



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

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

**MEETING DATE:** April 30, 2012

**SUBJECT:** Report PLPD12-024  
903 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 903 Brealey Drive from the D.1 – Development District 1 to the R.2, 13k – Residential District to permit the use of the lands for two dwelling units on full municipal services.

## **RECOMMENDATIONS**

That Council approve the recommendations outlined in Report PLPD12-024 dated April 30, 2012, of the Manager, Planning Division, as follows:

- a) That Section 3.4 (13.k) be added to the City's Comprehensive Zoning By-Law #97-123, in accordance with the draft amendment, attached as Exhibit 'C' to Report PLPD12-024 to permit a Minimum Floor Area Per Dwelling Unit of 52 sq.m..
- b) That the zoning of the subject property, be amended from the D.1 - Development District to the R.2, 13k - Residential District in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD12-024.

## **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 additional proposed 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. The 'Residential' policies of the Official Plan contemplate housing and other land uses that are integral to a residential environment. The proposed amendment will facilitate development that is consistent with the Low Density Residential policies of the City's Official Plan.

The application demonstrates the ability of the site to maintain the character of the area with up to two residential dwelling units and respects the scale and physical characteristics of existing development in the surrounding neighbourhood.

## **BACKGROUND**

The subject application was received on December 11, 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 8, 2012 if Council has not made a decision.

The subject property is approximately 0.13 ha. (0.34 ac.) in size, located on the west side of Brealey Drive, south of Cherryhill Road and north of Lansdowne Street West, backing onto Dainard Park.

The owners intend to renovate the existing dwelling by replacing the existing attached garage with a proposed 2 storey expansion adjacent to the south side of the existing dwelling. The renovation will result in the introduction of one additional self contained unit, and a net increase in floor area of 56m<sup>2</sup> (603 ft.<sup>2</sup>). The total building floor area with two units is proposed at 193m<sup>2</sup> (2078 ft.<sup>2</sup>). The amount of lot area covered by building is proposed to increase by 3m<sup>2</sup> (32ft<sup>2</sup>) as a result of the changes.

The application further proposes to permit a smaller unit size for the proposed additional unit. The proposed R.2 – Residential District regulations as set out in the City's Zoning By-law, requires a minimum floor area of 70 square metres per unit. The applicant is proposing a minimum floor area of 52 square metres to accommodate a smaller proposed unit while providing sufficient on-site parking adjacent to the addition to meet the City's minimum parking standards.

The application is supported by a Concept Site Plan, prepared by Lino Hilsdon Design, illustrating the ability of the site to introduce additional on-site parking to provide a total of four parking spaces, together with turning facilities to ensure vehicular movement in a forward facing direction onto Brealey Drive. Brealey Drive is designated a "High Capacity Arterial Road" on Schedule 'B' of the City's Official Plan. The policies of the Official Plan require that new development or redevelopment that requires backing a motor vehicle onto a High or Medium Capacity Arterial road not be permitted.

## **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 two unit residential development is within the range of a low density residential development.

Based on the size of the subject property, the density of the subject lands is proposed to be approximately 15 units per hectare (6 units per acre). The Official Plan policies support duplex and semi detached dwellings within the Low Density Residential areas, provided there is compatibility with the surrounding neighbourhood.

### **b) Zoning By-law**

The subject property is currently zoned D.1 – Development District, restricting the use of the lands for the established use (single detached dwelling). The subject property is oversized as a single lot at 0.13 ha (0.34 ac.) and can adequately support a second unit with required parking and setbacks.

The property is located in an area well served by parks and schools. The applicant has illustrated, on a Concept Site Plan, how parking is to be accommodated on site, in accordance with the requirements of the City's Zoning By-Law, which requires two spaces per unit. Services are adequate along Brealey Drive to support two units. Installation and restoration costs for connection to these services will be the responsibility of the applicant/owner.

The proposed concept illustrates the ability of the site to comply with all R.2 – Residential zoning requirements, save and except the minimum unit size reduction from 70m<sup>2</sup> to 52m<sup>2</sup> for the additional unit. An alternative regulation is proposed to address this as part of the proposed zoning amendment.

## RESPONSE TO NOTICE

### a) Significant Agency Responses:

Agency circulation was issued on January 20, 2012.

The City's Utility Services Department indicated no objection to the rezoning request subject to connection to full municipal services along Brealey Drive at the expense of the owner/applicant; disconnection of any existing foundation drains from the sanitary sewer system, provision of a lot grading plan at time of building permit, demonstrating no adverse impacts on adjoining properties; and cash in lieu of parkland where required. Grading along the south property line is required to be addressed at building permit stage.

Peterborough Utilities Services has no objection to the application, and note that site specific charges and Development Charges will be applied at the time the developer commences construction. The applicant is also required to ensure that proper locates of services are performed prior to any construction digging.

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 January 25, 2012 by newspaper advertisement (Peterborough Examiner) and Notice of Public Meeting was issued by direct mail and by newspaper advertisement (Peterborough Examiner) on April 5, 2012. The notice complies with the requirements of the Planning Act.

No written comments have been received as of April 5, 2012.

Submitted by,

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Ken Hetherington,  
Manager, Planning Division

Prepared by,

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Caroline Kimble,  
Land Use Planner

Concurred with,

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Malcolm Hunt, Director  
Planning and Development Services

Contact Name:

Caroline Kimble

Planner, Land Use

Planning & Development Services

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E-Mail – [ckimble@peterborough.ca](mailto:ckimble@peterborough.ca)

Attachments:

Exhibit A - Land Use Map

Exhibit B - Concept Plan

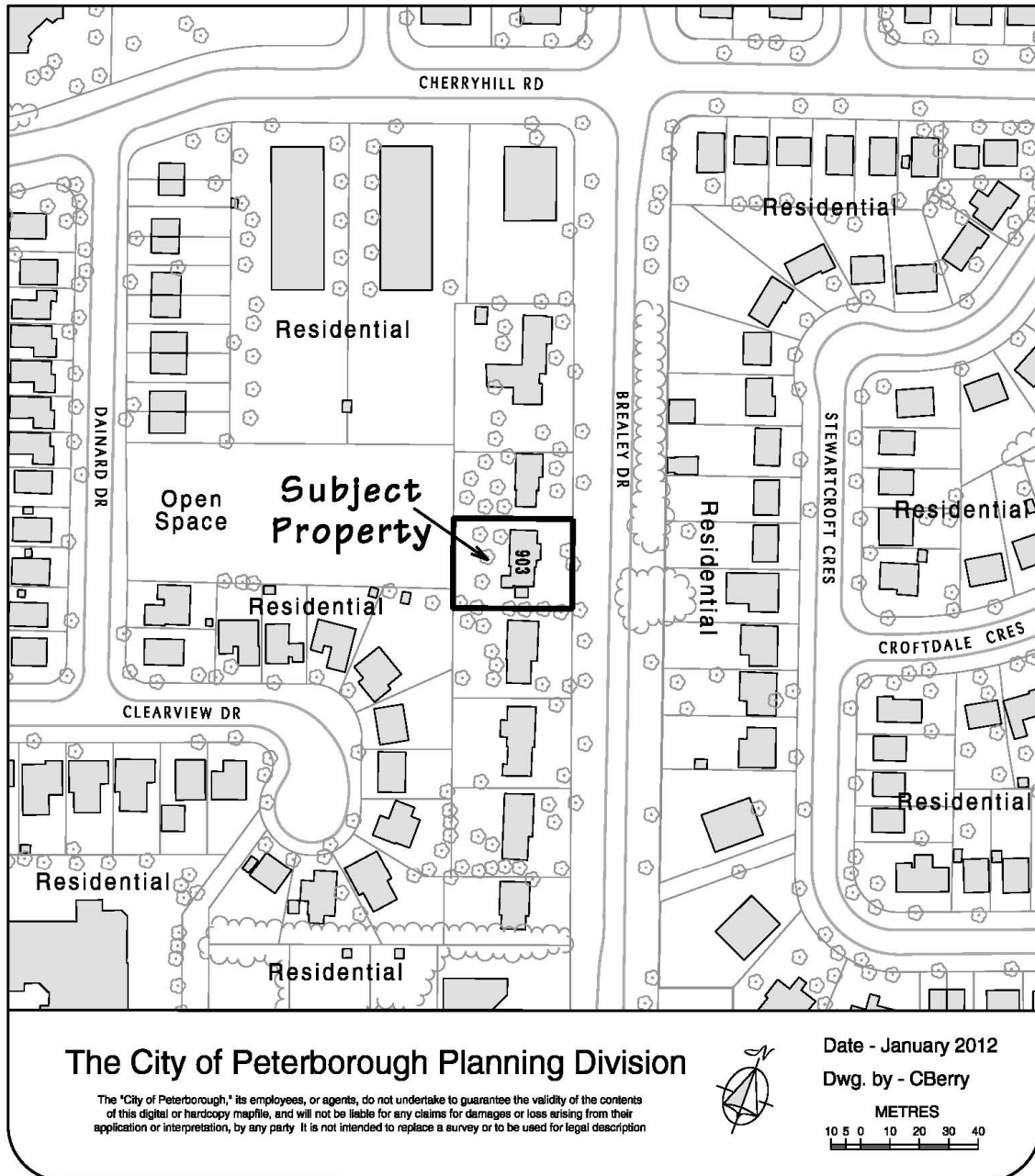
Exhibit C –Draft Zoning By-law

# Land Use Map

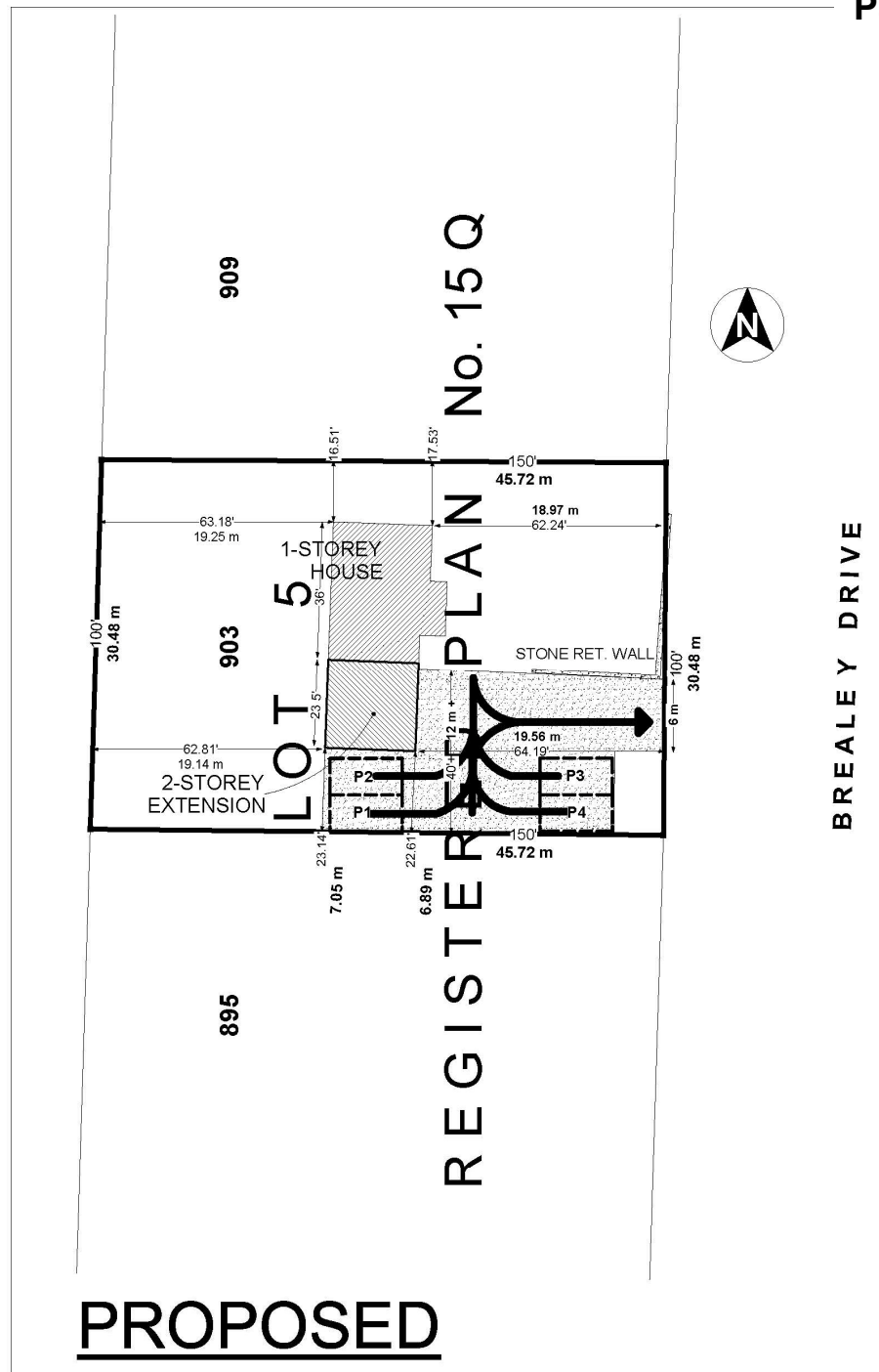
Exhibit 'A'  
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File # z1203

Property Location: 903 Brealey Dr



**Exhibit 'B'**  
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lino hillsdon design 210 cedar #41 lakefield ontario l3l 2h0 705 939 9123 no@lino hillsdon.com	Ken Fry I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4 of the Building Code. I am qualified, and the firm is registered, in the appropriate class(es) of categories. 903 Beatty Drive, Peterborough	16 <sup>th</sup> November 2011	title a SFTI 1 <sup>st</sup> T LINO HILSDON BCHI 31572 LINO HILSDON DESIGN BCHI 33322
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**lino hilsdon design**  
 310 cedar st #4 lakefield ontario k0l 2h0 705 930 9173 lino-hilsdon@hotmail.com

**Exhibit 'C'**  
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THE CORPORATION OF THE CITY OF PETERBOROUGH

**BY-LAW NUMBER 12- \_\_\_\_\_**

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

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

1. That Section 3.4 of By-Law 97-123, be amended by adding the following to Subsection 13. MINIMUM FLOOR AREA PER DWELLING UNIT:  
"k. 52 sq. m"
2. That Map 15 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 **D.1 to R.2, 13k.**

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

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Daryl Bennett, Mayor

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John Kennedy, Acting City Clerk



**Exhibit 'C'**  
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