



City of
Peterborough

To: Members of the Planning Committee

From: Ken Hetherington, Manager, Planning Division

Meeting Date: May 24, 2016

**Subject: Report PLPD16-040
217 Murray Street**

Purpose

A report to evaluate the planning merits of amending the Zoning By-law from the PS.2 – Public Service District to the PS.2-304 – Public Service District to permit the use of the lands known as 217 Murray Street for an ‘emergency shelter’ in accordance with a proposed definition, and a multi-suite residence associated with the emergency shelter, in addition to the uses currently permitted in the PS.2 Zoning District, together with site specific regulations.

Recommendations

That Council approve the recommendations outlined in Report PLPD16-040 dated May 24, 2016, of the Manager, Planning Division, as follows:

- a) That Section 1 – Definitions, be amended to add a definition for ‘emergency shelter’ in accordance with Exhibit ‘D’ attached to Report PLPD16-040;
- b) That Section 3.9 be amended to add Exception .304 to permit the use of the land for an ‘emergency shelter’ and ‘multi suite residence’ associated with the emergency shelter, together with site specific regulations, including parking regulations, in accordance with Exhibit ‘D’ attached to Report PLPD16-040; and
- c) That the subject property be rezoned from PS.2 – Public Service to PS.2-304 – Public Service District in accordance with Exhibit ‘D’ attached to Report PLPD16-040.

Budget and Financial Implications

Over 3 successive budget years (2014 – 2016), the Social Services budget has allocated a total of \$600,000 towards the Brock Mission Shelter Renewal Project. In addition, Report PLHD15-002 has identified Brock Mission as a potential recipient of \$1.5 million in capital funding under the Provincial Investment in Affordable Housing Program.

The applicants have also applied to the City for approval of the multi-suite residence component of the project as an Affordable Housing Project under the City's Affordable Housing Community Improvement Plan. The value of the municipal incentives for affordable housing is largely derived from forgone revenue from fees, charges and property tax that would normally be charged by the City.

Rationale

Approval of this Zoning By-law Amendment is based upon the following:

The subject property is designated 'Commercial' on Schedule 'A' – Land Use and located within the Commercial Core Area of the Central Area as identified in the City's Official Plan. It is intended that the Commercial Core Area support the major concentration of retail, office, entertainment and service commercial uses along major streets. High Density Residential development is also contemplated within the Central Area at a density range of 100 to 250 dwelling units per hectare. The subject application proposes the redevelopment of the lands with the introduction of a 3 storey mixed use building with up to 15 suites in addition to up to 30 emergency shelter beds and associated office and support services.

This project will help meet an identified community need. Longer term shelter clients will benefit from having more options for a safe, stable and affordable home. Residential units will be added to the downtown property and the construction of the new shelter building will increase Peterborough's affordable supportive housing stock. The City's incentives stimulate new affordable rental production, while stretching a limited amount of Investment in Affordable Housing capital funding.

There is sufficient capacity within the sanitary and water systems to service the proposed development and stormwater management is expected to accommodate stormwater quality and quantity controls so as not to have an impact on the neighbouring properties. A Parking Reduction Justification has been prepared by LGA Architectural Partners and supports the reduction of parking based on the proposed use. The City's Official Plan policies further support a reduction of onsite parking for units created under the Municipal Affordable Housing Project. A Stage 1 and 2 Archaeological Assessment has been completed for the property and supports the redevelopment, subject to caution being used during construction with regard to the potential for culturally sensitive material being found.

The relaxed zoning regulations and reduction in parking are supported by the Official Plan policies for the Municipal Affordable Housing Program. The applicant is proposing to create additional units under the City's Community Improvement Program for Affordable Housing. The reduction in parking is supported by Official Plan policy that encourages the introduction of affordable housing within the City's Community Improvement Area, subject to the owner receiving approval under the Municipal Affordable Housing Program whereby the rent per unit is capped at affordable levels for up to a 20 year term.

The application demonstrates the ability of the site to maintain the character of the area with the introduction of a new building, sympathetic to the character of the buildings in the neighbourhood, together with improvements to the landscape features and parking layout.

Background

The subject application was received on December 15, 2015, deemed to be complete as of January 6, 2016 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 May 5, 2016 if Council has not made a decision.

The subject property has a lot area of approximately 0.2 ha. (0.51 ac.) in size, located on the south side of Murray Street, between George Street North and Aylmer Street North, and supports a three storey building with associated parking and open space.

The subject property supports the Brock Mission, a men's shelter that currently provides shared dormitory-style sleeping, dining and lounge facilities for approximately 40 clients. The existing building is in significant disrepair and a feasibility study prepared in 2014, determined that this is no longer fit to house shelter clients. Brock Street Mission Peterborough is proposing to redevelop the lands to support a new 3-storey building to include a crisis care shelter with dormitories, lounge, dining and administration spaces, in addition to expanded programming of 15 single-resident occupancy suites to provide housing for Brock Mission clients transitioning to independent living.

The applicant is proposing a fifteen (15) unit affordable rental project to be constructed in addition to the Men's Shelter in downtown Peterborough. The Affordable Housing Community Improvement Plan program application has been reviewed by committee of City staff and is recommended for various municipal incentives and capital funding. Site specific exceptions are proposed to be incorporated into the PS.2 – Public Service Zoning District to accommodate the proposed use.

The application also proposes to provide 11 on-site parking spaces and utilize the cash-in-lieu exemption policies for Municipal Affordable Housing Projects for the balance.

The applicant hosted a neighbourhood meeting at the Brock Mission Dining Hall on Wednesday, March 23, 2016 to introduce the project to the neighbours. Beyond staff, no neighbours attended the meeting.

The Parking Reduction Justification prepared by LGA Architectural Partners, dated November 25, 2015 concludes that a total of 11 on-site spaces will satisfy the anticipated parking demand for the development proposal. The City can accept cash-in-lieu of parking for projects subject to a Municipal Affordable Housing program for the difference between what is required and what is provided on site, without amendment to the Zoning By-law. A total of 15 parking spaces is required, based on a proposed ratio of 0.15 spaces per bed for an emergency shelter; 0.5 space per suite for the proposed suites and together with the requirements under Section 4 of the City's Zoning By-law for the office and administrative space, whereas 11 spaces are proposed, resulting in a requirement for cash-in-lieu of parking payment for 4 spaces.

Stage 1 and Stage 2 Archaeological Assessments of the property have been completed on behalf of the applicant by Northeastern Archaeological Associates Limited, dated February 24, 2016. The property is of high archaeological potential due to its proximity to registered archaeological sites, areas of historic development, existing watercourses and historic transportation corridors. Although the Stage 2 testing did not result in the discovery of any material of cultural value, "the possibility of deeply buried archaeological resources exists and the Assessment recommends that archaeologist monitoring of machine excavation of unassessed portions of the subject property be undertaken."

The application is supported by a Concept Site Plan and Concept Design Elevations, prepared by LGA Architectural Partners, on behalf of the applicant.

Analysis

a) Official Plan

The lands are currently designated "Commercial" on Schedule 'A' – Land Use and "Commercial Core Area" on Schedule J – Central Area Land Use in the City of Peterborough Official Plan. The proposed use for an emergency shelter, together with 15 residential suites and supporting office and personal service uses, is in keeping with the policies of the Commercial Core Area of the Central Area for the proposed mixed use of the lands.

The proposed use contemplates the redevelopment of the site and the construction of a 3 storey building including an emergency shelter with dormitories, lounge, dining and administration spaces, as well as expanded programming of 15 single-resident occupancy suites. It is intended that these apartment style suites will provide housing for Brock Mission clients transitioning to independent living and will rely on the common dining facilities.

Intensification of uses for various purposes including public service and residential uses are contemplated in the City's Central area where the lands are adequately serviced by full municipal servicing including parks, trails, recreation areas, schools, public transit, and other amenities such as adequate parking, buffering, landscaping and compatibility of the type of housing form and proposed elevations of the building.

The policies further provide opportunity for affordable housing projects under Municipal programs to reduce on-site parking requirements. The site is able to support up to 11 parking spaces.

b) Zoning By-law

The subject property is currently zoned PS.2 – Public Service District, permitting a range of institutional type of uses, including assisted living uses such as nursing homes and group homes. The redevelopment of the property to support an emergency shelter and multi suite residence associated with the shelter is consistent with the Central Area – Commercial Core Area policies of the Official Plan.

A shelter use is not currently defined in the City's Comprehensive Zoning By-law. Historically, Staff has relied on the definition of 'multi suite residence' or 'Place of Assembly' to support the type of accommodation and service offered by a shelter. In reviewing the proposed application, Planning Staff recommend the introduction of a definition and associated regulations to more accurately describe the function and associated parking needs of a shelter use. As such, similar definitions of shelter use were reviewed and the following proposed definition is recommended for inclusion in the Definitions Section of Section 1 of the City's Zoning By-law:

"Emergency Shelter means a premises in which short-term emergency accommodation and associated support services are provided and supervised."

A minimum parking rate of 0.15 parking spaces per bed is considered to be appropriate and recommended for the proposed 'Emergency Shelter' use. In the instance of the current application, a minimum of 4.5 parking spaces will be required to be provided for the 'emergency shelter' use.

The applicant proposes to amend the zoning of the lands by adding an Exception (.304) to the PS.2 – Public Service District to the PS.2-304 – Public Service District. The proposed Exception .304 will have the effect of adding 'emergency shelter' and 'multi suite residence' uses to the uses permitted via the PS.2 – Public Service District uses, in accordance with relaxed zoning regulations as follows:

Regulation	Existing Requirement	Proposed Exception
Minimum Setback From side lot line From rear lot line	Whichever is greater: 3m or height of building 3m or height of building	3m 9.6m

Regulation	Existing Requirement	Proposed Exception
Minimum width of landscaped open space along all lot lines	3m	1m
Section 6.26 – Special Building Setbacks – Downtown	Approx. 29m from rear lot line	Exempt Approx. 9.6m from rear lot line
Section 6.34 Min. Size of Bachelor Dwelling Unit	Minimum of 28m ² of floor area	Minimum of 18m ² of floor area
Section 4.2(A)(2) Motor Vehicle Parking Requirements: Emergency Shelter	No current provision	0.15 spaces/bed
Multi-Suite Residence	Typically 0.5 spaces/suite in Area 1	Cash-in-lieu
Office	1 space/45m ² of floor area	1 space/45m ² of floor area
Barrier Free Parking	3 spaces	1 space
Loading Spaces (Emergency Shelter)	No current provision	1 x 'B' loading space (3.6m x 6m)

The attached draft Zoning By-law amendment includes amendments to Section 1 – Definitions, to introduce a definition for 'emergency shelter' and introduces site specific regulations via Exception .304, Section 3.9 – Exceptions, to permit the 'emergency shelter' and 'multi-suite residence' with parking ratios of 0.15 spaces/bed for the 'emergency shelter' use and 0.5 spaces/suite for the multi-suite residence, in addition to other site specific regulations.

c) Site Development

Access to the subject lands is proposed by way of a driveway connection to Murray Street at the easterly portion of the property. It is intended that the building be located close to the westerly lot line, similar to the location of the existing building. The proposed building is intended to have a slightly larger footprint in terms of the length of the building, however, is moved closer to the westerly lot line to properly accommodate parking and driveway aisle on the east side. Terrace and patio spaces are proposed in the rear yard, in addition to planting beds in the front and rear of the proposed building. The applicant has illustrated how parking can be achieved together with landscaped open space, including patio space and buffering around the perimeter of the parking and driveway areas. The development of the lands will be subject to Site Plan Approval. This will address landscaping, parking layout, driveway connection and stormwater management.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on January 26, 2016.

The City's Utility Services Department indicated no objection to the rezoning request subject to the payment of cash-in-lieu of parkland. The applicant has also been advised of the requirement for a stormwater management design report (water quantity and quality) and a 0.5m road widening requirement as part of the future Site Plan Approval process. Structures will not be permitted to encroach within the widened right of way.

Hiawatha First Nations and Curve Lake First Nations have been circulated a copy of the Stage 1 and 2 Archaeological Assessment, prepared by Northeastern Archaeological Associates Limited. Hiawatha First Nations has commented on the archaeological assessment and express concern about culturally sensitive material being found given the proximity to the Brock Street Burial and the water. Hiawatha First Nations requests that caution be used during construction and recommend that an archaeologist be on site during initial excavation.

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 April 25, 2016 by direct mail and by newspaper advertisement (Peterborough Examiner). The notice complies with the requirements of the Planning Act.

Planning Staff have received a phone call from one area resident seeking clarification of proposed use of the property, expressing concern about pedestrian activity in front of the existing building.

No written comments have been received as of April 26, 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

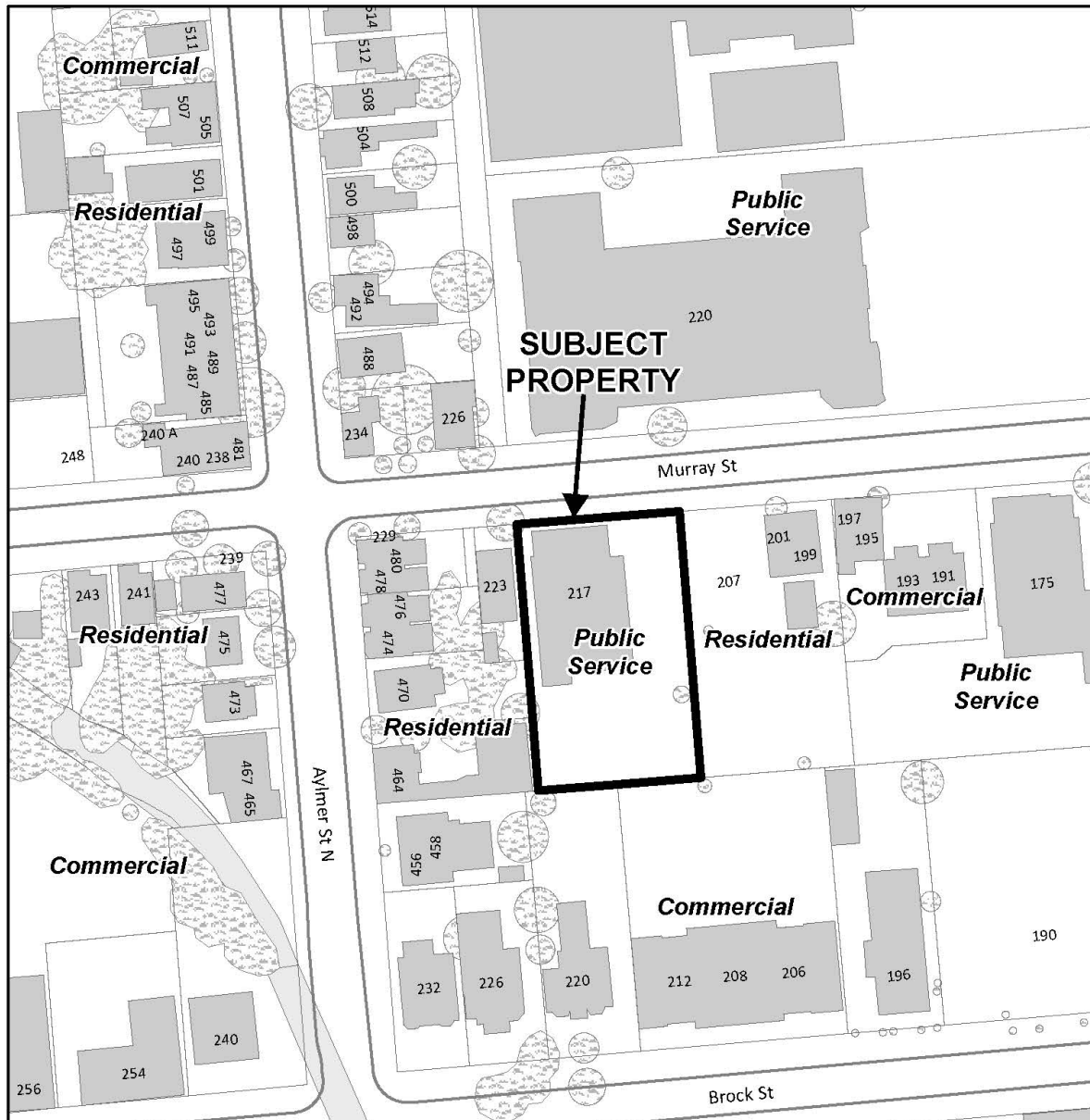
Exhibit A, Page 1 of 1

Land Use Map

File: Z1604

Property Location: 217 Murray 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: December 23, 2015

Map by: J.Ellis

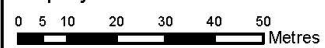
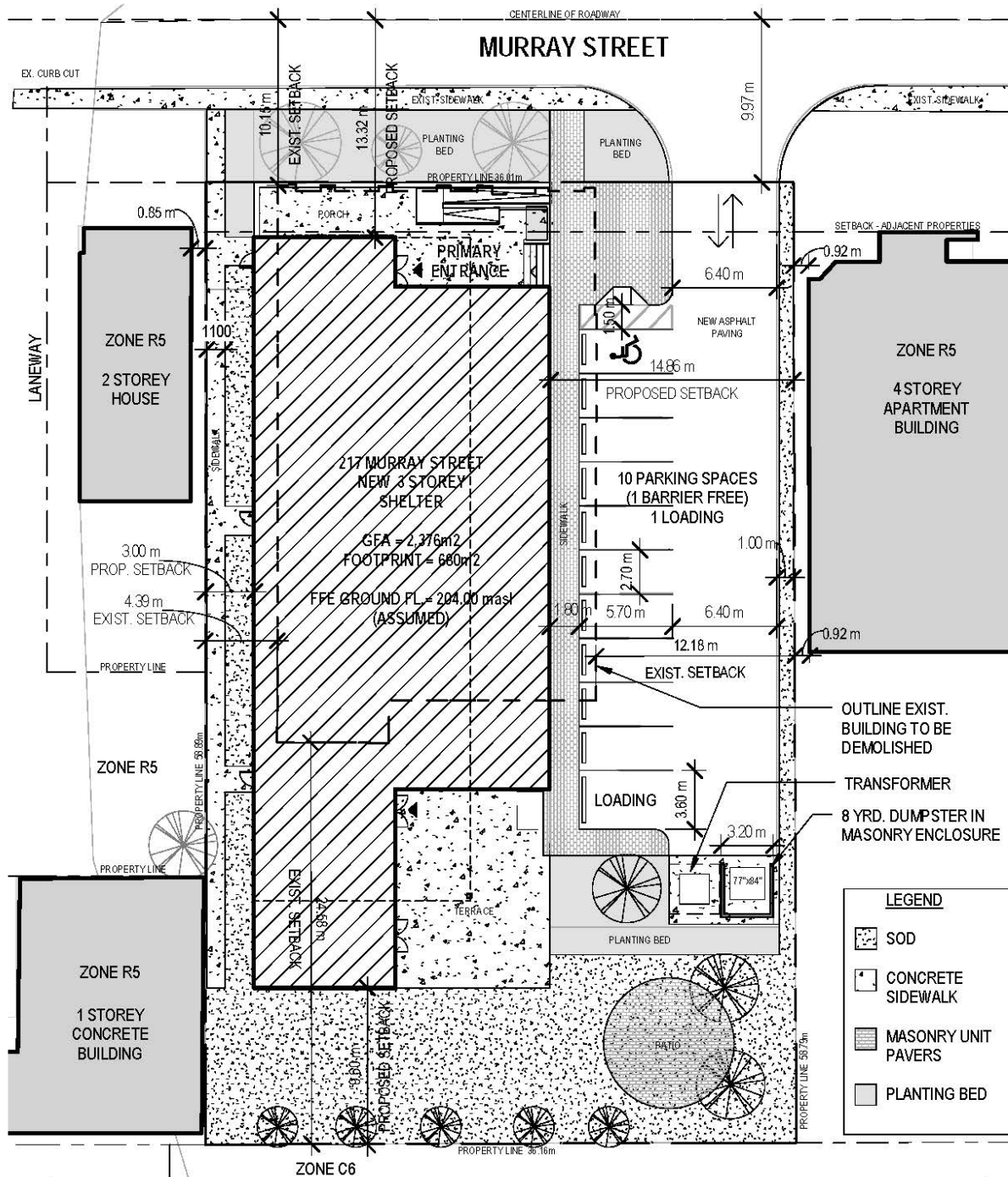


Exhibit B, Page 1 of 1



LEGEND

- SOD
- CONCRETE SIDEWALK
- MASONRY UNIT PAVERS
- PLANTING BED

	533 College Street, Suite 301 Toronto, Ontario, Canada M6G 1A8 T: 416 203 7600 F: 416 203 3342 lga-ap.com	PROJECT NO: 14276 SCALE: 1:300 DRAWN BY: AJ REVIEWED BY: JL	PROJECT: 217 MURRAY STREET - BROCK MISSION MEN'S SHELTER	DRAWING TITLE: CONCEPT SITE PLAN	DRAWING NO: RZ-A1
	NOTE: This drawing is the property of the architect and may not be reproduced or used without the expressed consent of the architect. The contractor shall be responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the architect and obtain clarification prior to commencing work.				ISSUE DATE: 2015/11/25 1:02:29 P 3:21:09 PM

Exhibit C, Page 1 of 1



533 College Street, Suite 301
 Toronto, Ontario, Canada M6C 1A8
 T: 416 203 7600 F: 416 203 3342
 lga-ap.com

PROJECT NO: 14276
 SCALE:
 DRAWN BY: AJ
 REVIEWED BY: JL

NOTE: This drawing is the property of the architect and may not be reproduced or used without the expressed consent of the architect. The contractor shall be responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the architect and obtain clarification prior to commencing work.

PROJECT:
 217 MURRAY STREET -
 BROCK MISSION MEN'S
 SHELTER

DRAWING TITLE:
 CONCEPT DESIGN -
 VIEW FROM MURRAY ST.

ISSUED FOR REZONING

DRAWING NO:
RZ-A4

DATE: 2016_11_20
 11/20/2016 3:45:14 PM

Exhibit D, Page 1 of 3



The Corporation of the City of Peterborough

By-law Number 16-

Being a By-law to amend the Zoning By-law for the property known as 217 Murray Street

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

1. That Section 1 – Definition of By-law 97-123 be amended to add the following:
“Emergency Shelter means a premises in which short-term emergency accommodation and associated support services are provided and supervised.”
2. That Section 3.9 – Exceptions of By-law 97-123 be amended to add the following:

.304 Notwithstanding the permitted uses, an Emergency Shelter and a Multi-Suite Residence shall be permitted uses. Notwithstanding Regulations to the contrary, the following Regulations shall apply to the lands:

Regulation	Proposed Exception
Minimum Setback From side lot line From rear lot line	3m 9.6m
Minimum width of landscaped open space along all lot lines	1m
Section 6.26 – Special Building Setbacks – Downtown	Exempt Approx. 9.6m from rear lot line
Section 6.34 Min. Size of Bachelor Dwelling Unit	Minimum of 18m ² of floor area

Exhibit D, Page 2 of 3

Regulation	Proposed Exception
Section 4.2(A)(2) Motor Vehicle Parking Requirements: Emergency Shelter Office	0.15 spaces/bed 1 space/45m ² of floor area
Barrier Free Parking	1 space
Loading Spaces (Emergency Shelter)	1 x 'B' loading space (3.6m x 6m)

3. Map 12d 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 PS.2 to PS.2-304-H.**

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit D, Page 3 of 3

