



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: March 19, 2012

SUBJECT: Report PLPD12-012
1185 Hilliard Street & Part of 70 Towerhill Road

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the properties known as 1185 Hilliard Street and Part of 70 Towerhill Road from the C.1 – Commercial District and from the R.1,2o-‘H’ and R.1-‘H’ - Residential Districts to the SP.293, 7c – Residential District, to permit the redevelopment of the lands for a 29 unit, 3 storey apartment building on the easterly portion of the lands.

RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD12-012 dated March 19, 2012, of the Manager, Planning Division, as follows:

That the zoning of the subject property, be amended from the C.1 – Commercial District and from the R.1,2o-‘H’ and R.1-‘H’ - Residential Districts to the SP.293, 7c Residential District in accordance with the draft amendment attached as Exhibit ‘D’ to Report PLPD12-012.

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 any applicable development charges for the proposed units.

RATIONALE

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

The subject property is designated 'Residential' on Schedule 'A' – Land Use. The 'Residential' policies of the Official Plan contemplate housing and other land uses that are integral to a residential environment. The infill housing policies of the Residential designation encourage residential intensification "to increase the supply of housing through better use of existing resources, buildings and under-utilized sites." The impacts of the intensification of the subject lands can be minimized and the development can efficiently utilize existing municipal servicing and facilities. The application demonstrates the ability of the site to maintain the character of the area with up to 60 parking spaces on site (2 spaces per unit).

The proposed building respects the scale and physical characteristics of existing development in the surrounding neighbourhood.

BACKGROUND

The subject application was received on December 19, 2011, deemed to be complete as of January 9, 2012 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 May 9, 2012 if Council has not made a decision.

The subject property is approximately 0.67 ha. (1.66 ac.) in size, located on the northwest corner of Hilliard Street and Towerhill Road. The land is comprised of Block 49 and Part of Block 48 of Plan 45M-142. These lands have been known as 'The Land Assembly' and were subdivided by way of a plan of subdivision, by the Province of Ontario (Ontario Realty Corporation) and registered on title in 1991. Block 49 is the most easterly block, with an area of 0.38ha. (0.96 ac.) and has been zoned for local commercial uses (C.1 – Commercial District) since 1991 (By-Law #1991-221). Block 48 abuts Block 49 to the west and was intended for a church use and zoned PS – Public Service District in the 1991 amendment. These parcels have been vacant since the development of the balance of the subdivision. The western portion of Block 48 was rezoned in 1997 to permit the creation of single detached lots with frontage along Towerhill Court. A severance application was also approved, however the lots were never registered and the consent lapsed. The applicant proposes to sever the westerly portion of Block 48 and develop the lands along the east side of Towerhill Court for

single detached dwellings (6 lots), in keeping with the R.1 – Residential District zoning that has been in place since 1997.

The current owner purchased the subject lands in January, 2012 and intends to redevelop it for residential use in accordance with the R.4 – Residential District. A 3 storey apartment building with a total of 29 units has been illustrated on the concept site plan submitted with the application.

The applicant/owner held a neighbourhood meeting on Wednesday, February 15th, 2012 at Adam Scott High School. A total of 7 people attended with questions related to the details of the development, including the location of the proposed garbage dumpster, landscaping, buffering, building elevations and stormwater management. Comments regarding area traffic were also made, with concern that the existing volumes of traffic along Neptune Street and Normandy Street are at capacity. Generally, those who attended agreed that they would prefer a residential use versus a commercial use of the subject lands. Further input from abutting landowners regarding design related concerns with the development can be made at Site Plan Approval stage.

The intersection of Towerhill and Hilliard will be reconstructed in 2012 as one element of the trunk sanitary sewer construction project. This will also include a separate left turning lane and traffic signals. In addition, the City's Update to the Transportation Plan includes a new two lane arterial road along the Parkway lands within this area to address traffic pressures in the area. Implementation of the road has been shown within the 2021 to 2026 horizon.

ANALYSIS

a) Official Plan

The lands are currently designated "Residential" on Schedule 'A' – Land Use of the City of Peterborough Official Plan. The proposed density of the multi unit residential development is within the range of a medium density residential development. The application is assessed with the intensification and infill housing evaluation criteria of Section 4.2.5.7 of the City of Peterborough Official Plan.

The proposal to develop the lands for a 29 unit residential apartment building with associated parking and landscaped area, respects the objectives of the infill and intensification policies, as described by the City's Official Plan.

Based on the size of the subject property, the density of the subject lands is proposed to be approximately 43 units per hectare (17.5 units per acre). The Official Plan policies

support infill housing, up to a maximum of 75 units per hectare in a suburban location (27 units per acre) through an amendment to the Zoning By-Law, provided the development respects the scale and physical characteristics of existing development in the surrounding neighbourhood. The amendment proposes to permit the use of the site for a multi unit residential building with a total of 60 parking spaces, providing a ration of 2 parking spaces per unit.

The property is located in an area well served by parks and schools. The use of the side and rear yards of the property for parking and the ratio of hard surface and green space is consistent with the other medium density developments in the neighbourhood. Municipal services are available to service the site. Downstream capacity must be confirmed to ensure adequacy of the municipal services for the proposed development. It is anticipated that the servicing along Hilliard Street is a viable option and capacity is available.

b) Zoning By-law

The subject property is currently zoned C.1 – Commercial District; R.1,2o-‘H’ and R.1-‘H’ - Residential Districts permitting residential and commercial uses. The proposed SP.293, 7c - Residential District will permit the use of the property for a multi-unit residential apartment building with a maximum of 29 units.

The subject property requires site specific regulations to limit the total number of proposed units. The proposed amendment permits up to 30% of the property to be used for parking and driveway areas. This is slightly less than the 32% requested by the applicant, resulting in the potential for a slight reduction in hard surface. The applicant has demonstrated the ability of the site to accommodate more parking than required, and therefore, a slight reduction in paved area and parking spaces will not negatively impact the ability to provide adequate on site parking, while ensuring compatability with the area from a landscaped open space perspective.

The lot area per unit, setbacks and landscape requirements of the SP.293 are similar to the R.4 – Residential District will be adhered to, ensuring compatibility with adjacent lower density residential uses. In addition, all other general provisions of the City’s Zoning By-Law will be adhered to.

Staff are proposing the application of an alternative regulation, 7c, to limit the maximum lot coverage by open parking areas, driveways and vehicle movement areas to 30%. The concept site plan illustrates proposed asphalt area equal to 30.1% of the lot area. This would have to be adjusted very slightly ensure compliance.

Planning Staff is satisfied that the provision for minimum lot area per unit of 230 square metres per dwelling unit will limit the total number of units for the property to 29. The lot area per unit exceeds the established regulation of the typical R.4 – Residential District which is 185 square metres per dwelling unit. Permission to exceed the lot coverage for

parking and driveway areas, facilitates the applicant's desire to provide in excess of 1.75 spaces per unit required by the Zoning By-Law. A cap of 30% of the lot area to be used for driveways and parking will ensure a sufficient balance of landscaped and hard surface for compatibility with the neighbourhood. The applicant has demonstrated with the Concept Site Plan, that there is sufficient space on the subject lands to provide adequate landscaping and buffering to ensure compatibility with surrounding land uses.

c) Site Development

The applicant has provided a Concept Site Plan illustrating the proposed development, including parking and driveway areas and landscape space. The proposed development for 29 units will be subject to Site Plan Approval, in accordance with the City's Site Plan Control By-Law. The authority for approval, in this instance, rests with the Director of Planning and Development Services. Circulation of the site plan will be provided to adjacent landowners for comment and consideration.

The Site Plan will formalize the proposed development and address landscaping and buffer requirements and ensure adequate stormwater management of the site. In addition, a Site Plan Agreement will ensure long term maintenance of the property, registered on title, and binding for future owners.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Agency circulation was issued on January 13, 2012.

The City's Utility Services Department provided comment regarding the rezoning application, indicating no objection to the proposed rezoning subject to confirmation of downstream servicing capacity and cash in lieu of parkland where required. The trunk sewer along Hilliard Street is anticipated to facilitate the proposed use of the lands for 29 units. Should the applicant propose a connection to servicing along Towerhill Road, confirmation will be required. The change in use of the property will permit the City to collect cash in lieu of parkland in accordance with the provisions of the Planning Act, R.S.O. c.P.13, to be collected at Site Plan Approval stage, prior to issuance of a building permit.

Additional comments have been provided by the City's Utility Services Department for consideration at the Site Plan Approval stage, including the requirement for a daylighting triangle at the intersection of Towerhill Road and Hilliard Street; reflection of the new intersection design in the Site Plan drawings; coordination of site servicing with municipal construction efforts along Hilliard Street; and stormwater management.

It is noted by Utility Services that the intersection of Towerhill and Hilliard will be reconstructed in 2012 as one element of the trunk sewer construction project. This will also include a separate left turning lane and traffic signals at this intersection.

Kawartha Pine Ridge District School Board advises that there is a possibility that up to three elementary students to attend R.F. Downey Public School and up to four secondary students to attend Adam Scott CVI might be generated by the subject application.

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 December 27, 2011 by newspaper advertisement (Peterborough Examiner) and Notice of Public Meeting was issued by direct mail and by newspaper advertisement (Peterborough Examiner) on February 21, 2012. The notice complies with the requirements of the Planning Act.

No written comments have been received as of March 6, 2012.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Caroline Kimble,
Land Use Planner

Concurred with,

Malcolm Hunt, Director
Planning and Development Services

Contact Name:

Caroline Kimble

Planner, Land Use

Planning & Development Services

Phone – 705-742-7777 Ext. 1735

Toll Free – 855-738-3755

Fax – 705-742-5218

E-Mail – ckimble@peterborough.ca

Attachments:

Exhibit A - Land Use Map

Exhibit B - Concept Plan

Exhibit C – Concept Elevations

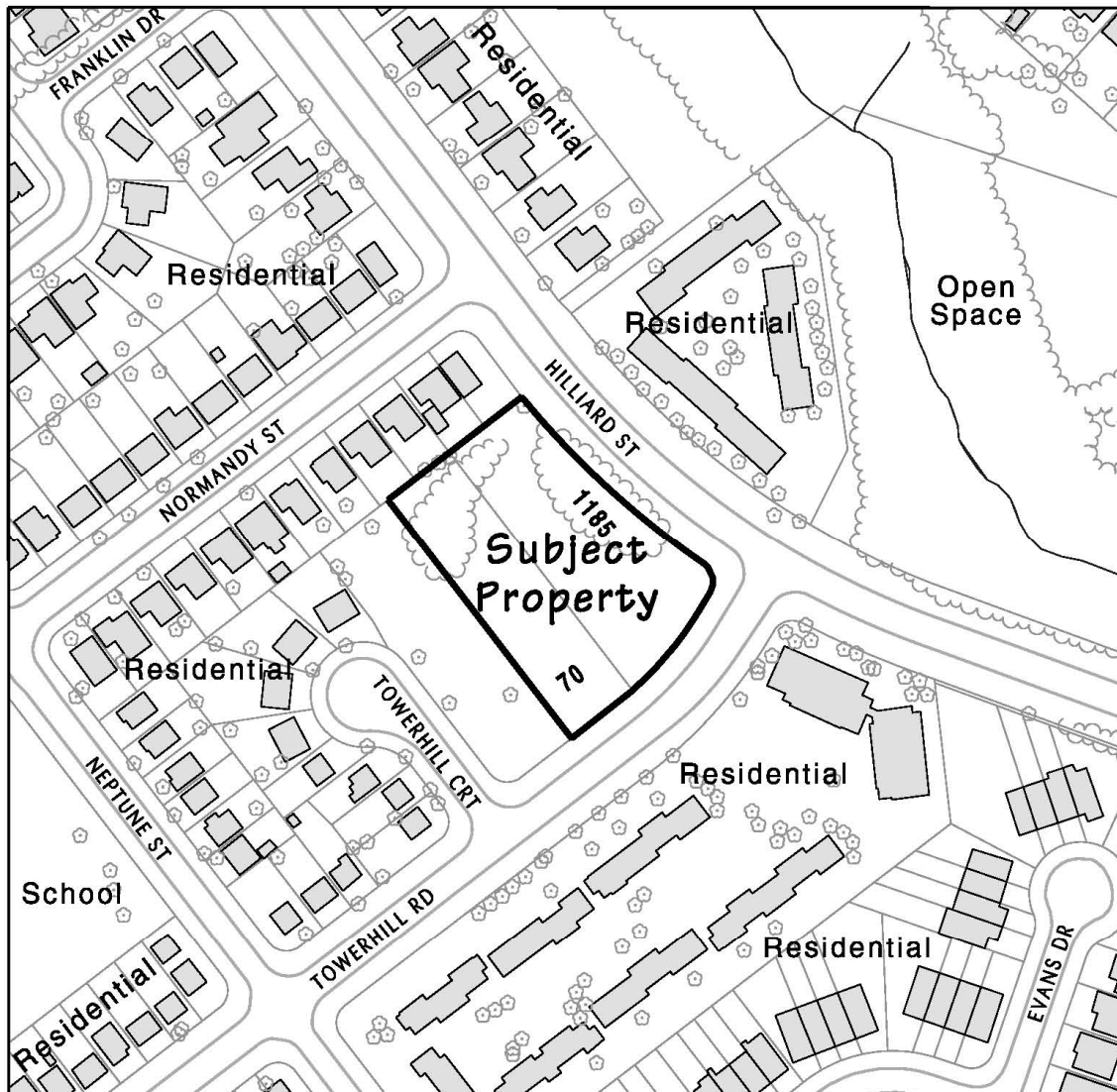
Exhibit D –Draft Zoning By-law

Land Use Map

Exhibit 'A'
Page 1 of 1

File # z1202

Property Location: 1185 Hilliard St & Part Lot 70 Towerhill Rd



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 hardcopy mapfile, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for legal description.



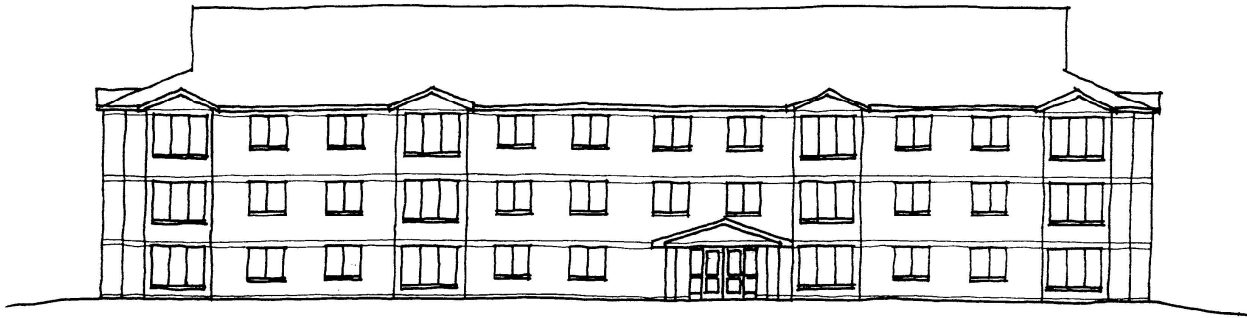
Date - January 2012

Dwg. by - CBerry

METRES
10 5 0 10 20 30 40



Exhibit 'C'
Page 1 of 1



TOWERHILL



TOWERHILL

THE CORPORATION OF THE CITY OF PETERBOROUGH

Exhibit 'D'
Page 1 of 2

BY-LAW NUMBER 12- _____

**BEING A BY-LAW TO AMEND THE ZONING FOR
1185 HILLIARD STREET AND PART OF 70 TOWERHILL ROAD**

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

1. Map 3 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, 2o – 'H'; R.1 – 'H' and from C.1 to SP.293, 7c.**

By-law read a first, second and third time this _____ day of _____, 2012.

Daryl Bennett, Mayor

Nancy Wright-Laking, City Clerk

