



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: November 21, 2011

SUBJECT: Report PLPD11-083
816 Brealey Drive

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the property known as 816 Brealey Drive from the SP.31,1e-23 – Special Residential District to the R.2 – Residential District to facilitate the conversion of the existing dwelling from a single detached dwelling to a duplex on full municipal services.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD11-083 dated November 21, 2011, of the Manager, Planning Division, as follows:

- a) That the zoning of the subject property, be amended from the SP.31,1e-23 – Special Residential District to the R.2 – ‘H’ – Residential District in accordance with the draft amendment attached as Exhibit ‘C’ to Report PLPD11-083.
- b) The ‘H’ Holding Symbol shall be removed from the zoning of the property at such time as:
 - i. Site Plan Approval be granted for the redevelopment of the lands which will include the conveyance of approximately 0.6m by 5.0m portion of land at the northwest corner of the site that extends into the Brealey Drive right of way, to the City at no cost.

- ii. Agreement to obtain a building permit for the conversion of the dwelling from a single unit dwelling to a two unit dwelling.

BUDGET AND FINANCIAL IMPLICATIONS

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

RATIONALE

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

The lands are designated 'Residential' on Schedule 'A' – Land Use of the City's Official Plan. The application proposes to implement the Low Density Residential policies of the Official Plan. The requirement to enter into a site plan agreement will ensure the transfer of a small residual portion of road widening at the northwest corner of the site to the City, and to formalize the parking in the front yard and maintain a set back from the street line and to facilitate appropriate landscape treatment in the front yard.

BACKGROUND

The subject application was received on July 21, 2011, deemed to be complete as of August 17, 2011 and 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 December 14, 2011 if Council has not made a decision by that date.

The subject property is located on the east side of Brealey Drive, south of Lansdowne Street West, adjacent to the commercial property fronting on to Lansdowne St. W. (The Co-operators and Play Street) at the intersection of Brealey Drive and Lansdowne Street West. The lands abut residential properties within the College Park subdivision to the east and south and are situated opposite Bowers Park, supporting the City's Wellness Centre. The land currently supports a 118m² (1270 ft²) brick single detached dwelling with driveway access from Brealey Drive. The applicant proposes to rezone the property to facilitate the renovation of the existing building into a duplex dwelling with a small addition at the rear of the existing building.

The applicant proposes to convert the existing dwelling into two units with separate entrance, kitchen and sanitary facilities. The basement of the existing dwelling is proposed to be converted into a 2 bedroom apartment. The lands are currently serviced

with full municipal servicing and the applicant will be required to pay all applicable development charges and water metering as required.

The property currently supports a driveway and turnaround with parking in the rear of the lot. The owner proposes to extend the turnaround in the front yard to increase the total number of parking spaces to four parking spaces that the owner intends to utilize to meet the parking requirements of the Zoning By-Law. The existing driveway along the southerly lot line provides access to the detached double car garage at the rear of the property.

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 intensification of the subject property to support one additional unit is consistent with the direction of the Official Plan, subject to compliance with the Transportation policies regarding access. The existing turnaround and driveway provides the ability to facilitate forward facing traffic onto Brealey Drive as per Section 5.4.7 of the Official Plan. Two additional parking spaces are proposed to be provided by way of an extension of the existing turnaround in the front yard.

The width of the subject property is 30.48m (100 ft.) and is sufficient to support the additional parking while maintaining a significant amount of landscaped space in the front yard.

b) Zoning By-Law

The subject application proposes an amendment to the Zoning By-Law from the SP.31,1e-23 – Special Residential District to the R.2 – 'H' – Residential District to facilitate the conversion of the existing dwelling from a single unit to a duplex on full municipal services.

The existing lot dimensions will be retained with minimal changes to accommodate parking and a small addition to the rear of the building. The character of the development will largely be retained as it exists today.

An 'H' Holding Symbol is recommended to be applied to the zoning to ensure development of these lands in accordance with the provisions of the Official Plan and Zoning related to parking and traffic movement, and also have the small residual portion of the lands at the northwest corner of the property conveyed as road allowance.

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, advise that the approximate 0.6m by 5.0m portion of the lands at the northwest corner of the site that extends into the Brealey Drive right of way is conveyed to the city at no cost. Utility Services further requests that the two new parking stalls in the front yard be set back a minimum of 1.5m from the street line. Cash in lieu of parkland is recommended where applicable.

Building Division:

The Building Division requests that the owner obtain a building permit for the conversion. This can be a condition of a site plan agreement.

Peterborough Utilities:

Peterborough Utilities notes that development charges may apply and requests that the owner arrange for water metering of the duplex upon construction and before occupancy.

Otonabee Conservation:

Otonabee Conservation has no objection to the proposed amendment.

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 September 9th, 2011. Notice of Public Meeting was issued on October 24th, 2011 by direct mail and on October 25th by newspaper advertisement

(Peterborough Examiner). The notice complies with the requirements of the Planning Act.

No written responses have been received from the public as of October 26, 2011.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Concurred with,

Caroline Kimble,
Land Use Planner

Malcolm Hunt, Director
Planning and Development Services

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Attachments:

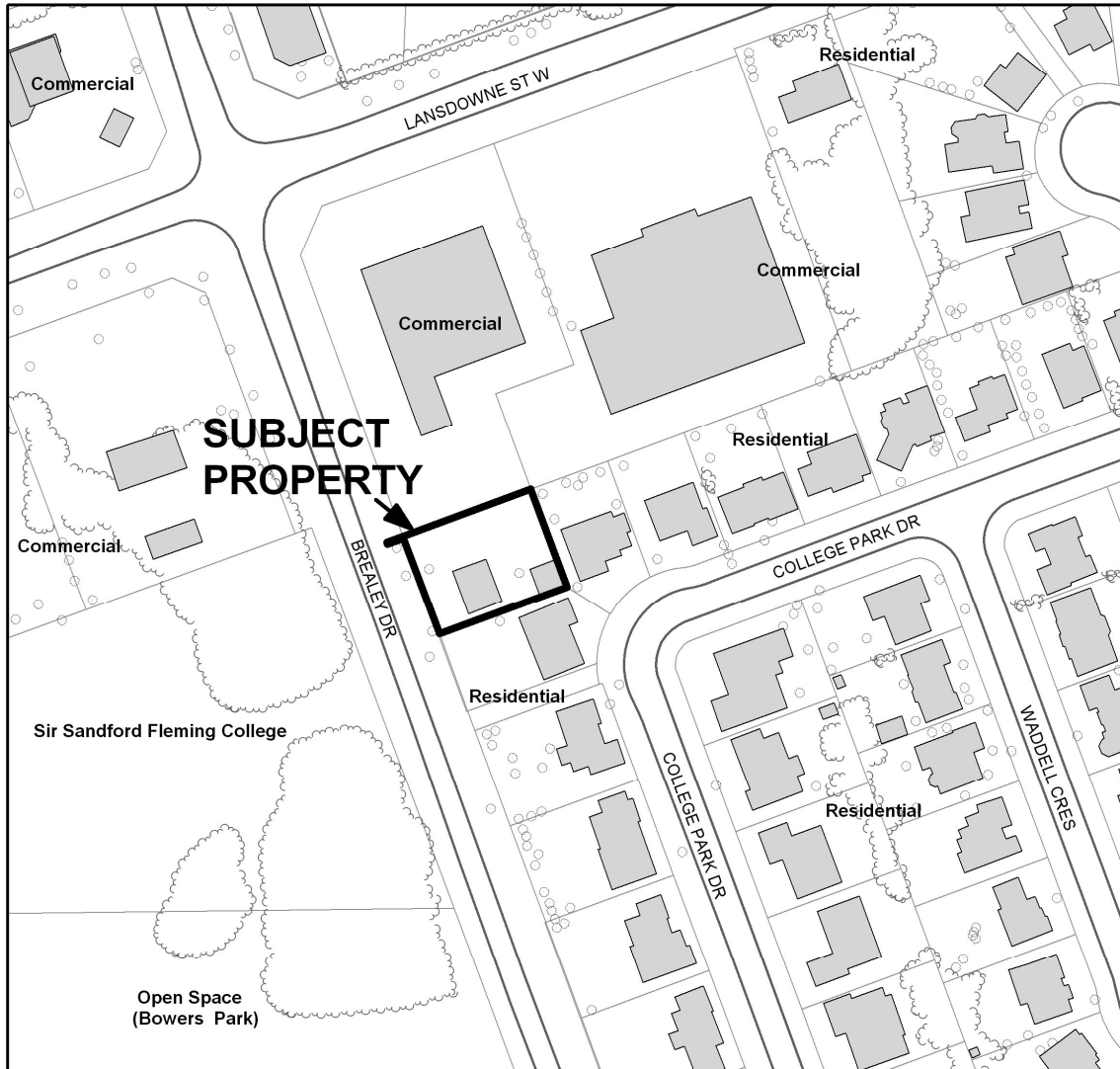
Exhibit A - Land Use Map
Exhibit B - Site Plan
Exhibit C – Draft Zoning Amendment

Land Use Map

File # z1114

Property Location: 816 Brealey Dr

Exhibit 'A'
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The City of Peterborough Planning Division

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Date - August 2011
Map by - CSandanayake

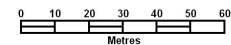
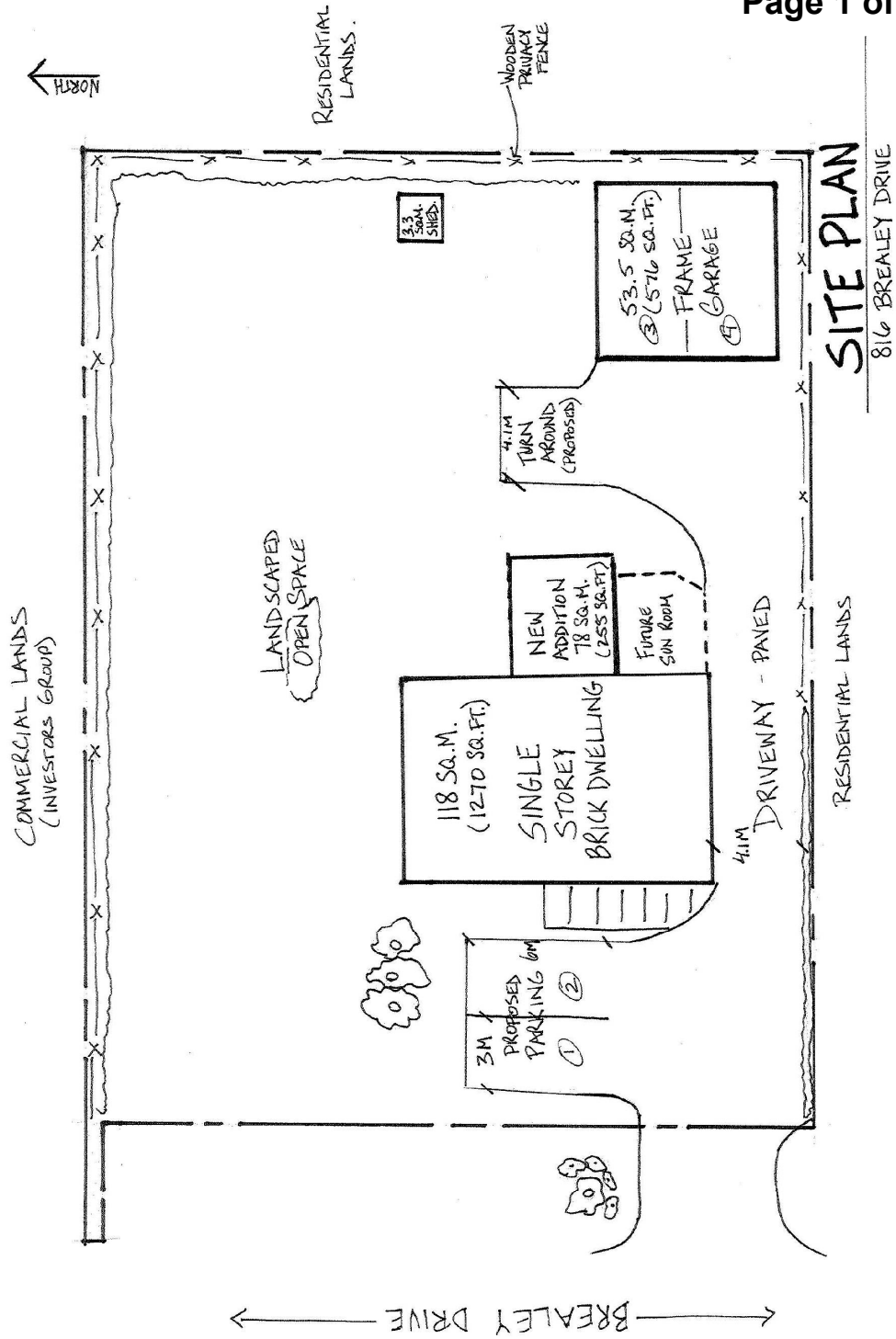


Exhibit 'B'
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THE CORPORATION OF THE CITY OF PETERBOROUGH

Exhibit 'C'
Page 1 of 2

BY-LAW NUMBER 11- _____

**BEING A BY-LAW TO AMEND THE ZONING FOR
816 BREALEY DRIVE**

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

1. Map 20 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 SP.31, 1e-23 to R.2 – 'H'**.

2. The 'H' Holding Symbol shall be removed subject to the following:

Site Plan Approval is granted for the subject property including the following:

- i. Conveyance of the residual strip of land measuring approximately 0.6m by 5.0m at the northwest corner of the site that extends into the Brealey Drive right of way, to the City at no cost.; and
- ii. Agreement to obtain a building permit for the conversion of the dwelling from a single unit dwelling to a two unit dwelling.

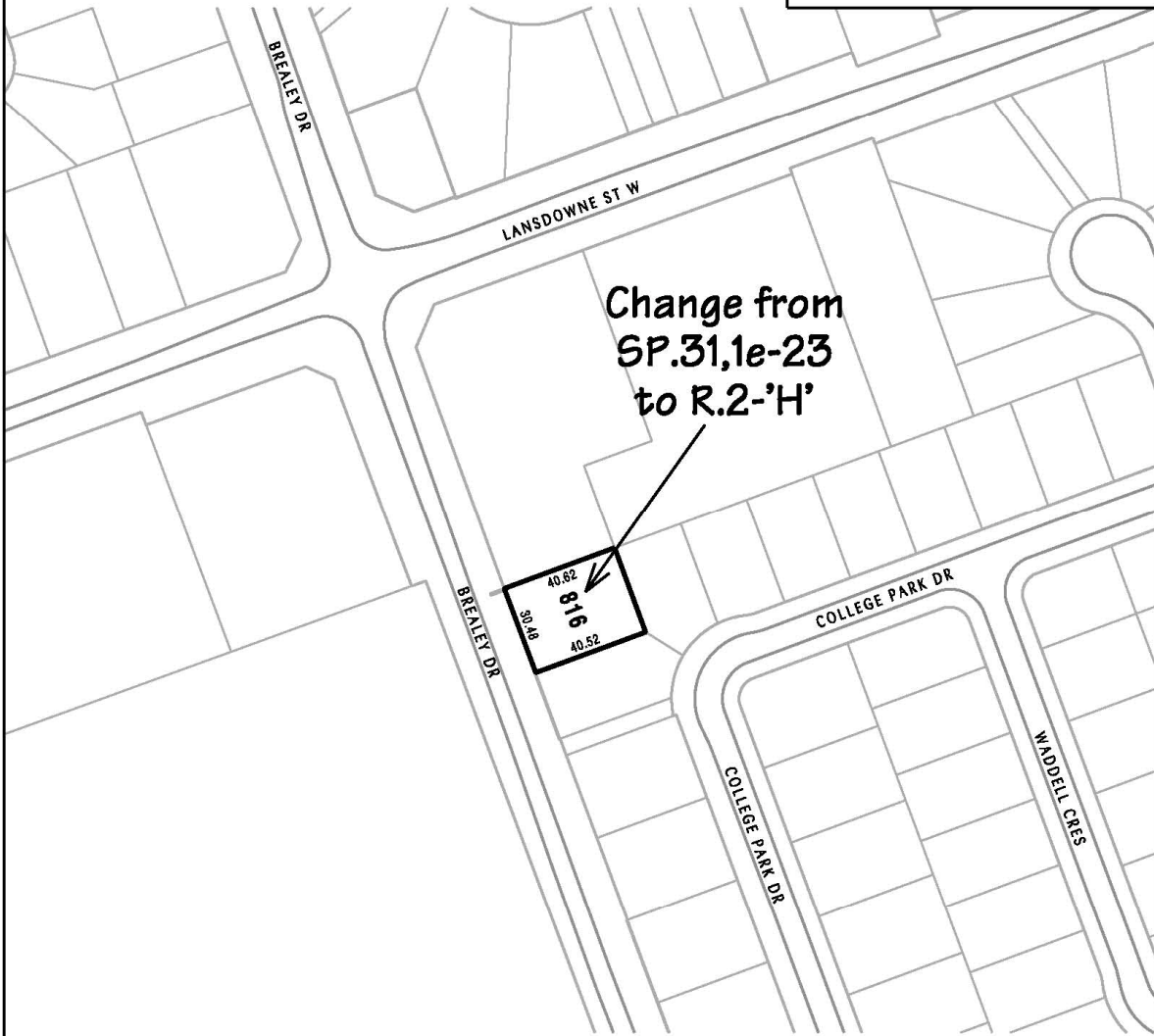
By-law read a first, second and third time this day of , 2011.

Daryl Bennett, Mayor

Nancy Wright-Laking, City Clerk

Dimensions are in metric

SCHEDULE 'A' T **Exhibit 'C'**
BYLAW 2011 - **Page 2 of 2**
PASSED THE
OF 2011
MAYOR
CLERK



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File: z1114

