



City of
Peterborough

To: **Members of the Planning Committee**

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

Meeting Date: **October 5, 2015**

Subject: **Report PLPD15-049**
1180 High Street

Purpose

A report to evaluate the planning merits of amending Schedule 'E' – Residential Density of the Official Plan to designate the property known as 1180 High Street as 'Medium Density Residential' and to amend the Zoning By-law from the R.1 – Residential District to the SP.362 – Special Residential District, to permit the redevelopment of the lands to support up to 40 dwelling units within a mix of row dwellings and a 3 storey apartment building with associated parking and landscaping.

Recommendations

That Council approve the recommendations outlined in Report PLPD15-049 dated October 5, 2015, of the Manager, Planning Division, as follows:

- a) That the subject property be rezoned from R.1 – Residential District to SP.362-'H' - Special Residential District in accordance with Exhibit 'D' attached to Report PLPD15-049.
- b) That the 'H' Holding Symbol be removed at such time as the following have been addressed:
 - i) Any necessary off site easements;
 - ii) Submission of a Stage 1-2 archaeological assessment;
 - iii) Downstream sewer capacity is confirmed and a storm sewer/drainage solution is approved by the City as part of the Site Plan Approval;

- iv) Site Plan Approval which will include a grading plan that will respect the future urbanization of High Street and either construction of a sidewalk along the High Street frontage or a financial contribution toward a future sidewalk.

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 infill housing policies of the Residential designation encourage residential intensification "to increase the supply of housing through better use of existing resources, buildings and under-utilized sites." The impacts of the intensification of the subject lands can be minimized and the development can efficiently utilize existing municipal servicing and facilities. The application demonstrates the ability of the site to fit within the character of the area. Adequate parking will be provided in accordance with the minimum standards of the Zoning By-law to ensure limited off site impacts.

The proposed building respects the scale and physical characteristics of existing development in the surrounding neighbourhood.

Background

The subject applications were received on April 10, 2015, deemed to be complete as of May 8, 2015, and were 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 7, 2015 if Council has not made a decision. The applicants requested that consideration of the application be postponed to the October 5, 2015 Planning Committee Meeting.

The subject property is a vacant parcel, approximately 0.7 ha. (1.7 ac.) in size, located on the east side of High Street, between Sherbrooke Street and Frank Street, opposite Third Avenue. The lands abut the property supporting the water tower owned by Peterborough Utilities along High Street and Grandview Avenue to the north.

The applicant intends to develop the property for medium density residential uses and associated landscaping and parking, with a mix of two storey townhomes and a 3 storey apartment building, for a maximum of up to 40 dwelling units. A site specific zoning category is proposed to accommodate the proposed use.

The application also proposes to provide 65 on-site parking spaces, including a minimum of 3 accessible spaces.

The applicant expressed a willingness to work with the abutting neighbours at the Site Plan Approval stage to address details of the proposed development including lighting, buffering and landscaping.

The application is supported by a Traffic Impact Study prepared by Tranplan Associates, dated October 2014 and reviewed by the City's Transportation Division of the Utility Services Department. The Traffic Impact Study concludes that the impact of the proposed residential development is considered minimal and that "High Street, in its current condition, will have sufficient residual capacity at the study site driveway entrances to accommodate future growth in site and background traffic beyond the 2019 planning horizon." The Transportation Division agrees with the conclusions of the Traffic Impact Study.

A Functional Servicing Report was also submitted with the application, prepared by D.M. Wills Associates Limited, dated August 2014 assessing the sanitary sewer capacity and concludes that the proposed 40 unit development can be serviced by the existing sanitary sewer located within the Grandview Avenue Right of Way and that a downstream capacity analysis is required to confirm sufficient available capacity to support the proposed development. Water servicing is proposed via a connection to the water service along High Street. Stormwater management, including water quantity and quality control is proposed to be provided via parking lot storage and underground storage with oil/grit separators. The report proposes an easement through the adjacent lands to the east (owned by GE) to facilitate stormwater to Monaghan Road. A formal easement will be required to direct the water through private property. The report has been reviewed by the City's Utility Services Department and will be refined at the Site Plan Approval stage.

The Utility Services Department has indicated that this development will likely trigger the demand and construction of a sidewalk along the east side of High Street, subject to approvals of this budget amount.

The application is supported by a Concept Site Plan, prepared by Aside Architects.

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 intensification and infill housing evaluation criteria of Section 4.2.5.7 of the City of Peterborough Official Plan.

The proposal to develop the lands for a 40 unit residential apartment building with associated parking and landscaped area, respects the objectives of the infill and 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 52 units per hectare (21 units per acre). The Official Plan policies support infill housing, up to a maximum of 75 units per hectare in a suburban location (30 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 property is located in an area well served by parks and schools. The use of the property for parking and the ratio of hard surface and green space is consistent with the other medium density developments and appropriate within the neighbourhood. Municipal services are available to service the site, subject to an easement to address stormwater management of the lands. Downstream capacity must be confirmed to ensure adequacy of the municipal services for the proposed development. It is anticipated that the easement through the adjacent GE property to Monaghan Road is a viable option for stormwater drainage. A long term easement agreement will be required to ensure appropriate stormwater management of the lands.

b) Zoning By-law

The subject property is currently zoned R.1 – Residential District, permitting single detached residential dwellings only. The proposed SP.362-‘H’ - Residential District will permit the use of the property for a combination of townhouse dwellings and a multi-unit residential apartment building with a maximum of 40 units.

The subject property requires site specific regulations to limit the total number of proposed units. The proposed zoning permits up to 40% of the property to be covered by buildings with setbacks of 6m from lot lines, save and except the rear yard setback proposed at 4.5m adjacent to the rear lot line adjacent to the school and the GE property to the east. The concept plan illustrates the ability of the property to support 65 parking spaces, including the garage parking for the proposed townhouse units, with an emergency access connection to Grandview Avenue to the north. The principle access is

proposed from High Street, opposite the Third Avenue connection. A ratio of 1.75 parking spaces per unit is proposed in accordance with the Zoning By-Law.

A minimum lot area per unit of 200 square metres exceeds the minimum of 185 square metres per unit that is typical in the R.4 – Residential District. This will ensure compatibility with adjacent lower density residential uses and will limit the total number of units permitted on the property. A maximum height of 2 storeys for townhouse dwellings and 3 storeys for the proposed apartment dwelling will also ensure that the height and massing of the buildings will be compatible with the neighbourhood.

Planning Staff is satisfied that the provision for minimum lot area per unit of 200 square metres per dwelling unit will limit the total number of units for the property to 40. The lot area per unit exceeds the established regulation of the typical R.4 – Residential District which is 185 square metres per dwelling unit. Based on the concept plan the lot coverage for parking and driveway areas facilitates will approximate 30% of the lot which is within a reasonable amount to 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.

The amendment proposes to permit the use of the site for a mix of townhomes and a multi unit residential building with a total of 65 parking spaces, providing a ratio of 1.6 parking spaces per unit. The applicant has revised the concept plan to demonstrate compliance with the minimum parking ratio of 1.75 spaces per unit, or a total of 73 parking spaces. The revised plan is attached as Exhibit B to Report PLPD15-049.

The development is subject to Site Plan Approval. An 'H' Holding Symbol is proposed to be included in the zoning to address the following:

- i. Any necessary off site easements;
- ii. Submission of a Stage 1-2 archaeological assessment;
- iii. Downstream sewer capacity is confirmed and a storm sewer/drainage solution is approved by the City as part of the Site Plan Approval;
- iv. Site Plan Approval which will include a grading plan that will respect the future urbanization of High Street and either construction of a sidewalk along the High Street frontage or a financial contribution toward a future sidewalk.

Response to Notice

a) **Significant Agency Responses:**

Agency circulation was issued on May 28, 2015.

The City's Utility Services Department indicated no objection to the rezoning request subject to the following:

- i) submission of a downstream sanitary servicing capacity analysis to confirm sufficient capacity in the trunk sanitary sewer
- ii) either confirmation from the affected landowners that the storm sewer easements can be obtained or the provision of a 'H' Holding Symbol subject to securing a storm sewer / drainage easement
- iii) justification in the slight shortfall of on site parking; clarification of the property boundary; and cash in lieu of parkland, where required.

Further comments have also been provided to the application for consideration at the Site Plan Approval stage.

The Transportation Division of Utility Services Department has reviewed the traffic study and concur with the analysis and recommendations. Several recommendations have been forwarded to the applicant in addition to the recommendations included within the Traffic Study, to be addressed at Site Plan Approval stage, including confirmation of conformity of the High Street entrance with Transportation Association of Canada (TAC) design standards; ensure internal roadway is private road; adequate parking in accordance with the Zoning By-law; incorporation of sidewalk connections into and through the site from High Street and Grandview Avenue; the developer construct a sidewalk along the High Street frontage or make a financial contribution; and the developer contribute to the construction of a sidewalk connection along High Street from the site to Sherbrooke Street. The grading plan for the site must take into consideration the future urbanization of High Street. The developer's Development Charge payment will satisfy the requirement for the contribution to the construction of the sidewalk to Sherbrooke Street.

Peterborough Utilities commented with a note that due to the high ground, water pressure will be on the low side and as such, the developer is to design the water supply accordingly. From an electrical perspective, the PUC advises that a registered easement adjacent to the lands for electrical servicing is required to be maintained and accessed via the subject land. If electric heat is provided, it is to be metered separately and the proposed easterly building shall have a minimum 4m horizontal separation from the overhead wires.

The City's Community Services Department advises that the property is in an area having medium potential for the presence of archaeological resources and a Stage 1-2 archaeological assessment is required, in keeping with City policy.

Hiawatha First Nation has requested a copy of any archaeological assessment and/or any environmental impacts, should they occur.

The Kawartha Pine Ridge District School Board indicate no objection to the applications, and request that sidewalks along the internal street and a sidewalk connection to the Prince of Wales School be considered at Site Plan Approval stage.

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 September 8, 2015 by direct mail and by newspaper advertisement (Peterborough Examiner). The notice complies with the requirements of the *Planning Act*.

The applicant hosted a neighbourhood meeting at the Royal Gardens Retirement Residence on Wednesday July 15, 2015 to introduce the project to the neighbours. Approximately 26 neighbours attended the meeting. Concerns were expressed regarding the lack of sidewalks along High Street and the dangerous conditions for pedestrians on this stretch of the street, together with concerns about the road conditions, road width, potential traffic created by the proposed development and the impact on neighbouring property values. There were also questions regarding the expected timeframe for construction, impacts of construction on the neighbourhood, sewage, water and stormwater management details, adequacy of site parking and impact of the change of land use for the school children in the adjacent school (Prince of Wales).

Several phone calls and two written submissions were received from residents of the area. Concerns expressed include additional traffic along High Street and the loss of an extended play space for the students of Prince of Wales school, as well as concerns with the proposed connection to Grandview Avenue. Objection to the density of the proposal; potential for sewage backups for properties on Grandview Avenue; increased pedestrian traffic on the laneway between Kenneth and Grandview Avenue; and the proposed driveway connection to the lands from Grandview Avenue and the potential for it to become a future short cut if the emergency access gate/chain is removed, have been expressed by a neighbour on Grandview Avenue. The neighbour also expressed concern with construction equipment utilizing the Grandview Avenue entrance and the potential conflict with children attending the school and/or the snow hill at Prince of Wales school.

No further written comments have been received as of September 22, 2015.

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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Attachments:

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

Exhibit A, Page 1 of 1

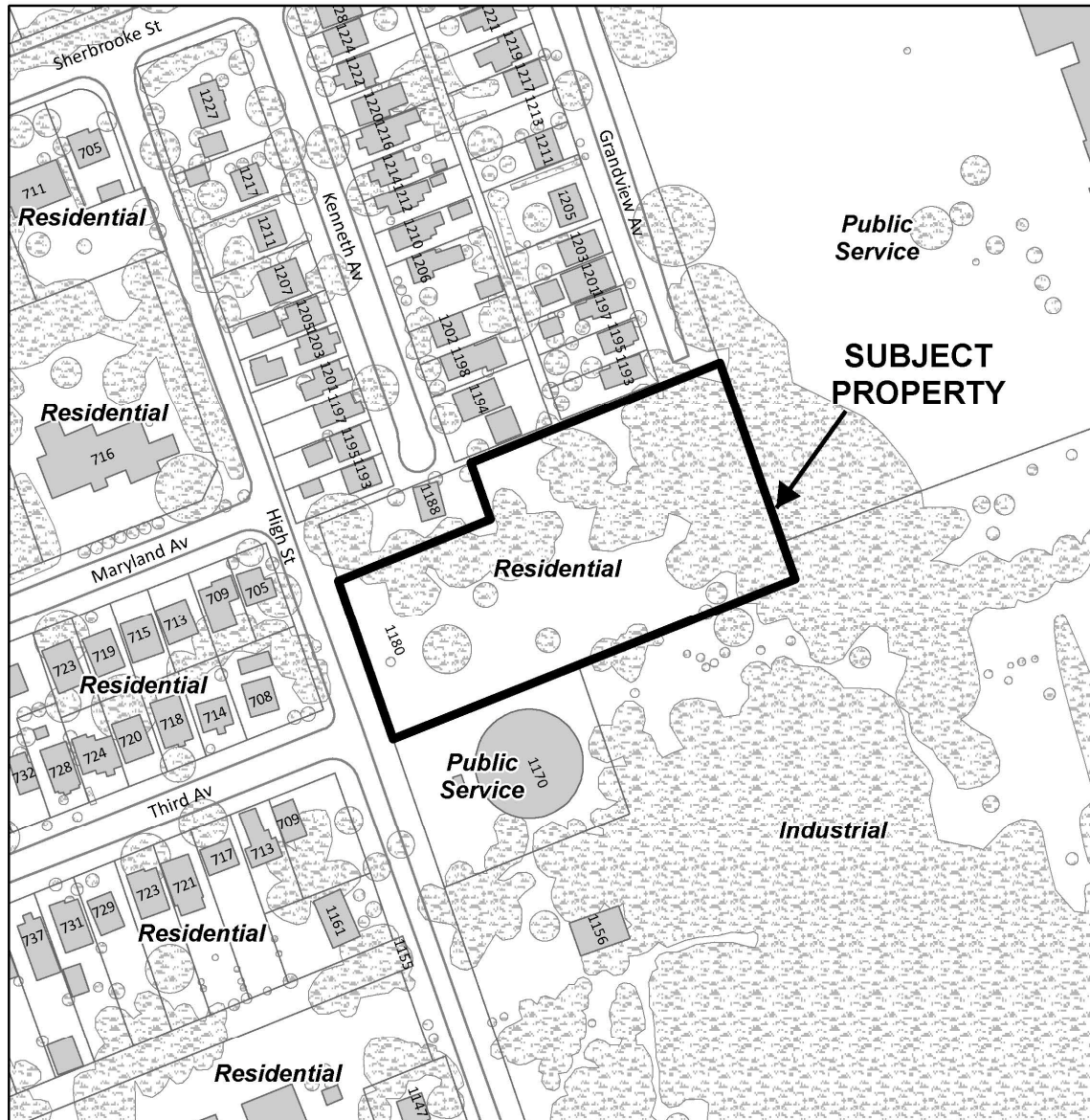
Land Use Map

File: O1502 & Z1504

Property Location: 1180 High St

EXHIBIT

SHEET OF



The City of Peterborough Planning Division

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.



Date: June 22, 2015
Map by: CSandanayake
0 5 10 20 30 40 50
Metres

Exhibit B, Page 1 of 1

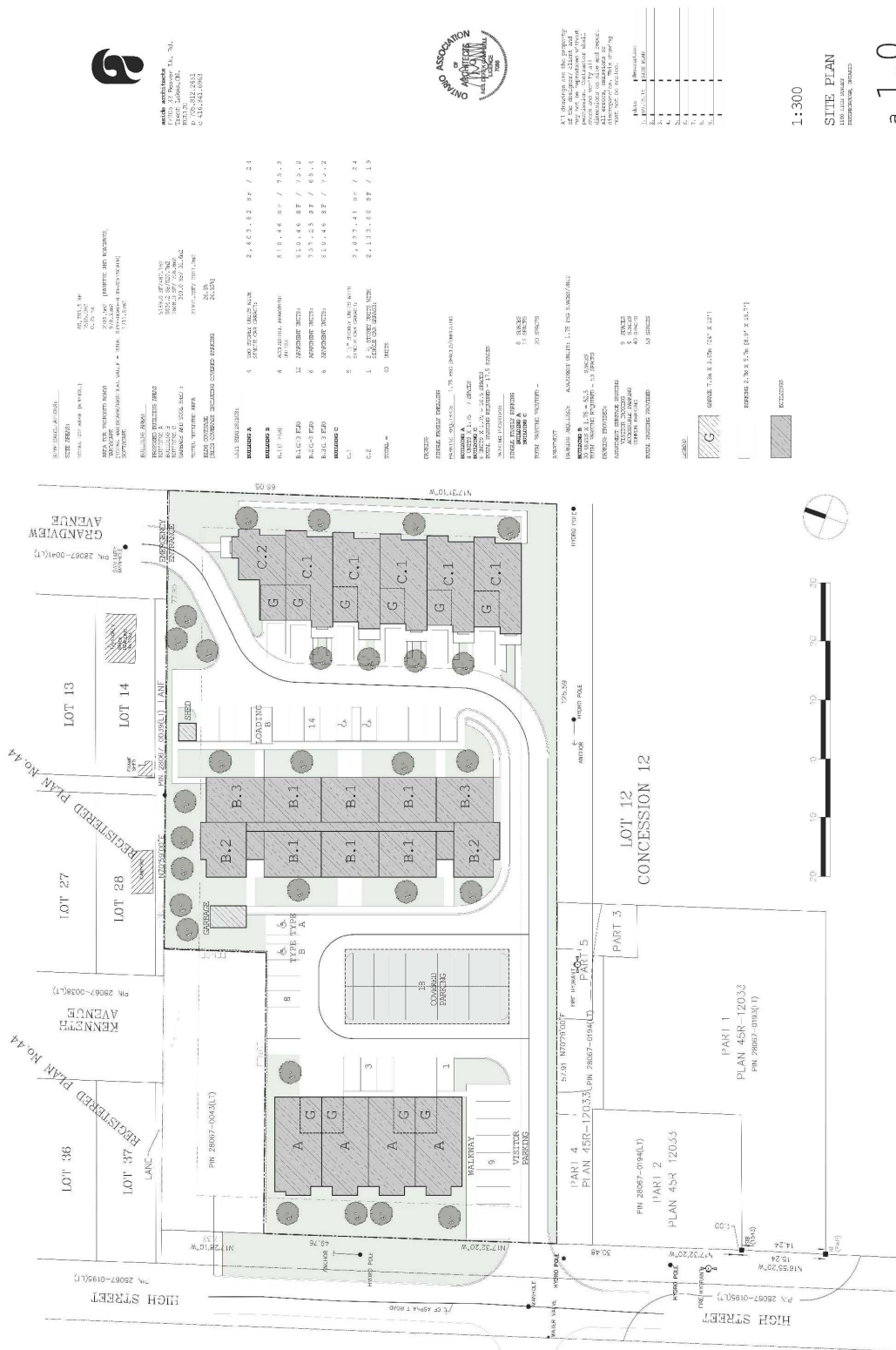
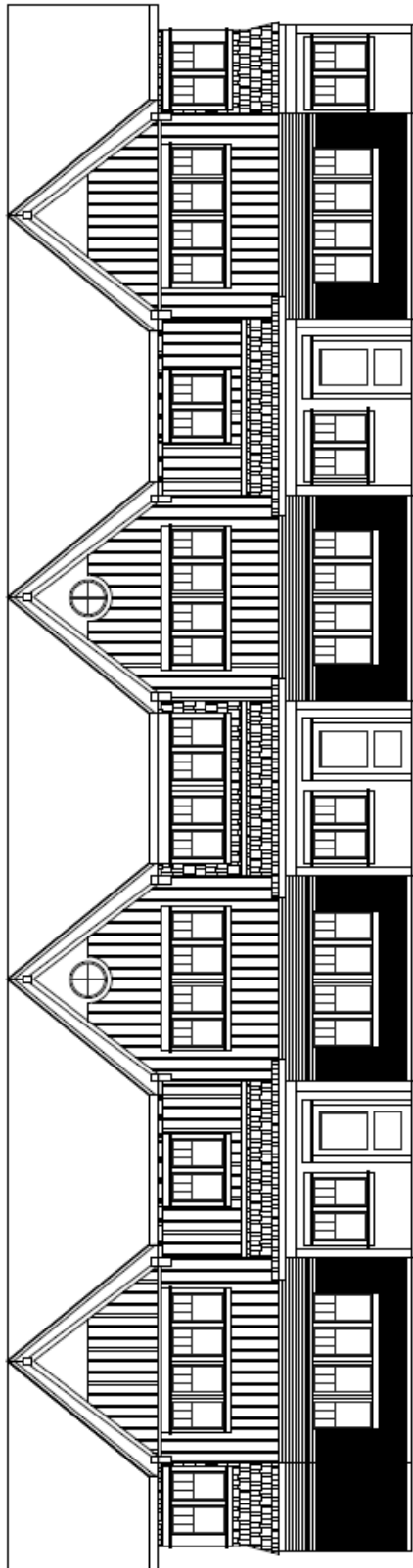


Exhibit C, Page 1 of 1



BUILDING A
WEST ELEVATION

Exhibit D, Page 1 of 3



The Corporation of the City of Peterborough

By-Law Number 15-

Being a By-law to amend the Zoning By-law for the property known as 1180 High Street

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

1. That Section 392 for Special District 361 (SP.361) be added to By-law 97-123 as follows:

“Section 392
SPECIAL DISTRICT 362 (SP. 362)

392.1 For the purpose of this by-law, land use district ‘Special District 362’ is hereby established and may be referred to by the symbol ‘SP.362’.

Permitted Uses:

391.2 No person within a SP.362 District shall use any land or erect, alter or use any building or part thereof for any purpose other than:

a dwelling unit

Regulations

392.3 No person shall within a SP.362 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Exhibit D, Page 2 of 3

Regulation	Requirement
Minimum Lot Area per Dwelling Unit	200 m ²
Minimum Lot Width	30m
Minimum Building Setback	
i) from side lot line	6m
ii) from rear lot line	4.5m
iii) from street line	6m
Maximum building coverage	40%
Minimum landscaped open space	25%
Maximum number of storeys	3 for apartment dwelling 2 for other dwelling
Maximum lot coverage by open parking, driveways and vehicle movement areas	35%

392.4 SP.362 District is hereby designated as a Residential District”

2. Map 17 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 to SP.362-‘H’**.
3. The ‘H’ Holding Symbol shall be removed at such time as the following have been addressed:
 - a) Any necessary off site easements;
 - b) Submission of a Stage 1-2 archaeological assessment;
 - c) Downstream sewer capacity is confirmed and a storm sewer/drainage solution is approved by the City as part of the Site Plan Approval;
 - d) Site Plan Approval which will include a grading plan that will respect the future urbanization of High Street and either construction of a sidewalk along the High Street frontage or a financial contribution toward a future sidewalk.

By-law read a first, second and third time this day of , 2015.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit D, Page 3 of 3

