



City of  
Peterborough

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**TO:** Members of the Planning Committee

**FROM:** Ken Hetherington, Manager, Planning Division

**MEETING DATE:** October 31, 2011

**SUBJECT:** Report PLPD11-075  
1158 Brealey Drive

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## PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the property known as 1158 Brealey Drive from the D.1 – Development District to the R.1,1m,2s – Residential District to facilitate a future severance of the property to create a new building lot with a lot width of 13.75m (45 ft.).

## RECOMMENDATIONS

That the application to rezone the lands known as 1158 Brealey Drive from the D.1 – Development District to the R.1,1m,2s – Residential District as outlined in Report PLPD11-075 dated October 31, 2011, of the Manager, Planning Division, ***be denied***, based on the following:

- a) The proposal anticipates a severance that would create two of the narrowest lots that would front onto Brealey Drive and has the potential of setting a precedent for future lot creation fronting on to arterial streets; and
- b) The proposed parking will not facilitate the minimum required number of parking spaces with adequate turning radius to permit forward facing movement onto Brealey Drive, which is contrary to Section 5.4.7 of the City of Peterborough Official Plan; and
- c) The proposed width of 13.75m (45 ft.) per lot is not compatible with the existing development of adjacent lands.

## **OTHER PERTINENT CONSIDERATION**

While the application as proposed is recommended to be denied, Planning Staff could possibly support a proposal that is more compatible with the immediate area, subject to the site development details. An alternative development scenario is described on Page 4 of Report PLPD11-075.

## **BUDGET AND FINANCIAL IMPLICATIONS**

There are no direct budget or financial implications arising from the denial of this application.

## **RATIONALE**

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

The City's Official Plan prohibits new development or redevelopment in established urbanized areas, that would require backing a motor vehicle onto High or Medium Capacity Arterial Streets. The creation of a new lot with a reduced lot width of 13.75 m (45 ft.) is not sufficient to provide a proper functioning parking area and results in a new driveway connection to a high capacity arterial street (Brealey Drive). The proposed zoning would facilitate the creation of two of the narrowest lots fronting onto Brealey Drive, setting a precedent for undersized lot widths along arterial streets.

## **BACKGROUND**

The subject application was originally received on June 3, 2011, deemed to be complete as of July 28, 2011 and further revised on September 21, 2011. The application was processed in accordance with department procedures. The Planning Act allows 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 November 25, 2011.

The subject property is located on the east side of Brealey Drive, south of Hewitt Drive, between Sherbrooke Street and Lansdowne Street West. The land currently supports a single detached one storey frame dwelling on the northerly portion of the property. The property is accessed by a single width driveway from Brealey Drive, with no turning area on the site to facilitate access to Brealey Drive in a forward facing direction. The owner proposes to demolish the existing dwelling and construct two new single detached

dwelling with parking and driveway turnaround in accordance with the concept site plan (attached as Appendix 'B' to Report PLPD11-075).

Planning Staff have discussed the proposed amendment with the applicant and have expressed concerns regarding the proposed parking layout, amount of impervious area in the front yards, compatibility with adjacent lands and insufficient width of the proposed lots, including the concern that such an approval may set a precedent for creation of further lots with substandard widths, along arterial streets. In addition, there has been discussion about the requirement for a noise study to support this application in order to assess the potential adverse impacts of noise from the adjacent high capacity arterial street. The applicant disagrees with the requirement for a noise study.

Planning Staff have suggested the consideration of an alternative development concept for the lands, whereby the parking is facilitated by a driveway, intersecting with Brealey Drive and the creation of a parking area to facilitate forward facing movement onto Brealey Drive, compatible with the established standard of development of lots that front onto Brealey Drive.

## ANALYSIS

### a) Official Plan

The lands are currently designated 'Residential' on Schedule 'A' of the City of Peterborough Official Plan.

The purpose of the 'Residential' designation of the property, is to provide "for housing and other land uses that are integral to, and supportive of a residential environment." Infill residential development is encouraged in residential areas "where the impacts of development on existing uses can be minimized and where development can efficiently utilize existing municipal services and facilities."

The repurposing of this lot to replace the existing dwelling with two detached dwellings on 13.75m (45 ft.) wide lots, requires an examination of how these new lots and dwellings are sensitive to the continuity of the existing landscape and whether parking is suitably buffered to avoid visual intrusion on adjacent residential properties. In this instance, it is the opinion of Planning Staff, that the proposed lot width and use of the entire front yard area for parking, are not consistent with the existing streetscape along Brealey Drive.

Section 5.4.7 of the Official Plan further prohibits access that would require backing a motor vehicle onto Brealey Drive (High Capacity Arterial Street), as follows:

*"5.4.7 For arterial streets in established urbanized areas, development and redevelopment will consider the appropriateness of revising access to other streets, satisfactory spacing and design of access locations, and possible needs for widening as*

*described under policy 5.3.2. New development or redevelopment that would require backing a motor vehicle onto High or Medium Capacity Arterial Streets will not be permitted.”*

**b) Zoning By-Law**

The subject property proposes an amendment to the Zoning By-Law from the D.1 – Development District to the R.1,1m,2s – Residential District to to facilitate a future severance of the property to create smaller lots, each having a width of 13.75m (45 ft.). The proposed zoning would permit the creation of two smaller lots with frontage onto Brealey Drive (High Capacity Arterial Street). The proposed lots would be the narrowest lots along Brealey Drive, with parking and turning areas taking up most of the front yards. This would not be consistent with the character of the existing lots fronting onto Brealey Drive and has the potential of setting a precedent for future small lots along arterial streets. Lot widths of existing residential properties along Brealey Drive range from 21m (68.8 ft.) to 47m (154 ft.) with most providing vehicle turning areas on site, and significantly landscaped front yards. The proposed lots would require a new driveway entrance onto a high capacity arterial road. The proposed zoning of the property to support creation of new driveway entrance on a narrow lot, for a single detached residential use is contrary to the provisions of the City’s Official Plan.

**c) Alternative Development Scenario**

An alternative form of residential development that is more compatible with the established standard of development of lots fronting onto Brealey Drive is preferred by Planning Staff. A single driveway or a shared circular driveway with sufficient parking facilities in a deeper front yard area to address the requirements of Section 5.4.7 of the Official Plan to facilitate forward facing movement onto the street is more supportable from a policy perspective. Staff is willing to work with the applicant to address the issues related to the character of the development including building massing and proposed driveway/parking facilities.

## **RESPONSE TO NOTICE**

**a) Significant Agency Responses:**

**Utility Services Department:**

The City’s Utility Services Department has no objection to the rezoning in principle, however, has suggested that the proposed parking layout will not provide for two parking stalls per lot with a proper turn around such that cars will not have to back out onto Brealey Drive. They have requested that a revised plan be prepared at a reasonable scale to allow for proper review of the proposal. In addition, they have

requested cash in lieu of parkland were required and advise that the owner will be responsible for all physical costs and development charges associated with the provision of services to the future residences.

**Otonabee Conservation:**

Otonabee Conservation has no objection to the proposed amendment.

**Bell Canada:**

Charges to relocate existing Bell Canada Plant will be chargeable to the owner or developer.

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 by newspaper advertisement (Peterborough Examiner) on August 9, 2011. Notice of Public Meeting was issued on October 7, 2011 by direct mail and by newspaper advertisement (Peterborough Examiner). The notice complies with the requirements of the Planning Act.

Written responses were received from the following as a result of the circulation:

Bill and Nicole Turney of 1148 Brealey Drive, adjacent to the south of the subject property, express concern with the application and object to the rezoning because the new lots will not be compatible with the 'theme' of the area. The letter explains that this is based on the proposed creation of narrow lots with parking using up the entire front yards. The Turney's also express concern with how the property has been treated since its purchase by the applicants and their mistrust of the applicant.

Karen and Bryan Dafoe of 1162 Brealey Drive, adjacent to the north of the subject property, also object to the proposed rezoning, based on the lack of interest that the current owner seems to have with the state of the property and the neighbourhood, the uncertainty of the appearance of the new structures and the impact on the value of the current homes in the neighbourhood. They have indicated their preference for a single detached dwelling on the lot.

Planning Staff have also heard from other neighbouring landowners along Brealey Drive expressing concern with the application and the compatibility of the proposed lots with the existing lots along Brealey Drive.

Submitted by,

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Manager, Planning Division

Prepared by,

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Land Use Planner

Concurred with,

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Malcolm Hunt, Director  
Planning and Development Services

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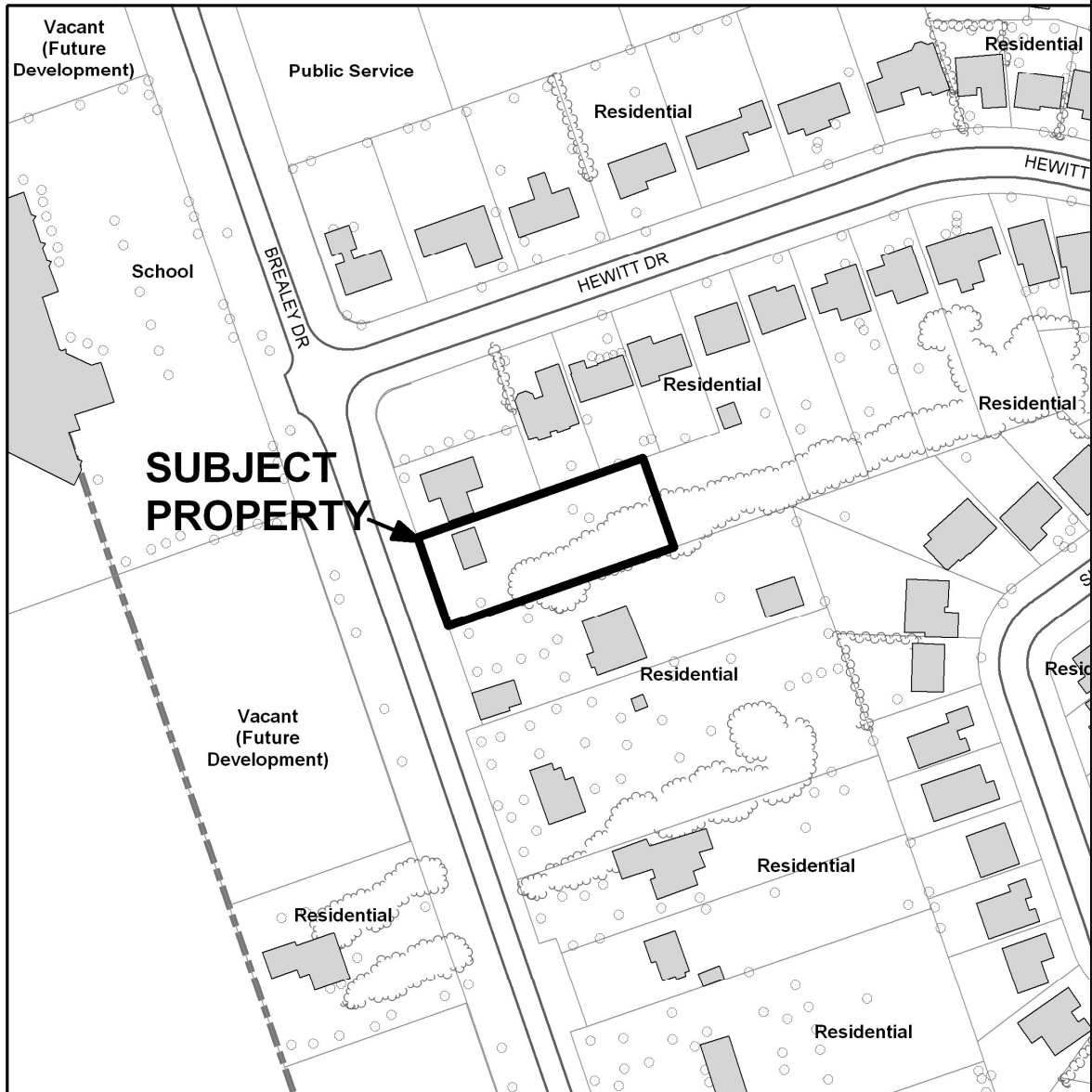
Attachments:  
Exhibit A - Land Use Map  
Exhibit B - Site Plan

# Land Use Map

File # z1111

Property Location: 1158 Brealey Dr

EXHIBIT	A
SHEET	OF



The City of Peterborough Planning Division

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Date - July 2011

Map by - CSandanc

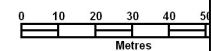


Exhibit B  
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