



City of  
**Peterborough**

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**To:** Members of the Planning Committee

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

**Meeting Date:** August 25, 2014

**Subject:** Report PLPD14-048  
1474 Glencairn Avenue

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## **Purpose**

A report to evaluate the planning merits of amending the Zoning By-law for the property known as 1474 Glencairn Avenue to permit the property to be used as a duplex with site specific regulations.

## **Recommendations**

That Council approve the recommendations outlined in Report PLPD14-048 dated August 25, 2014, of the Manager, Planning Division, as follows:

- a) That Section 3.9 – Exceptions, of the Comprehensive Zoning By-law #1997-123 be amended to add Exception 294 to permit the basement unit to have a minimum ceiling height of 0.6m above grade, in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD14-048.
- b) That the zoning of the subject property, be amended from the R.1 - Residential District to the R.2, 19f-294 – Residential District, in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD14-048.

## **Budget and Financial Implications**

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

## **Background**

The subject application was received on May 12, 2014, deemed to be complete as of May 14, 2014 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 September 11, 2014 if Council has not made a decision.

The subject property is approximately 603m<sup>2</sup> (6490 ft.<sup>2</sup>) in size, located on the east side of Glencairn Avenue, north of Kensington Drive. The property supports a 1 storey brick dwelling with a carport and storage shed. Parking is currently provided by way of a single width asphalt driveway accessed by Glencairn Avenue supporting up to two parking spaces. The applicants intend to widen the driveway at Glencairn Avenue to support one additional parking space adjacent to the existing asphalt driveway, to provide up to 3 parking spaces on site. The applicants have requested a reduction in the parking from 2 parking spaces per unit to 1.5 parking spaces per unit.

The property currently supports a single unit dwelling. The owners intend to convert the space in the basement of the existing dwelling to create a second dwelling unit. The height of the ceiling in the basement is less than 1m above grade. As such, the applicants have further requested an exception to permit the conversion to a dwelling unit with a minimum ceiling height of 0.6m above grade.

The owners/applicants hand delivered a letter dated May 6, 2014, advising the neighbours of their proposal to create an additional dwelling unit in the basement of the existing dwelling. Planning Staff have heard from several area residents who are concerned with the proposed land use change and object to the introduction of a second unit. The concerns as expressed, relate to the character of the area for single detached dwellings, safety, maintenance, absentee landlords, and potential precedence for the creation of other two unit dwellings within the neighbourhood.

## Analysis

### a) **Official Plan**

The lands are currently designated “Residential” on Schedule ‘A’ – Land Use of the City of Peterborough Official Plan. The lands are not designated on Schedule E – Residential Density of the Official Plan and are therefore deemed to be designated for Low Density Residential purposes. Single detached, semi-detached and duplex dwellings are permitted uses in low density residential areas.

The property is situated in an area that is well served by parks and schools and the proposed parking is expected to function satisfactorily. The size and character of the existing dwelling is well established in the neighbourhood and is consistent with other dwellings on the street.

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

The subject property is currently zoned R.1 – Residential District, and the use of the lands as a two unit dwelling is not currently permitted and requires an amendment to the Zoning By-law.

The applicant has requested a zoning by-law amendment to rezone the property to permit the use of the property for two dwelling units.

Section 6.25 of the Zoning By-law requires that the ceiling height for a dwelling unit in a basement be a minimum of 1 metre above grade. In this case, the subject building does not meet this requirement and therefore a new exception proposed for the Zoning By-Law will provide alternative regulations to address the height of the basement unit to permit a minimum 0.6m ceiling height above grade in order to address the applicable Zoning Regulations. In addition to Zoning Regulations, the proposed unit must also comply with all relevant Building Code and Fire Code regulations. A Building Permit is required to create the second unit. It is anticipated that entrance/egress and window openings will be modified to ensure compliance with the Building Code and Fire Code.

Parking is proposed to be provided on site at a ratio of 1.5 parking spaces per unit, with the creation of one additional parking space in the front yard as the Zoning By-Law requires 2 spaces per unit, an alternative regulation (19f) is proposed to be assigned to the zoning to facilitate this reduction.

## Response to Notice

### a) **Significant Agency Responses:**

Agency circulation was issued on June 4, 2014.

The City's Utility Services Department has expressed concern about the reduced parking provision due to potential off-site effects and cash-in-lieu of parkland is recommended where required.

Peterborough Utilities confirm that a water meter will be required and development charges are applicable for the new unit.

Enbridge Gas Distribution does not object, however, requests that the applicant contact Enbridge prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.

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 July 7, 2014. Notice of Public Meeting was issued by direct mail and by newspaper advertisement (Peterborough Examiner) on July 28, 2014. The notice complies with the requirements of the Planning Act.

Planning Staff have received comments from several area residents. The comments received from the neighbouring residents have been in objection to the proposed amendment to permit the creation of an additional dwelling unit. The general context of the objections is related to the desire of the neighbouring residents to retain the existing quality of living and tenure of the neighbourhood as owner occupied single detached residential dwelling units. Concerns related to noise, garbage, traffic and parking have been identified by those who have contacted the City as potential problems with the introduction of an additional unit with a non-resident landlord. Additional concerns regarding the temporary nature of tenants within the neighbourhood, the existing maintenance of the property and fear that the City will not address property standard issues have also been presented.

Submitted by,

Ken Hetherington  
Manager, Planning Division

Prepared by,

Caroline Kimble  
Land Use Planner

Concurred with,

Malcolm Hunt, Director  
Planning and Development Services

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**Attachments:**

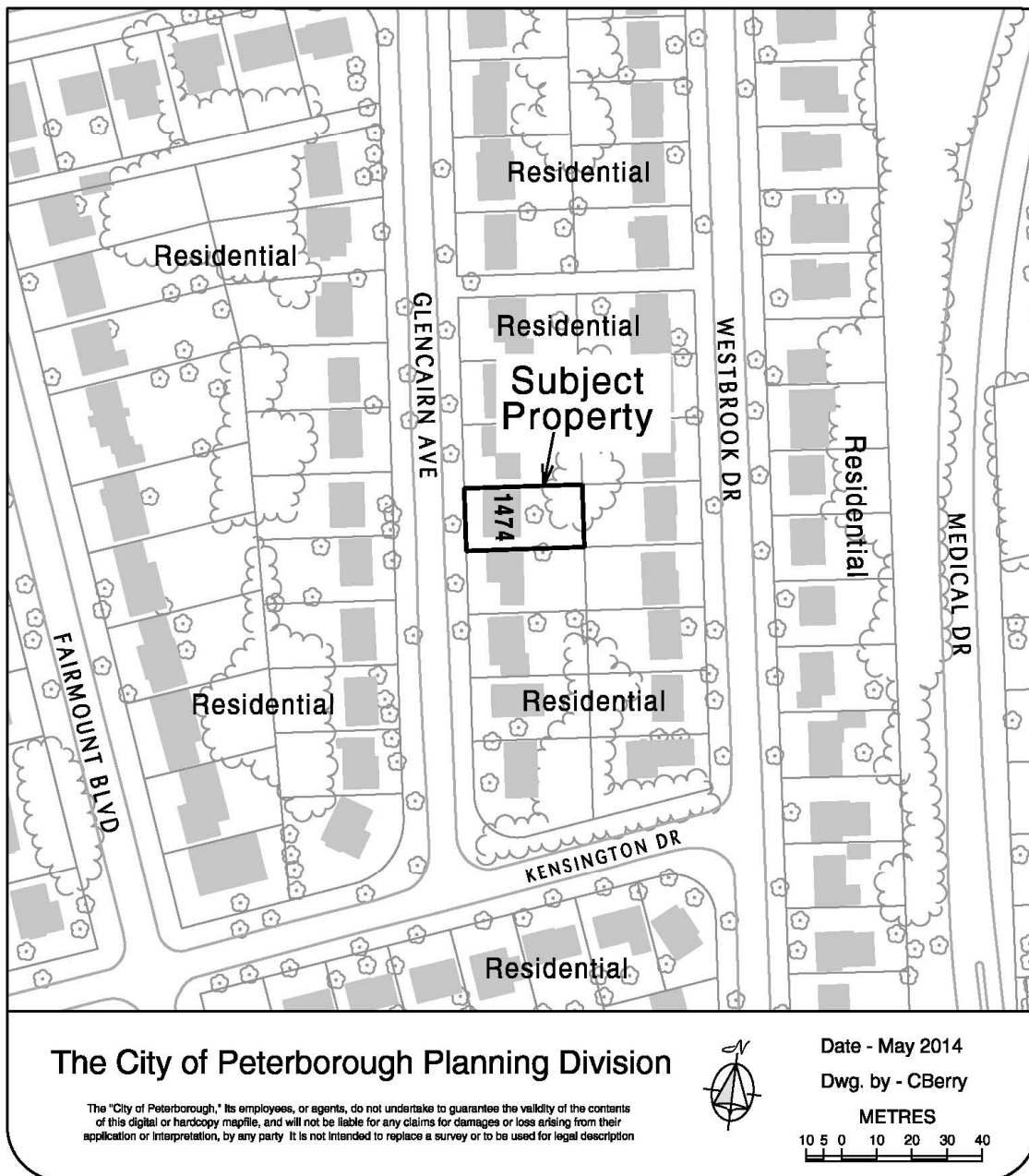
Exhibit A - Land Use Map  
Exhibit B - Concept Plan  
Exhibit C –Draft Zoning By-law

**Exhibit A, Page 1 of 1**

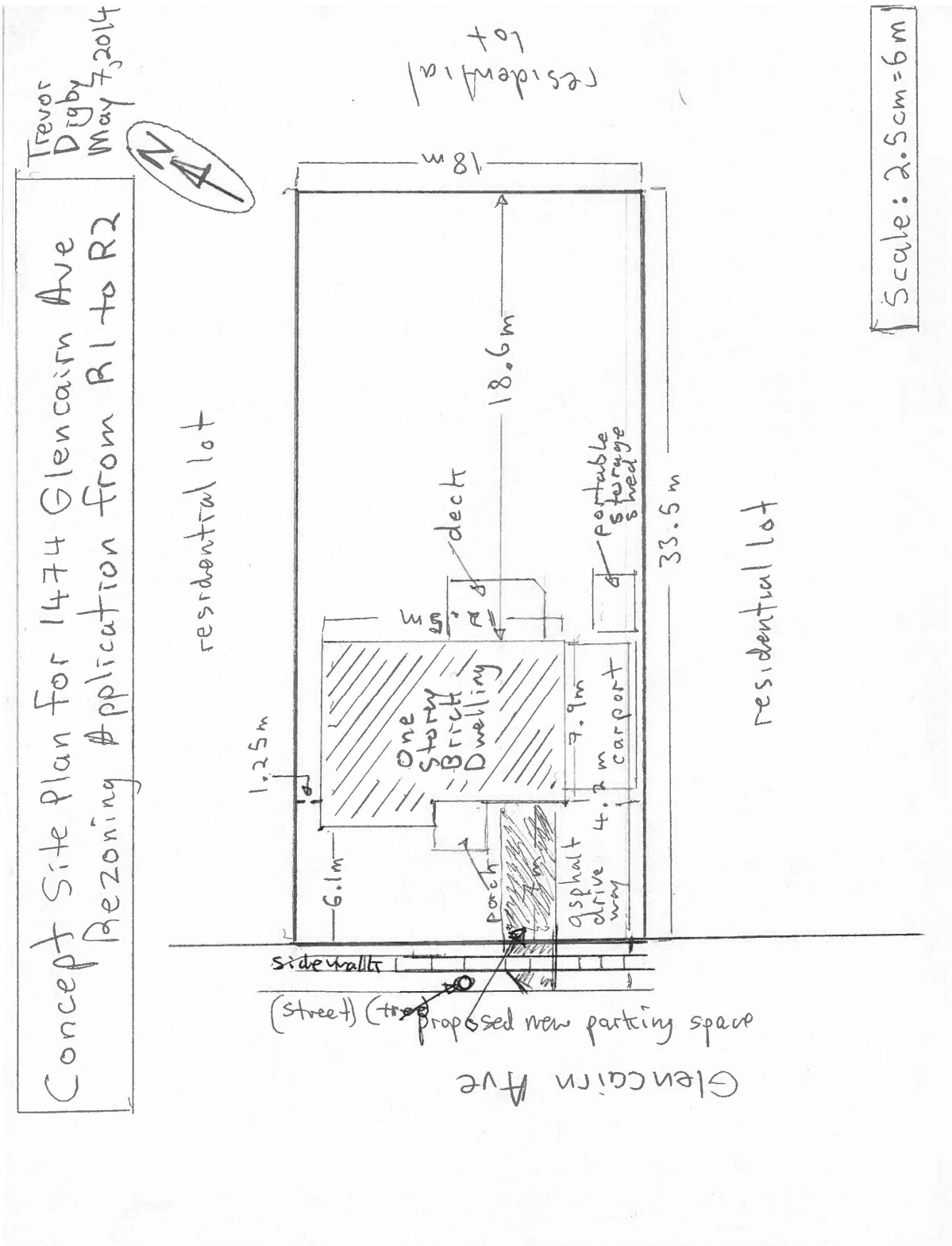
# Land Use Map

File # z1411

Property Location: 1474 Glencairn Ave



**Exhibit B, Page 1 of 1**



## Exhibit C, Page 1 of 2



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### The Corporation of the City of Peterborough

#### By-Law Number 14-

Being a By-law to amend the Zoning By-law for the property known as 1474 Glencairn Avenue

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The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. Map 10 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.2,19f-294.**
2. Section 3.9 – Exceptions, is amended by adding the following:  
  
"294. Notwithstanding the provisions of Section 6.25, a ceiling height of 0.6m above grade shall be permitted for a unit in the basement of a residential building."

By-law read a first, second and third time this day of , 2014.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk



## Exhibit C, Page 2 of 2

