



City of
Peterborough

To: **Members of the General Committee**

From: **Jeffrey Humble, Director, Planning and Development Services**

Meeting Date: **March 26, 2018**

Subject: **Report PLPD18-013**
Zoning By-law Amendment for Part of 300 Hunter Street East

Purpose

A report to evaluate the planning merits of amending the zoning on part of the property known as 300 Hunter Street East by adding PS.2 – Public Service District to the current zoning of OS.2 – Open Space District and PS.1 – Public Service District to facilitate the development of a new elementary school.

Recommendation

That Council approve the recommendation outlined in Report PLPD18-013 dated March 26, 2018, of the Director, Planning and Development Services, as follows:

That the subject property be rezoned from OS.2 – Open Space District and PS.1 – Public Service District to OS.2, PS.1, PS.2 – Public Service District in accordance with Exhibit 'C' attached to Report PLPD18-013.

Budget and Financial Implications

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

Background

300 Hunter Street East is home to the Peterborough Museum and Archives. The property encompasses much of Armour Hill and all of Ashburnham Memorial Park and Rube Brady Park. The property is located adjacent to the Trent-Severn Waterway and Peterborough Liftlock to the east, and King George Public School to the southwest. The property is heavily treed along the east, north and northwest slopes of Armour Hill.

The Kawartha Pine Ridge District School Board (the Board) is planning to close Armour Heights Public School and King George Public School and to replace them in a new school to be built on the King George Public School property located at 220 Hunter Street East.

On March 6, 2017, Council authorized staff to negotiate the conveyance of approximately 0.7 ha (1.75 acres) of land from the Museum property to the Board. The proposed conveyance, as described in Report CSD17-005 dated February 27, 2017 to the Committee of the Whole, is intended to allow a new school to be built on flatter land along the brow of Armour Hill while at the same time enabling the existing King George Public School building to remain in place for adaptive re-use.

The land that is proposed to be conveyed is located south and west of the Museum's Curatorial Centre, adjacent to the existing King George Public School property, Hunter Street, and Museum Drive. As depicted in a conceptual site plan attached hereto as Exhibit B, the additional property would allow for the construction of a driveway off Museum Drive to access the proposed parking lot at the southeast corner of the existing school property.

Currently, staff is working collaboratively with the Board to facilitate their submission of an application for Site Plan Approval for the proposed elementary school and to finalize the terms of a property transfer from the City to the Board.

The existing King George Public School property is zoned PS.2 – Public Service District. The developed portion of the Peterborough Museum and Archives Property, on the other hand, is zoned OS.2 – Open Space District and PS.1 – Public Service District. In order to allow a portion of the City's property to be conveyed and used for school purposes, the subject lands must be re-zoned to PS.2.

Presently, the final configuration of the planned land conveyance has not been determined and will not be determined until the Board's land needs are confirmed through a forthcoming Site Plan Approval process. Accordingly, to ensure that proper zoning is in place when the required land conveyance has been finalized, the City is proposing to add the PS.2 zoning district to the existing OS.2 and PS.1 zoning on the developed portion of the Museum property.

Analysis

a) Official Plan

The subject property is designated as Major Open Space on Schedule A – Land Use of the Official Plan and as Natural Areas and Corridors on Schedule C – Natural Areas and Flood Plains.

Presently, the City is proposing to expand the range of permitted Public Service uses on the developed portion of the Museum property in order to facilitate a small land conveyance and the construction of a new elementary school. Section 3.1.1 of the Official Plan states that schools will be permitted in all land use areas on Schedule A provided that the use is necessary or essential and that the installation can be made compatible with adjacent properties and the neighbourhood.

In staff's opinion, the pending closure of two elementary schools in the immediate neighbourhood necessitates the construction of a new school in the neighbourhood. Furthermore, the construction of a new school on an existing school property will maintain compatibility with adjacent properties and the neighbourhood. The proposed conveyance of land to the Board will help improve vehicular and bus circulation to the new school by giving vehicles an opportunity to enter the site away from Hunter Street.

Section 3.3.7 of the Official Plan requires the completion of an Environmental Study for any application proposing new development or site alteration on lands identified as Natural Core Areas and Corridors on Schedule C. Armour Hill is designated as a Natural Area and Corridor on Schedule C.

Additionally, Section 3.3.7 provides Council the flexibility to reduce the required content of an Environmental Study as recommended by staff in consultation with the Otonabee Region Conservation Authority (ORCA) where a development proposal is of small scale and the impact on the natural feature of interest is minor and can be mitigated.

To address the Official Plan policy, the City has retained Beacon Environmental who has completed a Natural Heritage Feature Review of the subject property and is currently completing additional work in consultation with ORCA to finalize an Environmental Study for the property.

The area being considered for conveyance to the Board has some woodland cover including a hedgerow between the existing King George School and the Museum's Curatorial Centre, and a treed area along the west side of Museum Drive. The area, however, is relatively isolated from the larger areas of woodland cover on Armour Hill by Museum Drive and the Museum itself.

Beacon's work notes that the area is dominated by non-native and invasive tree species and that it is too small to be considered a significant woodland on its own. Furthermore, Beacon has concluded that the area is unlikely to support species at risk and that any loss of ecological function caused by the removal of trees at this location can be compensated by planting new native trees and shrubs in the immediate vicinity.

Based on comments received from ORCA, Beacon is conducting additional work to evaluate the area's ecological relationship to the remainder of the woodland areas on Armour Hill and to assess the potential for significant wildlife habitat on the remainder of the Museum property. This work will be complete before the approval of any Site Plan application for the proposed school.

In staff's opinion, the proposed Zoning By-law amendment to expand the range of permitted Public Service uses on the developed portion of the Peterborough Museum and Archives property is consistent with 3.1.1 of the Official Plan. Furthermore, because Zoning By-law amendment is being conducted in anticipation of a future land conveyance to the Board that will also require Site Plan Approval, it is staff's opinion that the work completed by Beacon Environmental to date meets the intent of Section 3.3.7 for this application. The additional work being conducted by Beacon, in staff's opinion, must be completed before the City can grant Site Plan Approval to the proposed school and convey the subject land to the Board.

b) Zoning By-law

The subject property is zoned OS.2 – Open Space District and PS.1 – Public Service District (see Exhibit A).

To facilitate the possible conveyance of a portion of the Museum property to the Board as authorized by Council in 2017, the City is proposing to add the PS.2 district to the developed portion of the property. Adding PS.2 to the existing zoning will expand the range of permitted uses on the City property to include a school and will ensure that the proper zoning is in place to facilitate construction of a new school should the City convey land to the Board for that purpose.

In staff's opinion, the proposed Zoning Amendment complies with the intent and purpose of Section 3.1.1 and 3.3.7 of the Official Plan.

c) Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 (PPS) prohibits development and site alteration within or adjacent to significant woodlands and significant wildlife habitat unless the ecological function of the feature and adjacent lands has been evaluated and it has been demonstrated that no negative impact will occur on the feature and its ecological function. Furthermore, the PPS prohibits development and site alteration within habitat of

endangered and threatened species except in accordance with provincial and federal requirements.

In staff's opinion, the work that has been completed to date demonstrates that the proposed school location is not located within a significant woodland, significant wildlife habitat, and likely not in the habitat of endangered and threatened species. The additional work currently being conducted by Beacon will confirm whether the proposed use of City property for school purposes will have an impact on adjacent woodlands and wildlife habitat, and threatened or endangered species known to frequent the area.

Because the use of the subject lands for school purposes can not occur until Site Plan Approval has been granted and the lands have been conveyed to the Board, staff is satisfied that the proposed Zoning By-law Amendment is consistent with the PPS. Prior to the issuance of Site Plan Approval and prior to the conveyance of lands to the Board, the City and ORCA must be satisfied that the proposed development will not have a negative impact on significant woodlands, significant wildlife habitat, or on the habitat of threatened or endangered species.

Response to Notice

a) Agency Responses:

Agency circulation was issued on January 29, 2018.

The County of Peterborough, Enbridge Gas Distribution, Peterborough Utilities Commission, Peterborough Economic Development and the Peterborough Fire Service have all indicated no objection to the proposed rezoning.

Peterborough Distribution Inc. advised that electrical service for the new school will come from Armour Road.

ORCA has not raised any objections to the proposed rezoning however ORCA did provide advice on Natural Heritage Review completed to date and scoping for additional work required to complete an Environmental Study to address City and Provincial planning policy. The City is currently working with ORCA to ensure these comments are addressed prior to the issuance of Site Plan Approval and prior to any land conveyance to the Board.

The Utility Services Department (USD) has reviewed a Traffic Study prepared by LMM Engineering Inc. dated February 8, 2018 and advises that traffic impacts are anticipated with the proposed school use. In particular, USD notes the following issues based on the existing condition of Museum Drive and Hunter Street:

- Deficient sight lines at the conceptual entrance to the new school from Museum Drive;
- Limited space on Museum Drive for layby parking and bus queuing;
- Deficient sight lines at the intersection of Museum Drive and Hunter Street; and
- Difficulty for buses turning right from Hunter Street onto Museum Drive.

USD has advised that it may be necessary to restrict left turns from Museum Drive to Hunter Street. If this occurs, City buses may no longer be able to provide service directly to the Peterborough Museum and Archives as they currently do.

All traffic-related issues will need to be investigated and addressed at the Site Plan Approval stage. In accordance with the City's Site Plan Control By-laws 1985-211 and 11-081, Council will be the approval authority for any Site Plan application made for the proposed school.

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 and Public Meeting was issued on February 26, 2018 by newspaper advertisement (Peterborough Examiner) and by direct mail. The notice complies with the requirements of the **Planning Act**.

No written comments have been received as of March 1, 2018.

The City has received a telephone message expressing concern with the Board's concept proposal to create an entrance off of Museum Drive to access the proposed school as depicted in Exhibit B. In particular, the caller felt that adding traffic to Museum Drive will create difficulties for the Peterborough Museum and Archives during the morning and afternoon school bell times that an entrance of Museum Drive would create conflict between school buses and cars, and that such an entrance is physically not feasible and would create a safety hazard.

Details regarding access to the proposed school will need to be addressed at the Site Plan stage.

Submitted by,

Jeffrey Humble, MCIP, RPP
Director, Planning and Development Services

Contact Names:

Ken Hetherington
Manager, Planning Division
Phone: 705-742-7777, Ext. 1781
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: khetherington@peterborough.ca

Brad Appleby
Planner, Subdivision Control and Special Projects
Planning & Development Services
Phone: 705-742-7777, Ext. 1886
Toll Free: 1-855-738-3755, Ext. 1886
Fax: 705-742-5218
E-Mail: bappleby@peterborough.ca

Attachments:

Exhibit A – Land Use and Zoning Maps
Exhibit B – Concept Site Plan
Exhibit C – Draft Zoning By-law

Exhibit A, Land Use and Zoning Maps, Page 1 of 2

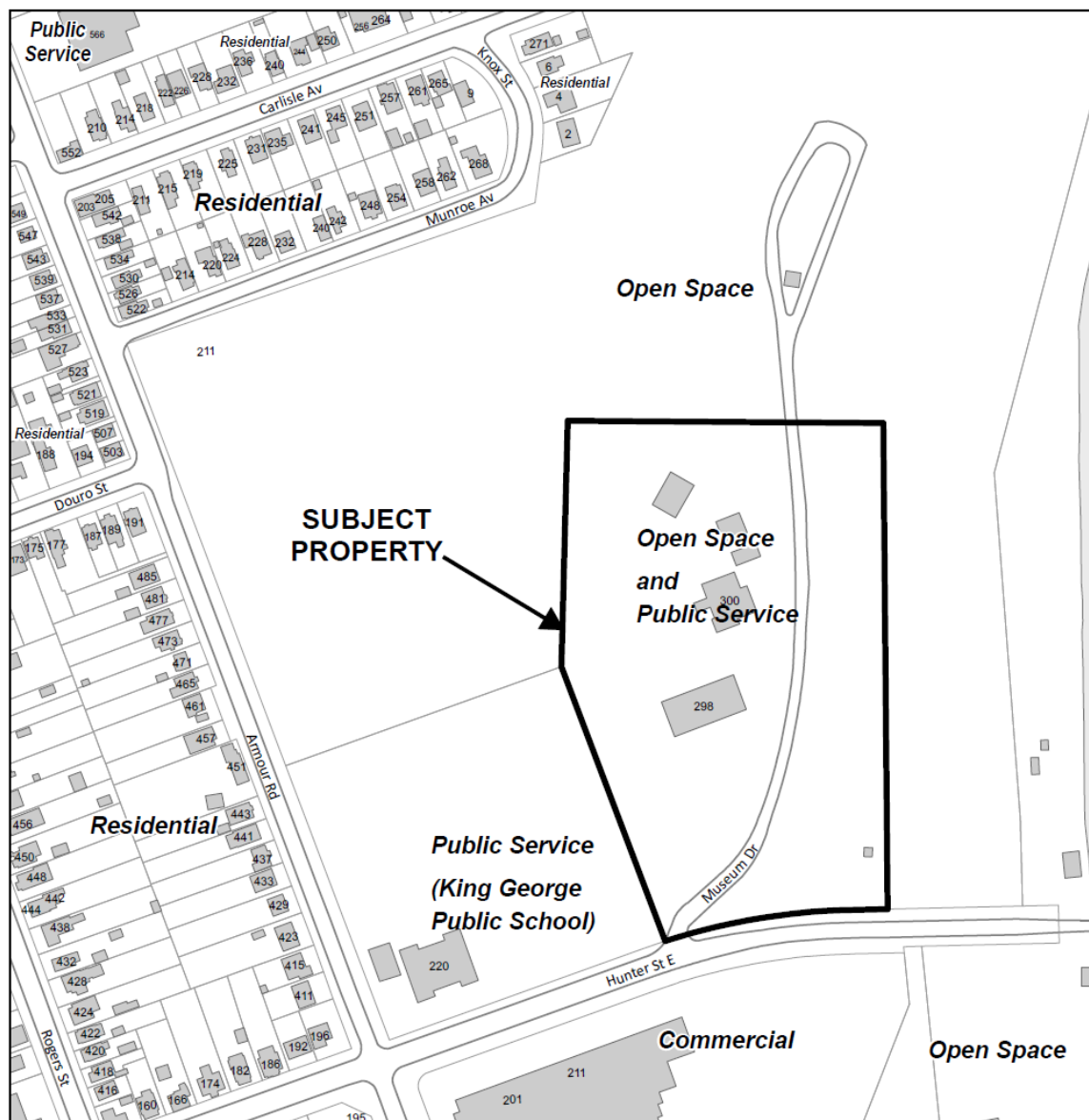
Land Use Map

File: Z1718

Property Location: Part of 300 Hunter St E

EXHIBIT

SHEET OF



The City of Peterborough Planning Division

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Date: February 20, 2018

Map by: Jellis

0 20 40 80 120 Metres

Exhibit A, Land Use and Zoning Maps, Page 2 of 2

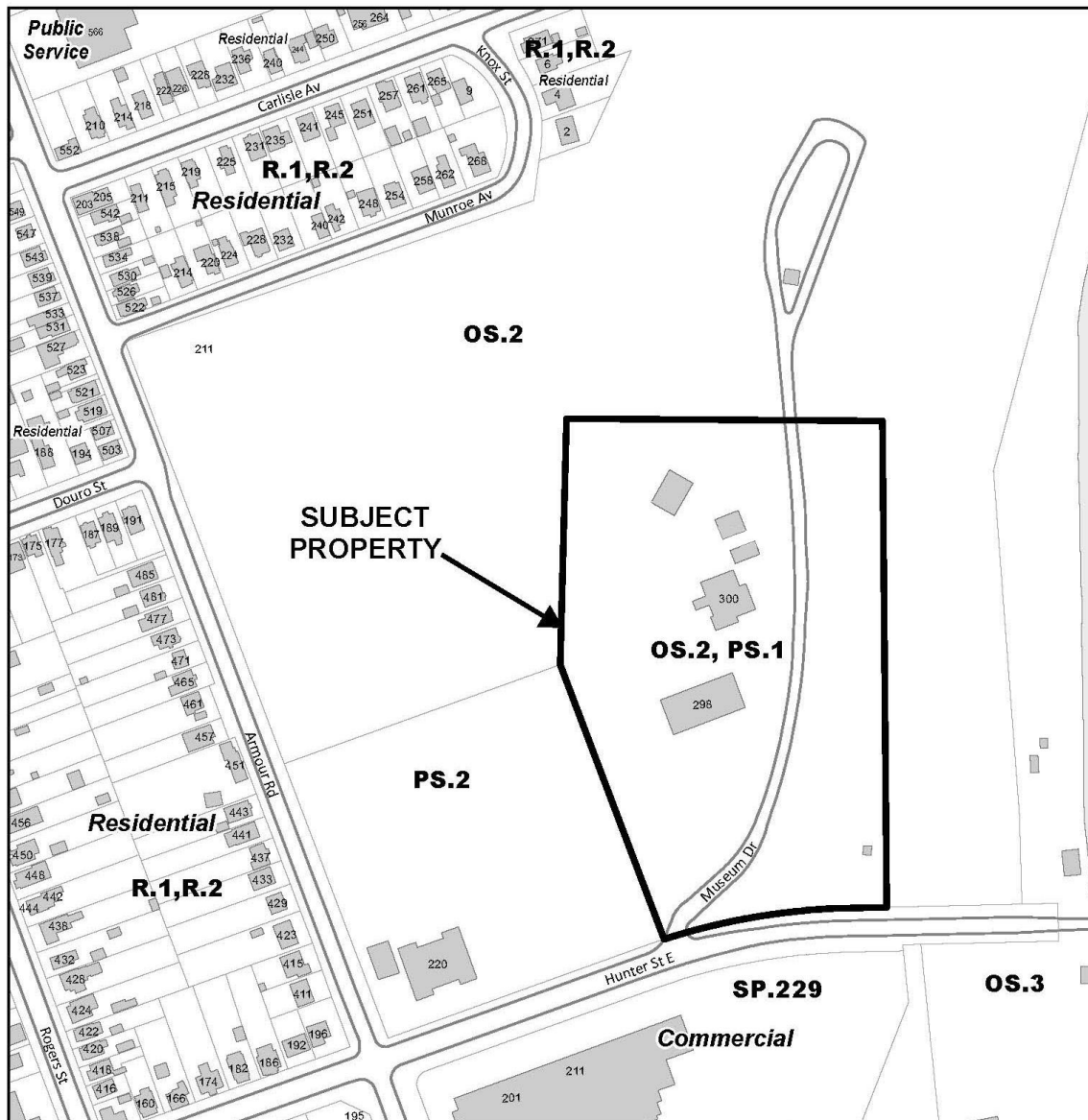
Current Zoning Map

File: Z1718

Property Location: Part of 300 Hunter St E

EXHIBIT

SHEET OF



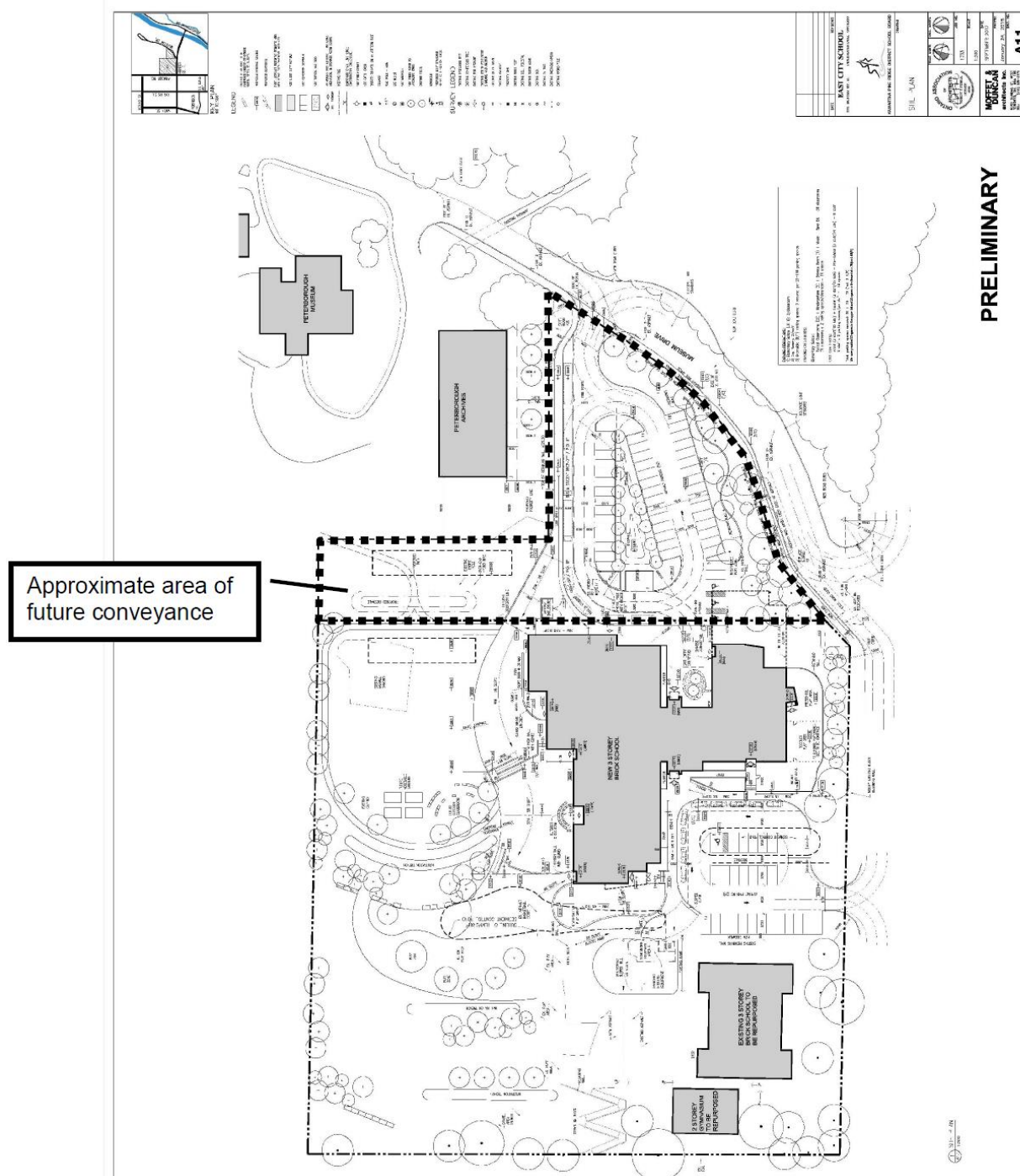


Exhibit C, Draft Zoning By-law, Page 1 of 2



The Corporation of the City of Peterborough

By-law Number 18-XXX

Being a By-law to amend the Zoning By-law for a portion of the lands known as 300 Hunter Street East

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

That Map 13 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 the OS.2 – Open Space District and PS.1 – Public Service District to OS.2,PS.1,PS.2 – Public Service District.

By-law read a first, second and third time this day of , 2018.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit C, Draft Zoning By-law, Page 2 of 2

