



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: June 11, 2012

SUBJECT: Report PLPD12-026
882 Whitefield Drive

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the property known as 882 Whitefield Road from the R.1, 1m, 2m – Residential District to the R.4 – 270 – ‘H’ – Residential District, to permit the redevelopment of the lands for a 27 unit, 3 storey apartment building on the southerly portion of the lands.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD12-026 dated June 11, 2012, of the Manager, Planning Division, as follows:

- a) That Schedule ‘E’ – Residential Density, of the Official Plan be amended to add medium density designation to the subject lands in accordance with the draft amendment attached as Exhibit ‘D’ to Report PLPD12-026.
- b) That Section 3.9 Exceptions of the City’s Comprehensive Zoning By-Law #97-123 be amended in accordance with the draft amendment, attached as Exhibit ‘E’ to Report PLPD12-026 as follows:
 - i) permit a maximum number of 27 dwelling units per building;
 - ii) permit a minimum lot area per dwelling unit of 175 square metres per unit;

- iii) permit a minimum building setback of 9 metres or 3 metres per storey from the rear lot line, whichever is greater;
 - iv) permit a maximum lot coverage by open parking areas, driveways and vehicle movement areas of 30%.
- c) That the zoning of the subject property, be amended from the R.1, 1m, 2m – Residential District to the R.4 – 270 – ‘H’ – Residential District in accordance with the draft amendment attached as Exhibit ‘E’ to Report PLPD12-026.
- d) That the ‘H’ Holding Symbol be removed subject to the following:
- i) Site Plan Approval being granted for the subject property including stormwater management details and a requirement that downstream trunk sanitary sewer extraneous flow problem be resolved prior to building permit issuance.
 - ii) Completion of a Stage 1 Archaeological Assessment to determine past land use and the need for site testing.

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 application proposes to amend the designation of the lands from Low Density Residential to Medium Density Residential in the City’s Official Plan and amend the Zoning of the property to a residential district that implements a Medium Density designation. The application is accompanied with a concept site plan and building elevations that display the proposed massing and conceptual design of the building as well as off street vehicular loading and parking facilities. The Evaluation Criteria for new Medium Density Residential development have been considered and addressed through the amendment process.

The application provides for residential intensification on a vacant parcel of land. The impacts of the intensification of the subject lands can be minimized with the provision of

adequate off street parking and landscape buffering, and the development can efficiently utilize existing municipal servicing and facilities.

The proposed building respects the scale and physical characteristics of existing development in the surrounding neighbourhood and provides an appropriate transition from the adjacent commercial uses to the south and east along Clonsilla Avenue, to the existing low density residential detached dwellings to the north and west.

BACKGROUND

The subject application was received on February 29, 2012, deemed to be complete as of March 13, 2012 and was processed in accordance with department procedures. The Planning Act allows applicants to appeal Official Plan and 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 July 11, 2012 if Council has not made a decision.

The subject property is approximately 0.48 ha. (1.19 ac.) in size, located on the east side of Whitefield Drive, north of Clonsilla Avenue. The land is a remnant parcel from abutting lands to the south, fronting on to Clonsilla Avenue. The Whitefield Subdivision was approved in 1976 with access to Clonsilla Avenue, essentially creating the subject lands in addition to the vacant parcel on the west by virtue of the creation of the entry road to the subdivision, connecting it to Clonsilla Avenue. A reserve along the street frontage of both the subject lands and the vacant parcel opposite on the west side of Whitefield Drive has restricted the development of the lands until such time as the owner contributes toward the servicing along Whitefield Drive and the reserve is lifted. The configuration of the subject lands is unique and inefficient for development in accordance with the current zoning, permitting single detached dwellings.

The current owner purchased the subject lands in January, 2008, and intends to develop it for residential use in accordance with the Medium Density Residential policies of the Official plan and a modified version of the R.4 – Residential District. A 3 storey apartment building with a total of 27 units has been illustrated on the concept site plan submitted with the application.

The applicant/owner held a neighbourhood Open House on Tuesday, May 1, 2012 at St. Alphonsus Church, Knights of Columbus Hall. A total of 19 people attended with questions related to the details of the development, including landscaping, buffering, building elevations and stormwater management. Comments regarding street parking (requesting prohibiting on-street parking along the east side of Whitefield Drive from Clonsilla Avenue to the north limit of the subject property), occupancy, and construction timeline were posed at the open house. The applicant has followed up with Planning Staff, confirming that they have no objection to prohibiting parking along the east side of Whitefield Drive, along the frontage of the property. In addition, the applicant has

indicated that the building is intended to be a market value rental apartment, comprised of 27 2 (two) bedroom units. Further input from abutting landowners regarding design related concerns with the development can be made at Site Plan Approval stage.

A Planning Justification Report prepared by Kevin Duguay of KMD Community Planning and Consulting Inc. and a Functional Servicing Report prepared by D.M. Wills Associates Limited have been submitted by the applicant, in support of the application.

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 evaluation criteria of Section 4.2.5.7 of the City of Peterborough Official Plan.

The proposal to develop the lands for a 27 unit residential apartment building with associated parking and landscaped area, respects the objectives of the 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 56 units per hectare (22.7 units per acre). The Official Plan policies cap low density residential areas to 25 units per hectare, however, 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 application proposes to amend the Official Plan to permit Medium Density Residential development and to implement the designation through an amending Zoning By-Law to permit the use of the site for a multi unit residential building with a total of 48 parking spaces, providing a ratio of 1.75 parking spaces per unit.

The property is located in an area well served by parks and schools. The proposed introduction of a 3 storey residential building on the south side of the property provides a transition from the service commercial land uses abutting the property to the south and east, fronting on Clonsilla Avenue. The functional servicing report confirms the adequacy of municipal services to support the proposed use. The site will support off-street parking at a ratio of 1.75 spaces/unit, consistent with the minimum requirements of the City’s Zoning By-Law for a suburban multi-unit residential development.

b) Zoning By-law

The subject property is currently zoned R.1, 1m, 2m permitting single detached residential use. The proposed R.4 – 270 – ‘H’ – Residential District will permit the use of the property for a multi-unit residential apartment building with a maximum of 27 units.

The subject property requires site specific regulations to limit the total number of proposed units within a single building. The proposed amendment permits up to 30% of the property to be used for parking and driveway areas. This is less than the 45% requested by the applicant, resulting in the potential for a slight reduction in hard surface. The ratio of parking and driveway areas to the lot area was actually 31% of the lot. With a reconfiguration of the parking and driveway to increase the amount of the landscaped space along the street frontage, it is anticipated that the parking can be comfortably accommodated within the recommended 30% coverage requirement without negatively impacting the ability of the site to provide adequate on site parking.

The lot area per unit and setbacks of the R.4 Zoning District require slight modification as proposed in the amending Zoning By-Law, ensuring compatibility with adjacent lower density residential uses. A restriction in the use of the property to prohibit a boarding house is also recommended, due to the nature of the proposed use. In addition, all other general provisions of the City’s Zoning By-Law will be adhered to.

Staff are proposing the application of an Exception (270) to address the following:

- i) permit a maximum number of 27 dwelling units per building;
- ii) permit a minimum lot area per dwelling unit of 175 square metres per unit;
- iii) permit a minimum building setback of 9 metres or 3 metres per storey from the rear lot line, whichever is greater;
- iv) permit a maximum lot coverage by open parking areas, driveways and vehicle movement areas of 30%.

Planning Staff are satisfied that the provision for minimum lot area per unit of 175 square metres per dwelling unit will limit the total number of units for the property to 27. The lot area per unit is slightly less than the 185 square metres per dwelling unit established regulation of the typical R.4 – Residential District. 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 27 units will be subject to Site Plan Approval, in accordance with the City's Site Plan Control By-Law. The introduction of a 'H' Holding Symbol is applied to ensure servicing (stormwater and sanitary) and archaeological concerns are addressed prior to issuance of Building Permit. In a recent flood event, there was significant inflow and surcharge into the trunk sanitary sewer immediately downstream of the local sanitary sewer. It is expected that the City will address this problem prior to commencement of construction on the subject lands. It is recommended, however, that a 'H' Holding Symbol be affixed to the zoning to prevent issuance of building permit until the issue has been remedied by the City. Circulation of the site plan will be provided to adjacent landowners for comment and consideration.

Planning Staff recommend some changes to the concept site plan to facilitate additional landscaped space along the entire street frontage along Whitefield Drive, to ensure consistency with green space in the front yards of the residential lots along Whitefield Drive. As such, the applicant has agreed to revise the concept site plan to relocate the driveway entrance to a point further south on the property and reconfigure the parking and landscape areas to increase the amount of landscaped space along the street frontage.

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 March 21, 2012.

The City's Utility Services Department provided comment regarding the rezoning application, indicating no objection to the proposed rezoning subject to the application of a 'H' Holding Symbol to ensure that a downstream trunk sanitary sewer extraneous flow problem is resolved by the City, prior to building permit issuance for the subject property. 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 stormwater management details.

The City's Heritage Resources Coordinator of the Community Services Department had indicated that the subject property is in an area of medium high to high potential for the

presence of archaeological resources. A Stage 1 Assessment is recommended to determine past land use and the need for site testing. This is recommended as a condition of the removal of the 'H' Holding Symbol.

Otonabee Conservation (ORCA) agrees, in principle, with the proposed land use for this property. ORCA notes that it is imperative that the development of the subject property not increase the flood waters to the homes that are already within the flood plain of Byersville Creek. ORCA has reviewed the Functional Servicing Report submitted with the application and are satisfied that it is possible to provide an adequate storm water management facility on this site. ORCA also suggests the use of a 'H' Holding Symbol to ensure that ORCA is satisfied with the stormwater management component of the site plan.

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 March 13, 2012 by newspaper advertisement (Peterborough Examiner) and Notice of Public Meeting was issued by direct mail and by newspaper advertisement (Peterborough Examiner) on May 14, 2012. The notice complies with the requirements of the Planning Act.

Written comments have been received from Gary Rabjohn of 900 Whitefield Drive, adjacent property to the north of the subject lands. Mr. Rabjohn and his wife had initial concerns with the proposal and have followed up with a letter indicating that their concerns have been fairly addressed by the applicants through the public consultation process. The Rabjohns attended the open house and indicate that although they would prefer not to have an apartment building on the adjacent lot, they are quite satisfied with the design and overall appearance of the proposed building and the precautions taken to ensure the integrity of the subdivision. The Rabjohns look forward to participating at the Site Plan Approval stage regarding fencing and landscaping.

Request for additional information and an expression of opposition was made by Mike Ploc of 977 Silverdale Road. No details were provided regarding the opposition.

No further written comments have been received as of May 18, 2012.

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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Planner, Land Use
Planning & Development Services
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Attachments:

Exhibit A - Land Use Map
Exhibit B - Concept Plan
Exhibit C – Concept Elevations
Exhibit D – Draft Official Plan Amendment
Exhibit E – Draft Zoning By-Law Amendment

Exhibit 'A'
Page 1 of 1

Land Use Map

File # z1205 & o1201

Property Location: 882 Whitefield Dr

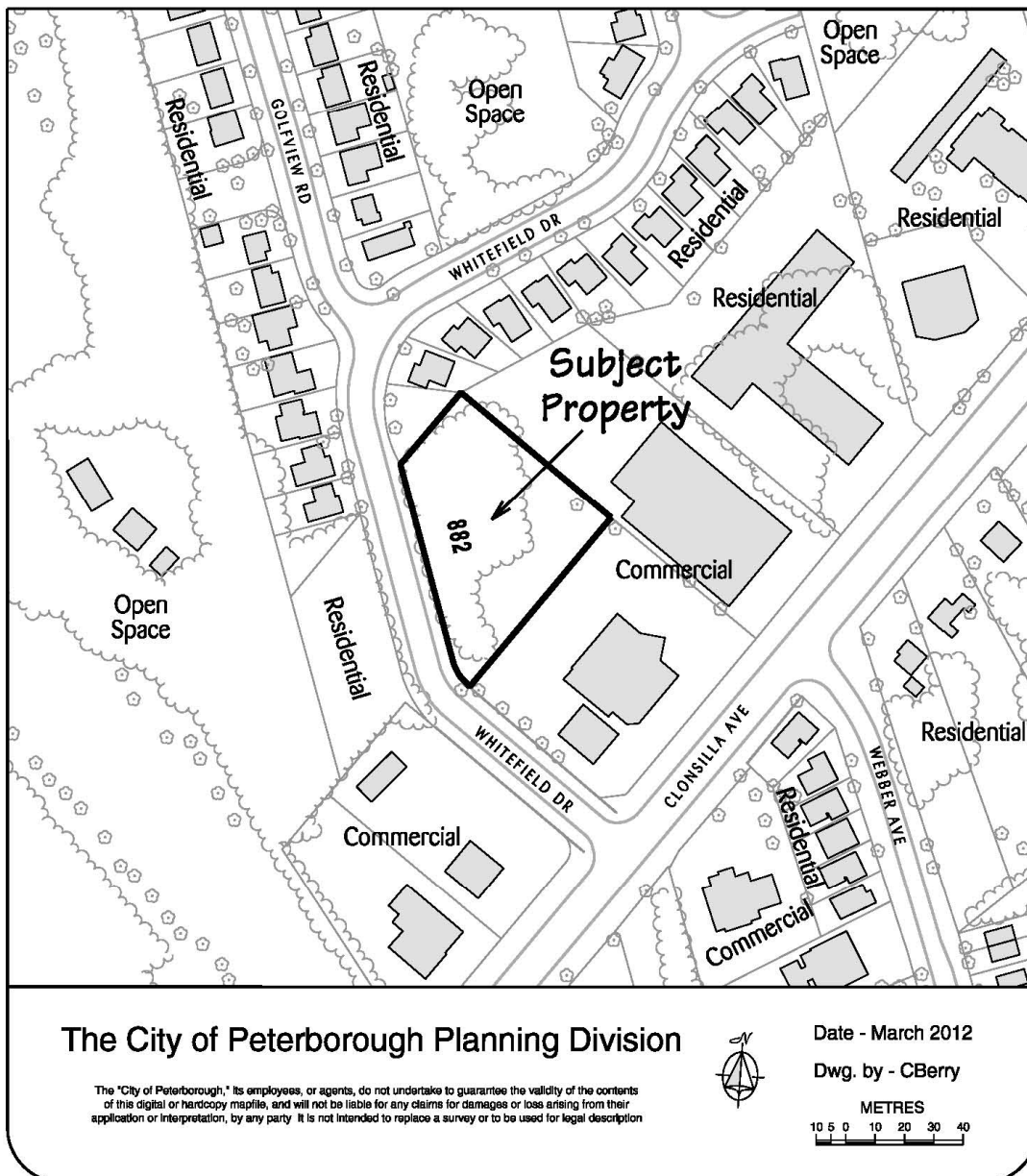


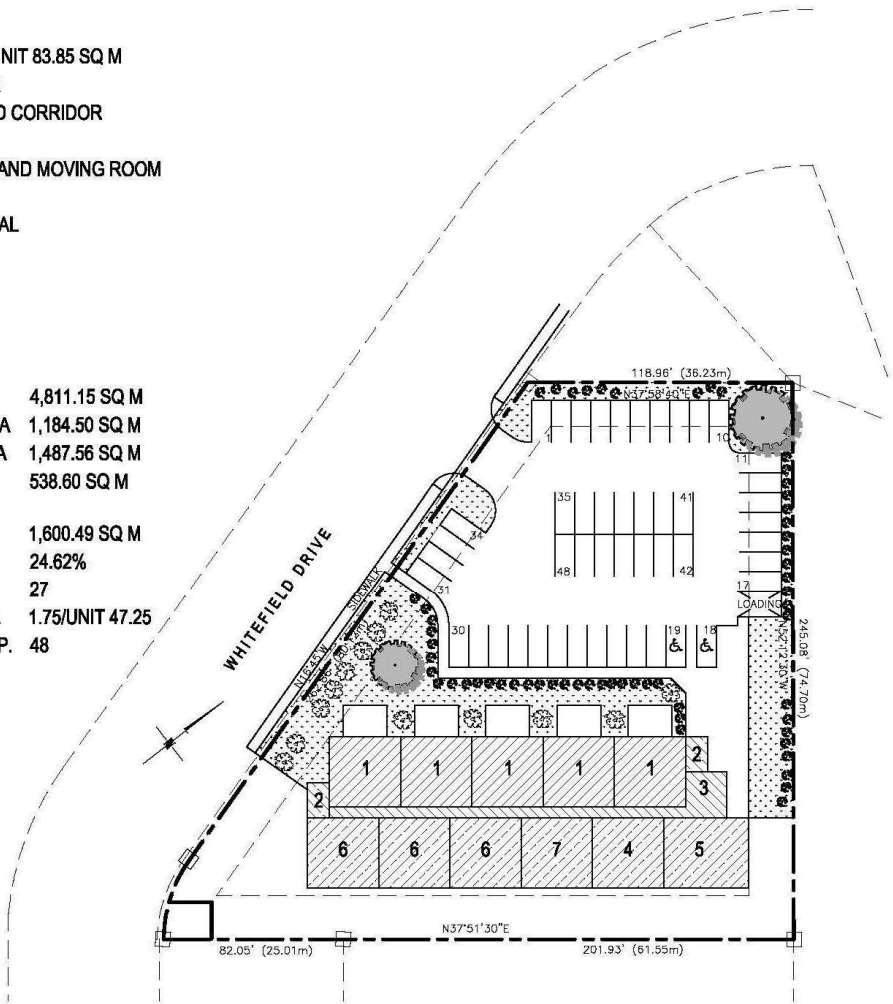
Exhibit 'B'
Page 1 of 1

LEGEND

- 1 2 BEDRM UNIT 83.85 SQ M
- 2 EXIT STAIR
- 3 FOYER AND CORRIDOR
- 4 LAUNDRY
- 5 GARBAGE AND MOVING ROOM
- 6 STORAGE
- 7 MECHANICAL

SITE DATA:

LOT AREA	4,811.15 SQ M
BUILDING AREA	1,184.50 SQ M
PARKING AREA	1,487.56 SQ M
PATIOS AND WALKWAYS	538.60 SQ M
OPEN AREA	1,600.49 SQ M
COVERAGE	24.62%
UNITS	27
PARKING REQ.	1.75/UNIT 47.25
PARKING PROP.	48



1
C1
SITE PLAN MAIN FLOOR
SCALE 1:20

Parkview Homes		MAIN FLOOR	
SITE PLAN OPTION "C" FOR DEVELOPMENT OF 882 WHITEFIELD DRIVE, PETERBOROUGH			
eco line design studio, 2411 Selwyn Bay Lane, R.R. #1, Lakefield, ON, K0L 2H0, BCIN 33321			
t: 705-657-8460, f: 705-657-9753 email: fabiennelehmann@yahoo.ca		Date: MAR/22/2012	Scale: As Shown Drafted by Fabienne Lehmann BCIN: 28161
			2011-21 C1

PROPOSED ELEVATIONS

Exhibit 'C' Page 1 of 1



NORTH ELEVATION



WEST ELEVATION

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 12-

EXHIBIT 'D'
PAGE 1 OF 2

**BEING A BY-LAW TO ADOPT AMENDMENT NO. 153 TO THE OFFICIAL PLAN OF
THE CITY OF PETERBOROUGH FOR THE PROPERTY KNOWN AS
882 WHITEFIELD DRIVE**

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

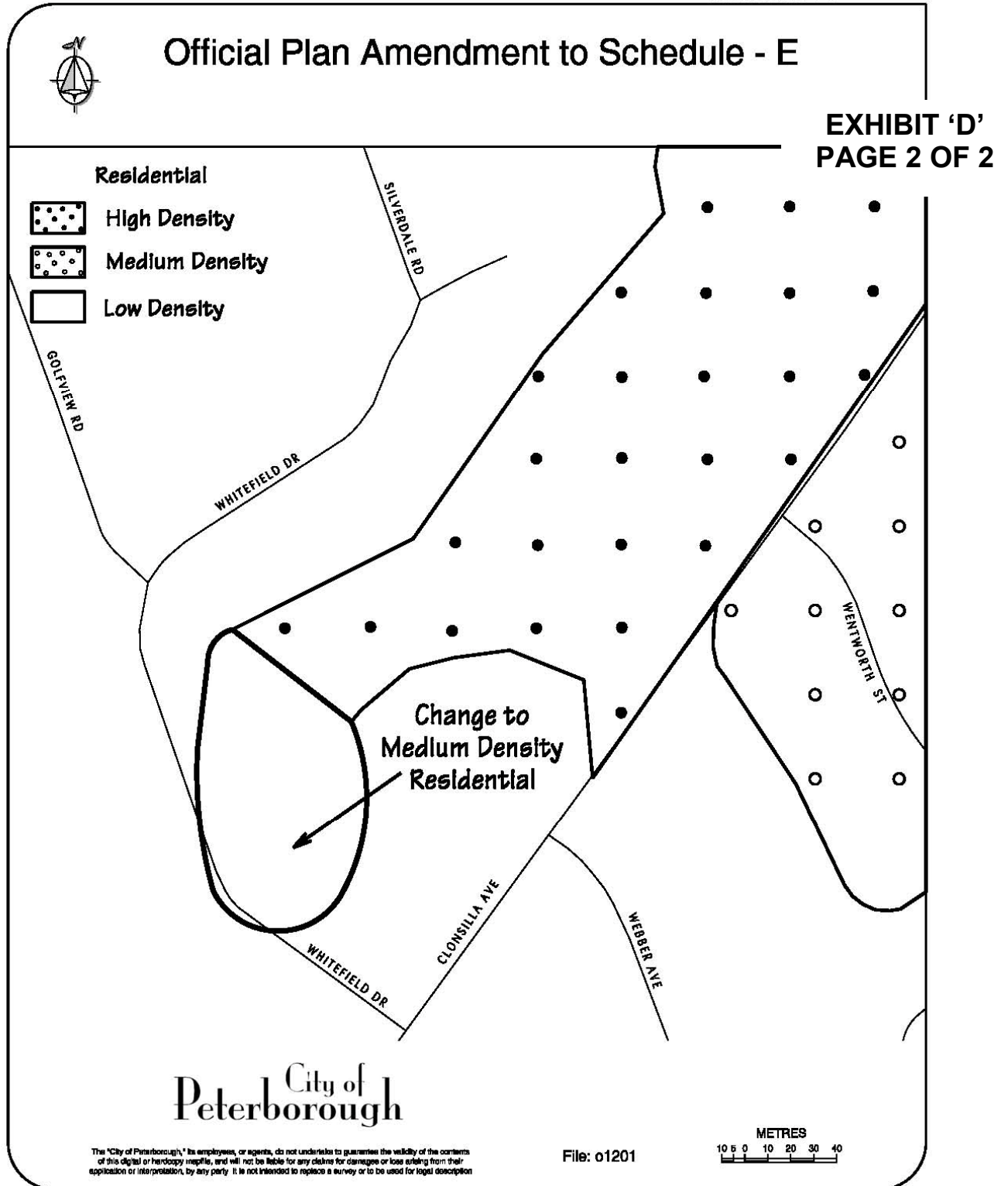
1. Schedule E – Residential Density of the Official Plan of the City of Peterborough is amended in accordance with Schedule 'A' to this By-Law.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

Schedule "A"



THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 12- _____

Exhibit 'E'
Page 1 of 2

**BEING A BY-LAW TO AMEND THE ZONING FOR
882 WHITEFIELD DRIVE**

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

1. That Section 3.9 Exceptions, of By-Law #97-123 be amended to add the following:

“270. Notwithstanding the provisions of the R.4 Zoning District,
 - i. a maximum number of 27 dwelling units per building shall be permitted;
 - ii. a minimum lot area per dwelling unit of 175 square metres per unit shall be permitted;
 - iii. a minimum building setback of 9 metres or 3 metres per storey from the rear lot line, whichever is greater, shall be required;
 - iv. a maximum lot coverage by open parking areas, driveways and vehicle movement areas of 30% shall be permitted.”
2. That Map 16 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, 1m, 2m to R.4 – 270 – ‘H’**.
3. That the ‘H’ Holding Symbol be removed subject to the following:
 - i. Site Plan Approval being granted for the subject property including stormwater management details and a requirement that downstream trunk sanitary sewer extraneous flow problem be resolved prior to building permit issuance.
 - ii. Completion of a Stage 1 Archaeological Assessment to determine past land use and the need for site testing.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

EXHIBIT 'E'
PAGE 2 OF 2

