



City of
Peterborough

To: Members of the General Committee

From: Blair Nelson, Commissioner, Infrastructure, Planning and Growth Management

Meeting Date: August 26, 2024

Report: Zoning By-law Amendment for 427 and 431 Raymond Street, Report IPGPL24-024

Subject

A report to evaluate the planning merits of amending the zoning of 427 and 431 Raymond Street from D.1 – Development District to R.1 – Residential District to permit a single-detached residential dwelling on each property.

Recommendations

That Council approve the recommendation outlined in Report IPGPL24-024, dated August 26, 2023 of the Commissioner, Infrastructure, Planning and Growth Management as follows:

- a) That the subject properties be rezoned from D.1 – Development District to R.1-Residential District (429 Raymond Street) and R.1-2o -H – Residential District (431 Raymond Street) in accordance with the draft amendment attached as Appendix C to Report IPGPL24-024; and
- b) That the 'H'-Holding Symbol be removed from the lands zoned R.1-2o-H (431 Raymond Street) at such time that the encroachment of the pool apron on 435 Raymond Street is resolved.

Executive Summary

- The subject parcels (Appendix A) were created as part of a Plan of Subdivision to extend Raymond Street in 2011-2012.
- At the time, both properties, along with 418 Raymond Street were impacted by a setback associated with a Controlled Access Arterial corridor and zoned 'D.1- Development District' to recognize that the two lots were entirely impacted by the setback requirement from a Controlled Access Arterial Road and were effectively undevelopable.
- The new Official Plan no longer identifies an arterial road corridor in the vicinity of the subject properties and the corridor is also no longer identified in the Transportation Master Plan. As such, both lots are no longer encumbered by the 45 metre setback from the previously planned Controlled Access Arterial road.
- The Zoning By-law Amendment will result in two lots being available for residential development.
- A slight encroachment of a concrete pool apron onto 431 Raymond Street is noted and will be addressed prior to construction of a dwelling on that lot. Staff have no objection to recommending the rezoning at this time and have noted this as an issue to resolve during the next steps of the development process.
- Staff is supportive of the Applicant's request and the request is in conformity with the Official Plan.

Background

The subject properties are located on the south side of Raymond Street, at the end of the cul-de-sac adjacent to the Parkway Trail. The properties, along with 435 Raymond Street are presently owned by the same entity. The subject properties are currently undeveloped and form part of an extended residential amenity space for 435 Raymond Street – currently supporting a lawn and basketball court. Both properties are Zoned D.1 – Development District in the City's Zoning By-law and are designated 'Residential' on Schedule B 'Land Use' of the City's Official Plan.

The applicant proposes to amend the zoning of the properties to facilitate construction of a single-detached dwelling on each parcel supported by two vehicle parking spaces. An inground pool at 435 Raymond Street has a concrete apron that extends slightly onto 431 Raymond Street. Prior to development, the slight pool apron encroachment onto 431 Raymond Street must be remedied. This will ensure that the eventual future owner of 431 Raymond Street is not impacted by this encroachment.

The subject properties were created as part of the Plan of Subdivision to extend Raymond Street in 2011-2012 and was originally zoned D.1 – Development District to respect a provision in the Zoning By-law that required an enhanced building setback adjacent to a controlled access arterial road corridor. At the time of the subdivision approval, the subject property was located entirely within the building setback. With the approval of the new Official Plan in April 2023, the proposed arterial road corridor adjacent to the subject property is no longer identified in the Official Plan. The corridor is also not identified in the recently approved Transportation Master Plan. As such, the building setback from a controlled access arterial road no longer applies.

The proposal was subject to a Pre-Consultation meeting on August 4, 2023. An application for Zoning By-law Amendment was submitted on and deemed complete on June 28, 2024.

A 'Community Notice' was sent to property owners within 120 metres of the subject property, the two ward councillors and the Mayor on March 15, 2024. The notice provided a written description of the proposal along with a copy of the concept plan. Comments received by the applicant from the public were summarized in their 'Record of Consultation with Public and Local First Nation Communities' submitted along with their application. Public comments received during the consultation primarily related to concerns about the proposed lot widths, impacts to property values, traffic congestion, on-street parking and trail access, and residents' belief that the lots were to remain undeveloped.

Notice from the applicant was also sent to local First Nations in March 2024 and at the time of submitting the application. The applicant noted that comments were either not received or indicated no concerns with the proposed application. Hiawatha First Nation had no questions or concerns regarding the proposed development.

The application was supported by the following documents:

- Planning Justification Report prepared by One Community Planning, dated June 12, 2024.
- Supplementary Memo with updated concept, prepared by One Community Planning, dated June 17, 2024.
- Record of Consultation – Raymond Street, prepared by One Community Planning, dated June 2024.
- Concept Site Plan and Conceptual Lot Adjustment, prepared by Ecoline Design Studio, dated June 17, 2024.

The concept site plan is attached as Appendix B to Report IPSPL24-024.

Analysis

City of Peterborough Housing Pledge

On November 27, 2023, Council pledged to support the construction of 4,700 new dwellings by 2031 as requested by the Minister on June 16, 2023. Provincially, municipal housing pledges are a key tool for ensuring the construction of 1.5 million new homes by 2031 to address an ongoing housing supply and affordability crisis. This development, with a proposed two residential units, is an example of the type of development that the City will need to meet its housing target.

Provincial Policy Statement, 2020 (PPS)

Any decision on the proposed Zoning By-law Amendment must be consistent with the PPS which came into effect on May 1, 2020. The PPS provides general direction to municipalities with respect to addressing matters of provincial interest in land use planning.

Section 1.1.1 of the PPS states that healthy, livable and safe communities are sustained by, among others, accommodating an appropriate affordable and market-based range and mix of residential unit types, employment, institutional, recreation, parks and open space, and other uses to meet long term needs.

Section 1.1.3 states that “settlement areas shall be the focus of growth and development” and Section 1.1.3.2 states “land use patterns within settlement areas shall be based on densities and a mix of land uses which: b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion.”

Section 1.4.3 of the PPS requires municipalities to provide for an appropriate range and mix of housing including all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3.

The subject properties are located within the City’s settlement area boundary and are serviced with full municipal services and represents an efficient use of existing building stock without the need for expansion or extension of infrastructure consistent with the directives of the PPS. Allowing the properties to be used for a single-detached dwellings will provide additional housing opportunity for the private market in the neighbourhood while utilizing the use of existing infrastructure. The dwelling is located outside of areas of flooding and natural hazard.

It is the opinion of staff that the proposed Zoning By-law Amendment is consistent with the policy direction of the PPS.

Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

Any decision on the proposed Zoning By-law Amendment must conform with the policies of the Growth Plan. The Growth Plan builds upon the policy foundation of the PPS by providing land use planning policies to address specific issues in the Greater Golden Horseshoe. The subject properties are located within the Delineated Built-Up Area as defined in the Growth Plan.

Lands within the Delineated Built-Up Area are expected to accommodate a minimum of 50% of all residential development in the City. Growth within the Delineated Built-Up Area is expected to occur on full municipal services and contribute to a complete community, designed to support healthy and active living and meet the needs of residents throughout a full life cycle.

It is the opinion of staff that the proposed Zoning By-law Amendment conforms with the policy direction of the Growth Plan.

Official Plan

The subject properties are designated 'Neighbourhoods' on Schedule 'A' – Urban Structure and 'Residential' on Schedule 'B' – Land Use to the Official Plan.

The Neighbourhood designation encourages a broad range of housing types with respect to location, size, cost, tenure, design and accessibility. Additionally, the designation encourages residential infill and intensification in residential areas where impacts can be minimized and development can efficiently utilize municipal services and facilities.

Low-rise residential development is a permitted use in the Residential designation. Low-rise residential uses shall generally be located within the interior of neighbourhoods on local and collector roads. Low-rise residential development is considered to have a maximum height of three storeys. The subject properties are located at the end of a local street on a cul-de-sac.

The Zoning By-law Amendment has the effect of permitting the proposed single-detached dwellings on lands that are municipally serviced, near schools and trails. The proposed amendment conforms to the Residential policies of the Official Plan and is compatible with neighbouring uses.

Zoning By-law

The current D.1 – Development District permits an established use, and several rural and agricultural type uses subject to large lot area regulations. This zoning district has typically been placed on lands that may have development potential in the future but conditions at the time did not permit urban development.

The applicant is proposing to change the zoning of the properties to R.1 – Residential District to permit a single-detached dwelling on the subject property. It is proposed that an Alternative Regulation “2o” for a minimum lot width of 9 metres be applied to the zoning for 431 Raymond Street to allow for a future lot line adjustment to address the pool apron encroachment at 431 Raymond Street. Planning Staff note that based on the drawings provided by the Applicant, the new lot width is shown as 9.2 metres has the possibility of being slightly wider. The applicant has sufficiently demonstrated that a functional building envelope can be established at 431 Raymond Street, however during the severance process the final lot line configuration will be confirmed to ensure the encroachment matter is resolved appropriately.

It has been determined by staff that Section 6.6 of the Zoning By-law, which regulates development on lands adjacent to controlled access arterial roads by requiring a minimum building setback of 45 metres from the centreline of the right-of-way, is no longer applicable. Since the corridor is no longer identified in the Official Plan, nor is it identified for corridor protection in the Transportation Master Plan, the setbacks and regulations in the R.1 zoning district will ensure the built form of the new units are generally consistent to the balance of lots on Raymond Street. The lots will also be zoned to permit additional residential units (ARUs), creating additional opportunities for housing, provided all technical items such as parking and Building Code matters can be satisfied.

Strategic Plan

Strategic Pillar: Growth & Economic Development

Strategic Priority: Plan for mid-density and high-density, mixed-use neighbourhoods to make the most efficient use of land and municipal services and provide affordable options for residents.

The proposed zoning by-law amendment will facilitate the development of two additional dwellings within an established, serviced subdivision and make efficient use of existing infrastructure.

Engagement and Consultation

Summary of Agency Responses

Agency circulation was issued together with the Notice of Public Meeting on July 26, 2024.

No significant concerns or comments from agencies or departments have been received as of the writing of this report.

Summary of Public Responses

In accordance with Planning Act requirements, a Notice of Public Meeting for the proposed Zoning By-law Amendment was published in the Peterborough Examiner on July 29, 2024, and was mailed to property owners within 120 metres of the site on July 29, 2024. As of the writing of this report, no written or verbal public comments have been received in response to the Notice.

Budget and Financial Implications

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

Using the 2024 rate for development charges, the proposed development would generate \$91,476 in City Development Charges (\$45,738 per lot) and \$3,120 in Education Development Charges (\$1,560 per lot).

The proposal supports the City's financial sustainability and makes more efficient use of the existing services that are established along Raymond Street. The value of increase in tax revenue is ultimately determined by the assessed value of the property which will be calculated by the Municipal Property Assessment Corporation (MPAC) once a building permit has been issued.

Conclusion

The applicant is proposing to amend the Zoning By-law to permit two infill single detached dwellings. The proposal conforms with the Growth Plan, is consistent with the PPS, and conforms with the Official Plan. Staff are in support of this proposal. The proposal will assist the City in achieving its housing pledge to provide at least 4,700 units by 2031. On that basis, staff respectfully recommends that the application be approved.

Attachments

- Appendix A: Land Use Map
- Appendix B: Conceptual Site Plan
- Appendix C: Draft Zoning By-law Amendment

Submitted by,

Blair Nelson, P.Eng.
Commissioner, Infrastructure, Planning and Growth Management

Contact Name:

Brad Appleby, RPP, MCIP
Director, Planning, Development and Urban Design
Phone: 705-742-7777 Ext. 1886
Toll Free: 1-855-738-3755
Email: bappleby@peterborough.ca

Anne Taylor Scott, RPP, MCIP
Manager, Development Planning
Phone: 705-742-7777 Ext. 1869
Toll Free: 1-855-738-3755
Email: ataylorsscott@peterborough.ca

Christie Gilbertson RPP, MCIP
Land Use Planner
Phone: 705-742-7777 Ext. 1776
Toll Free: 1-855-738-3755
Email: cgilbertson@peterborough.ca

Appendix A – Land Use Map

Land Use Map

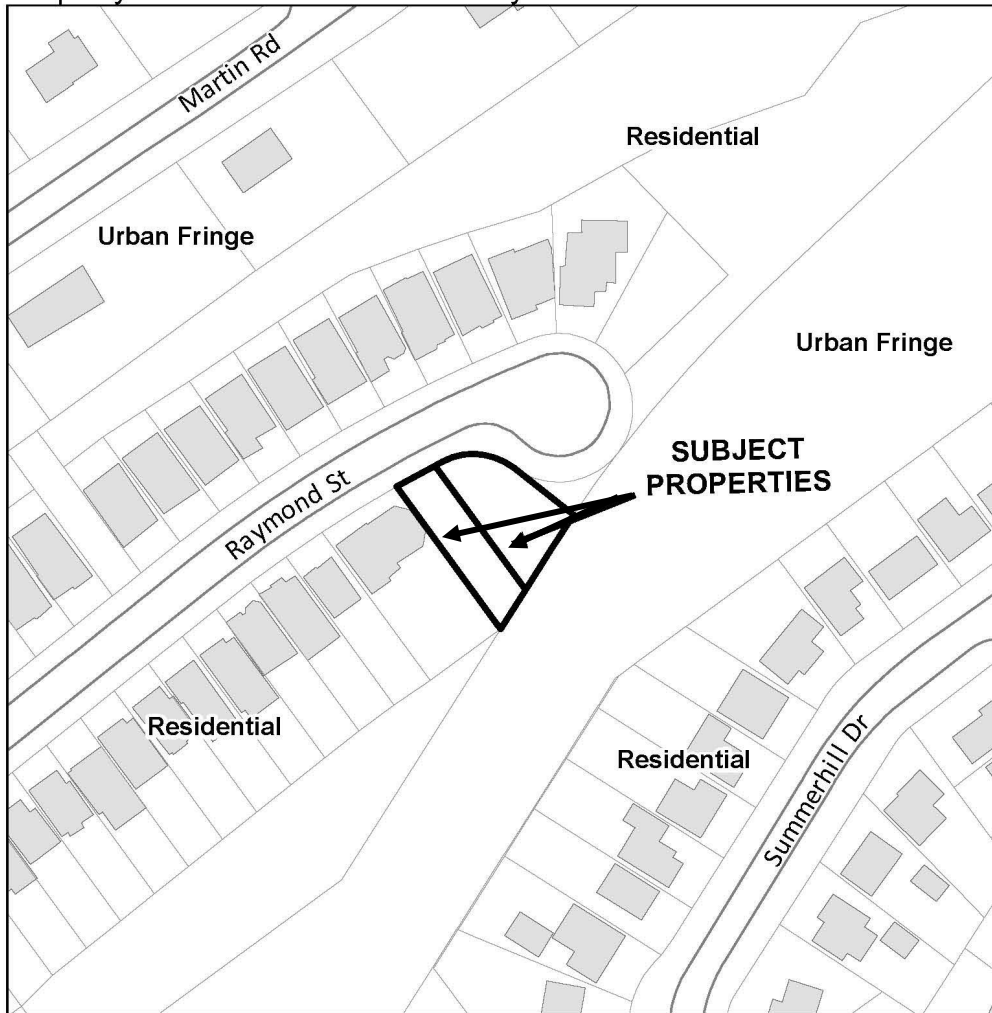
File: Z2406

Property Location: 427 and 431 Raymond St

EXHIBIT

SHEET

OF



The City of Peterborough Planning Division

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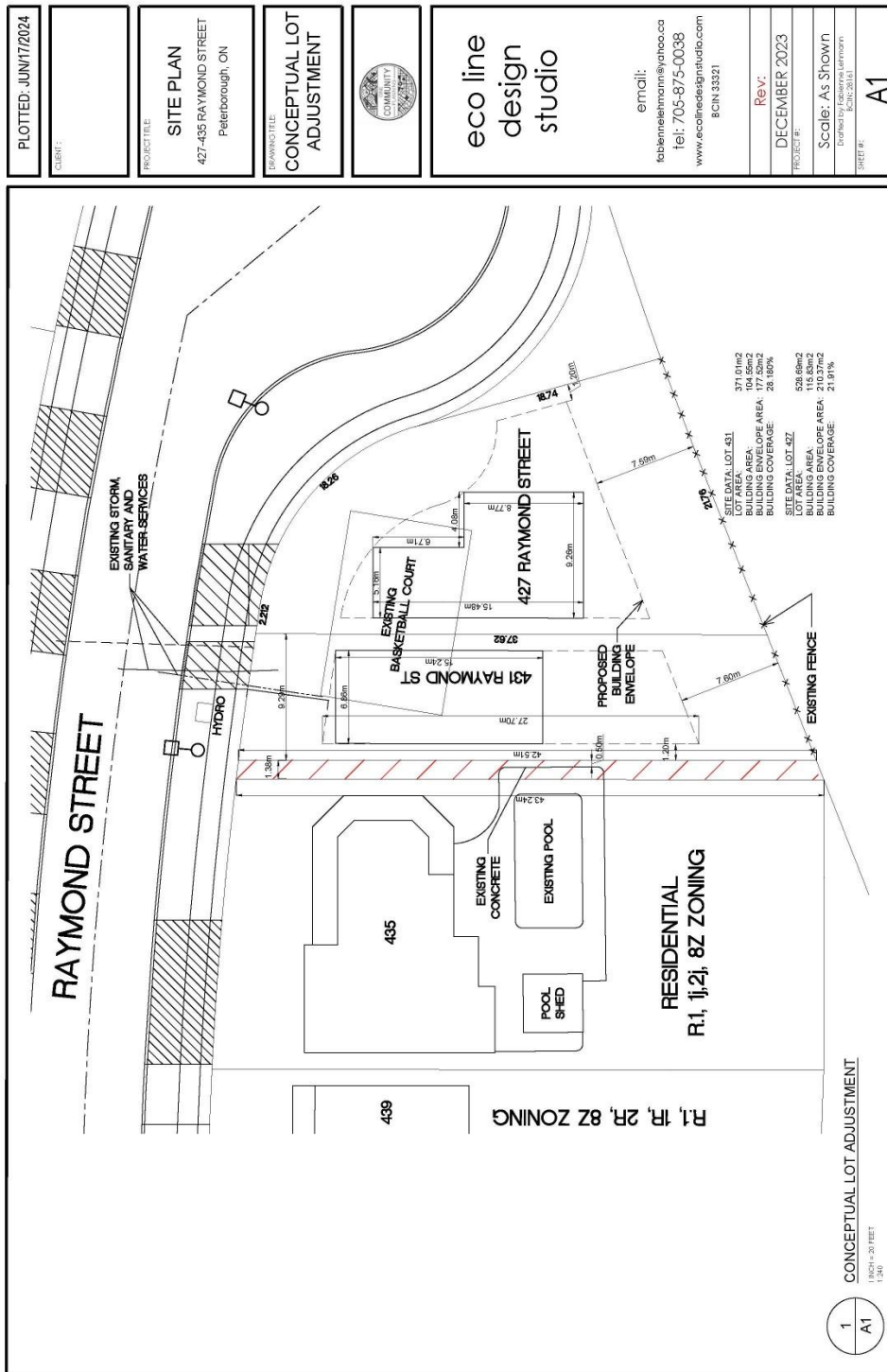


Date: July 3, 2024

Map by: AReveler

0 5 10 20 30 40 50 Metres

Appendix B – Conceptual Site Plan



Appendix C – Draft Zoning By-law Amendment, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 20-[Clerk's Office will assign the number]

Being a By-law to amend the Zoning By-law for the lands known as 427 and 431 Raymond Street

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

1. Map 6 forming part of Schedule “A” to By-law 97-123 is amended by changing the area shown on the sketch attached hereto as Scheule “A” from D.1 to R.1 and from D.1 to R.1,2o-H.
2. That the ‘H’ – Holding Symbol be removed from the lands zoned R.1,2o-H at such time that the encroachment of the pool apron on 435 Raymond Street is resolved.

By-law passed this 3rd day of September, 2024.

Jeff Leal, Mayor

John Kennedy, City Clerk

Appendix C – Draft Zoning By-law Amendment, Page 2 of 2

