regarding the proposal. Consideration of the application has been deferred until such time as a Neighbourhood Meeting was conducted.

A Neighbourhood Meeting was held on Wednesday, March 2, 2011 at King George Public School. The following summarizes the comments and discussion at the meeting:

A total of eleven people attended the Neighbourhood Meeting, including the applicant. Ivan Bateman of 244 Rogers Street spoke on behalf of himself and several neighbours, detailing his comments regarding Planning Staff Report PLPD11-004, presented to Planning Committee on January 24, 2011. Mr. Bateman disagrees with Planning Staff's interpretation of Official Plan policies related to infill housing and the impact of the use of the building as a triplex on the neighbourhood. A written submission of Mr. Bateman's comments is attached as Exhibit 'B' to this report (PLPD11-004A).

Neighbours provided comments regarding their concern with how the unit was established without permit; why the illegal use was not immediately addressed by the City; and whether this would set a precedent for future intensification within the neighbourhood. Although those who attended agreed that the subject property is well maintained by the applicant and the existing triplex use has not created parking or traffic concerns for the area, there is a fear that a future absentee landlord will not address these issues and that legalizing the third unit will promote social issues in the future. Generally, the neighbours suggest that this area is not suitable for infill or intensification

due to a cumulative impact of increased traffic and that the City's infill policies deserve a comprehensive review throughout the City to determine where it is and is not appropriate.

The applicant indicated that although he understands the concerns raised by the neighbours, he is attempting to legalize the existing use through the rezoning and it is his desire to proceed with the proposal and to seek a decision from Council regarding the application.

In addition to the comments regarding the proposal, the group also expressed concerns with the high volume of truck traffic from Quaker Oats along Rogers Street and the lack of sidewalk on the west side of Rogers Street, between James Street and Maria Street and the concerns they have with safe pedestrian travel in that area.

Planning Staff supports the proposed rezoning as an acceptable form of intensification within the neighbourhood. The application has been considered based on its own merits and is anticipated to function well within the neighbourhood from a traffic and parking perspective. The proposal meets the criteria as is set out in the City's Official Plan related to the introduction of intensified development within low density residential areas. Although the interpretation of the infill policies has been brought into question, Planning Staff have been consistent with this interpretation. These policies will be reviewed as part of the upcoming Official Plan Review, as residential intensification will be a key topic. The proposed requirement for a Site Plan Agreement for the property will require the introduction of additional parking and the formalization of the parking area in the rear. In addition, a Site Plan Agreement will provide a tool for the City and the neighbourhood, to ensure continued maintenance of the property, registered on title and binding for current and future owners.

SUMMARY

A copy of Report PLPD11-004 is attached as Exhibit 'A' to this report (PLPD11-004A). The formal Public Meeting related to the proposed application was held on January 24, 2011 at which time Planning Committee heard from several neighbouring property owners as well as from the owner of the subject lands. The application was referred to

allow time for a Neighbourhood Meeting. The Neighbourhood Meeting has been held and comments included within this report.

Submitted by,

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Attachments:

Exhibit A – Report PLPD11-004
Exhibit B – Written Submission from Ivan Bateman – March 2, 2011