



City of
Peterborough

To: **Members of the Planning Committee**

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

Meeting Date: **February 8, 2016**

Subject: **Report PLPD16-007
Proposed Amendments to the Major Institutions Policies and
the UC – University and College Zoning District**

Purpose

A report to evaluate the planning merits of amending the Official Plan and Zoning By-law for the Major Institutions land use designation and the UC – University and College Zoning District to recognize employment uses, which could include research and development activities.

Recommendations

That Council approve the recommendations outlined in Report PLPD16-007 dated February 8, 2016, of the Manager, Planning Division, as follows:

- a) That Section 4.7 of the Official Plan – Major Institutions be repealed and replaced in accordance with the draft amendment attached as Exhibit “A” to Report PLPD16-007;
- b) That Section 23 of the Comprehensive Zoning By-law 97-123, be repealed and replaced in accordance with the draft amendment attached as Exhibit “B” to Report PLPD16-007.

Budget and Financial Implications

There are no direct budget or financial implications arising from the approval of these applications.

Background

Council initiated amendments to the Official Plan and Zoning By-law to recognize employment uses in the Major Institutions land use designation and the UC – University and College Zoning District, at its meeting of December 7, 2015. At the same time, the CAO was authorized by Council to execute a Memorandum of Understanding with Trent University outlining the essential terms of a business relationship between the City and Trent University to facilitate the implementation of the Trent Research and Innovation Park.

Report PLPD15-058 provided the following rationale for the amendments:

“The Major Institutions designation of the City’s Official Plan recognizes the academic campuses of Fleming College and Trent University as well as the health campus of the Peterborough Regional Health Centre. While the traditional view has been to regard such regional-scale uses as institutional facilities, in contemporary planning language they are major nodes of **Employment**. Under Provincial Policy the city is required to grow its population and employment levels in order to achieve the targets of the “Places to Grow” plan.

Recent estimates of employment levels at the 3 institutions in Peterborough are as follows:

Fleming College:	700
Trent University:	1,500
Peterborough Regional Health Centre:	2,000

For the last 25 years many universities across Canada have also made strategic investments in on-campus centres of research and development as a further extension of the employment function campuses already provide. When research activities become an extension of the strengths of the institution’s academic specialities, the research entity and the University develop a synergistic relationship that produces opportunities greater than the sum of each part. For example, the University of Waterloo is a national academic leader supporting the broader tech sector. The David Johnston Research and Technology Park on the University campus, designed as a centre for Canada’s top technology talent, will accommodate 1.6 million square feet of research and development space in 14 buildings on 120 acres (49 hectares). When completed, the park will house 9,000 knowledge workers, creating new technology jobs and generating billions of dollars in economic impact.

For many years Trent University has contemplated the establishment of a research park as an extension of the Trent Campus. The Endowment Lands Plan (2006) identified an 85 acre tract of the campus east of the original DNA buildings on the north side of Pioneer Road as the preferred location for an Innovation/Research and Development campus. The Trent Lands Plan (2013) confirmed this strategic direction and the preferred location.”

It is anticipated that this proposed revision of the Major Institutions policies and the corresponding UC – University and College Zoning District will facilitate the research and development initiative of Trent University, while also recognizing and permitting community based recreational facilities (i.e. an arena, skating or curling rink, a recreation centre, including outdoor recreational facilities, supporting a wider community population base) and on-campus residential units for associated personnel of permitted uses.

Analysis

a) Official Plan

The Major Institutions policies of the Official Plan are very limited as currently included in the City’s Official Plan. The provisions are limited to the following as Section 4.7.1 of the Official Plan:

“4.7.1

The Major Institutions designation on Schedule “A” means that the predominant use of the land is for the development of Trent University, Sir Sandford Fleming College, Peterborough Civic Hospital and St. Joseph’s General Hospital. This does not preclude the establishment of new major institutions or separate colleges and facilities.”

These policies do not reflect the bigger vision that higher centres of learning can also be major centres of employment and provide little direction with regard to a vision where post-secondary education institutes evolve into community partners. In Report PLPD15-058, the key distinction of the proposed policy is described as follows:

- “The Major Institution designation connects the land use designation to the health of the local economy and to the needs of residents of the city and the surrounding region.
- When the Major Institution designation is applied to Trent University and Fleming College it recognizes that the **predominant** use of land is post-secondary educational institutions including academic and administrative facilities but it also recognizes that the lands may be used for;

- i) **Residential uses**, where they are intended to provide accommodation for persons associated with academic and research uses. This opens the possibility for additional on-campus living that supports employment including live-work opportunities.
- ii) **Cultural and Recreational** uses that support the Major Institution as well as the general public. This simply reflects the long-standing practice of Fleming and Trent to partner with the City on the provision of sport and cultural facilities for the betterment of the institution and the general public.
- iii) **Research and development facilities**, such as the proposed Trent Research and Innovation Park.
- iv) **Manufacturing and employment uses** that are related to a research and development facility or are compatible with the intent of this designation.
- v) **Complimentary** uses, such as convenience retail, small scale office, service commercial, financial and personal service uses provided those uses primarily serve the needs of those persons associated with the Major Institution.”

Any future development proposed for lands designated ‘Major Institutions’ and zoned UC – University and College, will continue to be subject to the Site Plan Control and the applicable policies of the Official Plan, in addition to the Trent Source Protection Plan which ensures that Source Water Protection policies are applicable for any lands located within an ‘intake protection zone’ as identified by the plan.

b) **Zoning By-law**

The current UC-University and College Zoning District includes a limited range of permitted uses with a traditional academic uses. The proposed amendment intends to facilitate a further extension of the uses already provided by the post-secondary institutes to provide opportunities to expand upon the academic and administrative facilities of the campuses, and including regulations reasonable to the land use to ensure compatibility both on and off campus.

The UC Zoning District **currently** includes the following list of permitted uses:

- a) a university
- b) a college
- c) a university or college residence
- d) an adult retraining centre
- e) any of the following commercial purposes when located in a building designed and forming an integral part of a university or college:
 - i) a barber shop
 - ii) a beauty shop
 - iii) a dry cleaning establishment – Class 2

- iv) a drug store
- v) a sub-post office
- vi) a restaurant
- vii) a convenience retail store
- viii) a bank, financial institution or loan company

The **proposed** amendment seeks to expand this list to the following, in keeping with the proposed Official Plan Amendment:

- a) a university
- b) a college
- c) a university or college residence
- d) an adult retraining centre
- e) dwelling unit associated with or required to support a permitted use
- f) a commercial use associated with or required to support a permitted use, including:
 - i) a bank, financial institution or loan company
 - ii) a drug store
 - iii) a personal service use
 - iv) a convenience retail store
 - v) a restaurant
- g) a library
- h) an arena, skating or curling rink
- i) a recreation centre, including outdoor recreational facilities
- j) an employment use, including:
 - i) a research and development laboratory
 - ii) an engineering or technical service establishment
 - iii) an industrial office
 - iv) a contained assembly, processing or manufacturing plant excluding a plant used for specific industrial use
 - v) a publishing and printing establishment
- k) a utility service installation

A draft amendment proposing to replace the current provisions of Section 23 with the new list of permitted uses and associated regulations is attached as Exhibit “B” to Report PLPD16-007.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on December 14, 2015 and Notice of Public Meeting was circulated on January 11, 2016.

Peterborough Utilities provided comment and are seeking clarification as to whether Development Charges are collectable for commercial buildings built on SSFC or Trent University property. Based on previous practice, residential and commercial land uses provided and operated by a private developer will continue to contribute under the City's Development Charges By-law, however, qualified industrial uses are exempt under the City's Development Charges By-law.

The City's Building Division provided comment to recommend that the proposed zoning ensure that the complimentary uses be considered accessory to the main use of the lands as a post-secondary learning institution.

The City's Utility Services Department has no objection to the proposed amendments subject to the inclusion of wording in both the Official Plan and Zoning By-law to request, review and approve Servicing Studies, including transportation, for all development and Site Plan Applications within all Lands Designated Major Institutions and/or Zoned University and College – UC District, as deemed applicable by the Director of the City of Peterborough Utility Services Department. As part of the Research and Innovation Park initiative, the City has entered into a Memorandum of Understanding with Trent University regarding the development of a research and innovation park as an extension of the campus of Trent University. As set out in this Memorandum, a financial contribution toward the cost of the extension of municipal servicing, together with an agreement to work cooperatively in the design and planning of the extension of services, including location and detailed design and specifications for these services has been addressed.

The County of Peterborough acknowledges the textual changes proposed to the policies and zoning and that Planning Act approvals for individual developments in most instances will not be required. Therefore, the County requests to be notified during the Site Plan Approval process, where appropriate, in order to work cooperatively on building proposals that may affect traffic patterns and roadway issues. Given the proximity of these lands to the boundary of the City where County and/or Township roads exist, the County would like the opportunity to discuss possible impacts, concerns or potential improvements that may need to be undertaken as part of the Site Plan Approval process.

Otonabee Region Conservation Authority note that portions of the property holdings of both Trent University and Sir Sandford Fleming College have areas of natural features, currently designated as Major Open Space and that many are shown as Natural Areas and Corridors on Schedule C – Natural Areas of the City's Official Plan. ORCA understands that these designations are not affected by this amendment. ORCA further indicates that they have no objection to the amendments, however, note that the Intake Protection Zone (IPZ) for the source of the City of Peterborough drinking water supply applies to a portion of the lands currently designated Major Institution along the Trent River at the university. Source Water Protection policies are applicable to the lands in the IPZ. The City has complied with the Clean Water Act with regard to this application. Future applications for Site Plan Approval and Building Permits will also be required to comply.

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 by newspaper advertisement and by direct mail on January 11, 2016. The notice complies with the requirements of the Planning Act.

No written comments have been received as of January 14, 2016.

Submitted by,

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Manager, Planning Division

Prepared by,

Concurred with,

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Attachments:

Exhibit A – Draft Official Plan Amendment
Exhibit B – Draft Zoning By-law Amendment

Exhibit A, Page 1 of 2



The Corporation of the City of Peterborough

By-law Number 16-

Draft Official Plan Amendment

Being a By-law to Adopt Amendment Number to the Official Plan of the City Peterborough as it relates to Section 4.7 – Major Institutions

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

That Section 4.7 of the Official Plan be hereby repealed and replaced in whole by the following:

“4.7 MAJOR INSTITUTIONS

The Major Institution designation recognizes the importance of regional health and academic services to the local economy and to the needs of residents of the city and the surrounding region.

- 4.7.1 The Major Institution designation on Schedule “A” means that the predominant use of the land is for the development of Trent University, Fleming College, and Peterborough Regional Health Centre. This does not preclude the establishment of new major institutions or separate colleges and facilities.
- 4.7.2 The Major Institution designation covering Trent University and Fleming College recognizes that the predominant use of land is post-secondary educational institutions including academic and administrative facilities. The lands may also be used for the following uses:
- a) Residential uses, where they are intended to provide accommodation for persons associated with academic and research uses; and,

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- b) Cultural and Recreational uses that support the Major Institution as well as the general public.
 - c) Research and development facilities, such as the proposed Trent Research and Innovation Park;
 - d) Manufacturing and employment uses that are related to a research and development facility or are compatible with the intent of this designation;
- 4.7.3 Complimentary uses, such as convenience retail, small scale office, service commercial, financial and personal service uses may also be permitted provided those uses primarily serve the needs of those persons associated with the Major Institution.”

By-law read a first, second and third time this day of , 2016.

Daryl Bennett, Mayor

John Kennedy, City Clerk

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The Corporation of the City of Peterborough

By-law Number 16-

Being a By-law to Amend the Zoning By-law as it relates to Section 23 – University and College District (UC).

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

Section 23 of By-law 1997-123 be hereby repealed and replaced in whole by the following:

Section 23

University and College District (UC)

Permitted Uses

23.1 No person shall within any UC District use any land or erect, alter or use any building or part thereof for any purpose other than;

- (a) a university
- (b) a college
- (c) a university or college residence
- (d) an adult retraining centre
- (e) dwelling unit associated with or required to support a permitted use
- (f) a commercial use associated with or required to support a permitted use, including:
 - i) a bank, financial institution or loan company
 - ii) a drug store
 - iii) a personal service use
 - iv) a convenience retail store
 - v) a restaurant
- (g) a library
- (h) an arena, skating or curling rink
- (i) a recreation centre, including outdoor recreational facilities

- (j) an employment use, including:
 - i) a research and development laboratory
 - ii) an engineering or technical service establishment
 - iii) an industrial office
 - iv) a contained assembly, processing or manufacturing plant excluding a plant used for specific industrial use
 - v) a publishing and printing establishment
- (k) a utility service installation

Regulations

23.2 No person shall within any UC District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations;

Type	Requirement
a) minimum lot width	30 metres
b) minimum lot depth	30 metres
c) minimum building setback - side lot line or rear lot line for uses permitted under Section 23.1 a) to i)	3 metres or the height of the building, which ever is the greater
d) minimum building setback - side lot line or rear lot line for uses permitted under Section 23.1 j) and k) <ul style="list-style-type: none"> - Abutting a residential district - Abutting a non-residential district 	9m or 4.3m/storey, which ever is the greater 3 metres or the height of the building, which ever is the greater
e) maximum building coverage	40%
f) maximum lot coverage by open parking areas, driveways and vehicle movement areas	25%

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g) the following regulations shall apply to the commercial purposes in section 23.1(f): i) maximum floor area per commercial purpose ii) no curb service, drive-in service, take-out service or pick-up service shall be permitted if such service comprises the primary activity of the establishment iii) any such purpose shall be located only in a building on a lot having a minimum area of 4 hectares	140 square metres
h) the following regulations shall apply to a university or college residence or a dwelling unit to service a permitted use: i) any room used by students for sleeping accommodation shall have a minimum floor area of ii) minimum floor area per bachelor dwelling unit iii) minimum floor area per dwelling unit other than i), ii)	6.9 square metres 37 square metres 55 square metres plus 14 square metres for each habitable room in excess of 4
i) landscaped open space of a minimum width of 3 metres shall be provided and maintained along all lot lines provided that such open space may be interrupted by driveways	
j) planting strips shall be provided and maintained along a lot line abutting an R.1,R.2,R.3 or R.4 District if a building, parking space, driveway or loading space is located within 15 metres of such district	
k) Parking for uses listed in 23.1 g) through j) shall be provided in accordance with Section 4, based on the use or purpose, in addition to the parking otherwise required for University or College	
l) Outside Storage shall be permitted in accordance with an approved Site Plan	
23.3 UC District is hereby designated as a university and college district.	

By-law read a first, second and third time this day of , 2016.

Daryl Bennett, Mayor

John Kennedy, City Clerk