



City of
Peterborough

TO: Members of the Planning Committee

FROM: Malcolm Hunt, Director of Planning and Development Services

MEETING DATE: May 11, 2009

SUBJECT: Report PLPD09-023
2350 Woodglade Blvd.

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the property known as 2350 Woodglade Boulevard, to permit the use of the northerly portion of the property for multi unit residential development, and to amend the regulations associated with the SP.246 – Special District of the southerly portion of the property for the current list of commercial permitted uses.

RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD09-023 dated May 11, 2009, of the Director of Planning and Development Services, as follows:

That the zoning of the subject property be amended from the SP. 246 – Special Commercial District to the SP. 344 – Special Residential District and a modified SP.246 – Commercial District in accordance with the draft amendment attached as Exhibit 'D' to Report PLPD09-023.

RATIONALE

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

The subject property is designated 'Commercial' on Schedule 'A' – Land Use of the City of Peterborough Official Plan, and 'Neighbourhood Centre' on Schedule 'I' – Commercial Area. The Neighbourhood Centre policies anticipate medium density residential uses in conjunction with commercial land uses to serve multiple planning areas. The application has been revised slightly to ensure that the commercial component is able to maximize its size to that which is contemplated in the site specific policies for the property, without a large format food store, thus, maintaining the intent and purpose of the policies.

The subject property is located in the western portion of the 'Built Area' as described by the Growth Plan for the Greater Golden Horseshoe. As a 'Settlement Area' under the provincial Growth Plan, the City of Peterborough is obligated to comply with the policies related to the management of growth. Intensification of this property will assist to achieve compliance with the requirements of the Plan, whereby 40% of all new growth is to occur within the 'Built Area'.

The introduction of medium density residential uses on the northerly portion of the subject lands will offset the anticipated employment (jobs) currently anticipated with the permitted commercial use of that portion of the property. The combination of people and 94 jobs for the commercial portion provides an equivalent of 63 persons and jobs per hectare.

BUDGET AND FINANCIAL IMPLICATIONS

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

BACKGROUND

The subject application was received on December 24, 2008. The applicant proposes to amend the zoning of the property to permit medium density residential development on the northerly portion and a revised commercial zoning on the southerly portion. The existing zoning of the property was approved by the City in March, 2006 together with an Official Plan Amendment to permit the development of the property for a commercial plaza with site specific standards related to landscaping, signage and floor area requirements.

Since the rezoning of the property in 2006, the owner also secured a minor variance to increase the size of the permitted food store, and has actively pursued lease arrangements with anchor tenants. The inability to secure a food store tenant for the site has resulted in the current application to incorporate a multi-residential development on the northerly portion of the lands and the retention of the commercial uses (save and except a large format food store) on the southerly portion of the property.

It is further intended that the Committee of Adjustment decision of February, 2008 to increase the gross leasable floor area permission for a food store will no longer be effective.

ANALYSIS

a) Official Plan

Schedule 'A' – Land Use of the Official Plan, designates the subject property as 'Neighbourhood Centre'. The objective of the lands designated 'Neighbourhood Centre' is "to provide for an appropriate range and supply of commercial goods and services to serve a number of planning districts in a manner compatible with adjacent uses." (*Section 4.3.5.2 of City of Peterborough Official Plan*). Permitted uses include small scale retail stores, personal service uses, restaurants, large scale food stores, drug stores and hardware stores, clinic uses, small scale office and studio uses, institutional and cultural uses and medium density residential uses subject to the applicable policies of the Official Plan. The proposed introduction of medium density residential development for the northerly portion of the property, therefore, is in keeping with the uses contemplated by the Neighbourhood Centre policies of the Official Plan.

The subject property is permitted to support a commercial development contemplated by the Neighbourhood Centre policies, by way of a special provision, revised by the 2006 Official Plan Amendment No. 132. A maximum of 3850 square metres of building floor area is permitted on this site plus a food store. The site specific policies do not prohibit residential development on the northerly portion of the site. The Neighbourhood Centre provisions identify medium density residential uses as appropriate permitted uses in a node of commercial establishments, and subject to the medium density residential criteria as set out in the Official Plan.

The Medium Density Residential policies of the Official Plan anticipates uses such as triplexes, quadruplexes, row dwellings, walk-up apartments and cluster housing developments at a density rate of 25 to less than 75 dwelling units per hectare in this location. The latest revised concept for the development of the site proposes a net density of approximately 34.8 dwelling units per hectare for the northerly portion of the site, proposed to be used for residential purposes. Using the average of 2.0 persons per unit (assuming the condominiums are mainly seniors or young couples), the 52 proposed units would equate to approximately 104 persons over approximately 1.5 ha. The combination of people and 94 jobs for the commercial portion (37,543 sq. ft. / 1 job per 400 sq. ft./3.116 ha) provides an equivalent of 63 persons and jobs per hectare.

The proposed residential development introduces a total of 37 bungalow townhouses and 15 two-storey townhouses to be developed by way of a common elements condominium (internal roadway and parking area).

The building form proposed by the concept is consistent with the building form on the lands north of the property, fronting onto Lilico Cres. and Woodglade Blvd. Servicing of the lands will occur from Woodglade Blvd. The area is well serviced by parks and schools and the concept plan illustrates the ability to satisfy the minimum parking requirements of 1.75 spaces per unit, in the City of Peterborough Comprehensive Zoning By-Law. The development of the site is subject to Site Plan Control. The proposed zoning amendment complies with the Official Plan requirements for the site.

b) Zoning By-Law

The property is currently zoned SP.246 – Commercial District. The SP. 246 – Commercial District currently permits a list of commercial uses, including a food store with a maximum building floor area of 3300 m². A subsequent minor variance was granted (A01/08) to increase the maximum permitted gross leasable floor area of the food store from 3300m² to 3750m². The proposed amendment reduces the size of a food store to a maximum of 1600m² of Gross Leasable Area and provides for a maximum building floor area of 3,850 sq. m. for the entire commercial development. The amendment also proposes to limit the location of the commercial uses to the southerly portion of the lot. In addition, the proposed amendment has the effect of permitting medium density residential development on the northerly portion of the property, with site specific regulations, in accordance with the medium density policies of the Official Plan. The draft zoning amendment introduces a minimum density of 25 units per hectare as well as a maximum density of 40 units per hectare. This will ensure that the development will maintain the intention of the Neighbourhood Centre policies related to residential densities for these lands.

The draft amendment further includes a provision to ensure that the residential lands be treated as a single lot for purposes of zoning regulations.

Planning staff and the applicant have agreed to revisions to the proposed concept plan to address comments from neighbouring residents and to ensure compatibility with the intent and purpose of the Neighbourhood Centre policies in the Official Plan. These include a right-in only lane at the northerly entrance from Woodglade Blvd., together with landscape treatment to address the concerns expressed by the landowner on the opposite side of Woodglade at White Crescent regarding automobiles exiting from the site. A slight shift of the commercial area of the site to the north will ensure that the site maintains its potential to maximize the commercial floor area, maintaining the objective of the Neighbourhood Centre as a site for commercial establishments serving multiple planning districts.

The following regulations are proposed for the residential portion of the property:

Type	Requirement
a) Minimum total lot area	1.4 hectares
b) i) Minimum dwelling units per hectare ii) Maximum dwelling units per hectare	25 40
c) Maximum number of storeys	2 storeys
d) Minimum building setbacks i) North lot line ii) South lot line iii) East lot line iv) West lot line	6.0 metres 1.5 metres 1.5 metres 1.5 metres
e) Minimum floor area per unit	70 square metres
f) Maximum coverage by open parking areas, driveways and vehicle movement areas	30 %
g) Minimum landscaped open space	15 %
h) Minimum Required Parking Spaces	1.75 spaces per unit
i) Lands zoned SP.344 shall continue to be treated as one lot for the purposes of zoning regulations despite future land division, part lot control exemption or plan of condominium.	
374.4 SP.344 District is hereby designated as a Residential District	

Site plan approval will be required to formalize the development and maintenance of the site.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Agency circulation was issued on January 19, 2009.

Peterborough Utilities note that development charges will apply for water servicing. The PUC confirms that water service is available and that an electrical line extension will be required to service the site.

The Site Plan Review Committee of the Council for Persons with Disabilities has made some recommendations to be considered at the site plan approval stage for the development related to parking and the installation of power-operated doors in the main entrances of proposed commercial units.

The City's Utility Services Department indicate that a stormwater management plan and grading/servicing plan will be required at the Site Plan Approval stage. They further request cash-in-lieu of parkland where applicable.

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 was issued on January 19, 2009 and Notice of Public Meeting was issued on April 14, 2009 by direct mail and by newspaper advertisement (Peterborough Examiner). The notices comply with the requirements of the Planning Act.

A Neighbourhood Meeting was also held on April 15, 2009 at Westdale United Church, to review the proposed amendment with the neighbouring residents. Approximately 30 residents attended the meeting. The applicant provided information regarding the proposed building form of the development including an explanation regarding the market difficulties of securing a food store tenant under the existing zoning. The residents were generally interested in knowing who the development was intended to be marketed for and what the tenure of the development would be. Concern was expressed regarding the proposed stacked townhouse concept for ten units along the Woodglade Blvd. Frontage. Questions regarding the timing of the improvements along Sherbrooke Street were also posed by the residents. Written comments were received from owners of 2294 Woodglade Blvd. Regarding their opposition to the proposed density of development due to traffic, schools, pollution, garbage and the potential for drug issues.

The owner of 1321 White Cres. (opposite the property at the south west corner of White Cres. and Woodglade Blvd.) attended the meeting and also provided written correspondence regarding his concerns about the tenure of the development and about the location of the northerly driveway to the subject lands and the impact on his family's privacy due to lights from vehicles exiting the property at night. The owner has requested that the applicants install a composite privacy fence with a minimum height of 2m (6ft.) from the front corner of his property, along the entire frontage on Woodglade Blvd.

A letter of opposition was received from the owners of 306 Linden Lee, stating that they feel that the proposed development is not conducive to the area and more in keeping with inner city development due to the additional traffic congestion, air and noise pollution. The owner of 1494 Sherbrooke Street also opposes the application due to concerns with additional traffic at the intersection of Sherbrooke and Woodglade, causing additional conflicts with the location of the driveway onto Sherbrooke from their property. Concerns are also expressed in relation to potential parking along Woodglade and the proposed townhouse form of development.

In response to the concerns outlined above, the applicant has further revised the concept plan related to the residential concept, to eliminate the stacked townhouse concept and include an additional bungalow unit; adding a sidewalk along the south side of Laneway A (east-west) by reducing its width to 7m and amended the northerly entrance/exit to a right-in movement only, allowing for additional planting on the north side of the entrance to block the headlight glare concerning the owner of 1321 White Cres.

The improvements to Sherbrooke Street are included in the 2010 work program for Public Works, to be approved in the 2010 budget.

The concept plan has evolved during the processing of this application, largely in response to the comments received from City Planning Staff and neighbouring residents. As a result, the Notice of Public Meeting contained a description of an earlier version of the concept. The changes to the concept plan result in a reduction in the total number of units from the original proposal at 67 total residential units to the latest revised version illustrating a total of 52 units. This was clarified by telephone and email to several residents who enquired.

As of May 6, 2009 no further public written responses were received as a result of the circulation.

Submitted by,

Malcolm Hunt
Director of Planning and Development Services

Prepared by,

Concurred with,

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Land Use Planner

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Attachments:

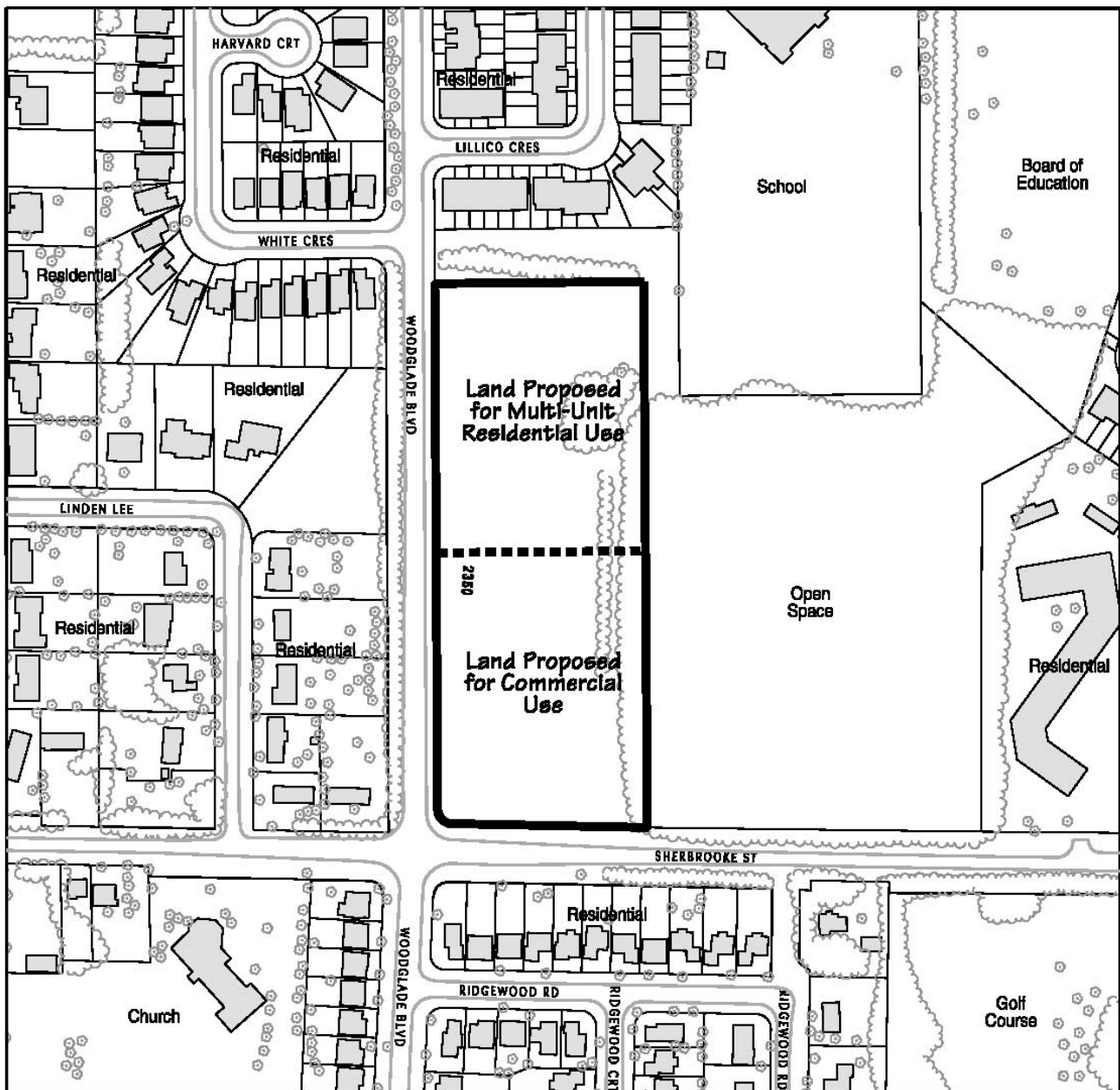
EXHIBIT A Land Use Map
EXHIBIT B Concept Plan – Entire Site
EXHIBIT C Concept Plan – Residential Portion
EXHIBIT D Draft By-law

Land Use Map

File # z0903

Property Location: 2350 Woodglade Blvd

Exhibit A
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The City of Peterborough Planning Division

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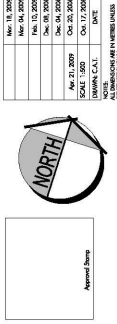
Date - January 2009
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Scale - 1:3000

SITE PLAN

Block 32, Plan 45M-146
Woodglade Boulevard & Sherbrooke Street
CITY OF PETERBOROUGH

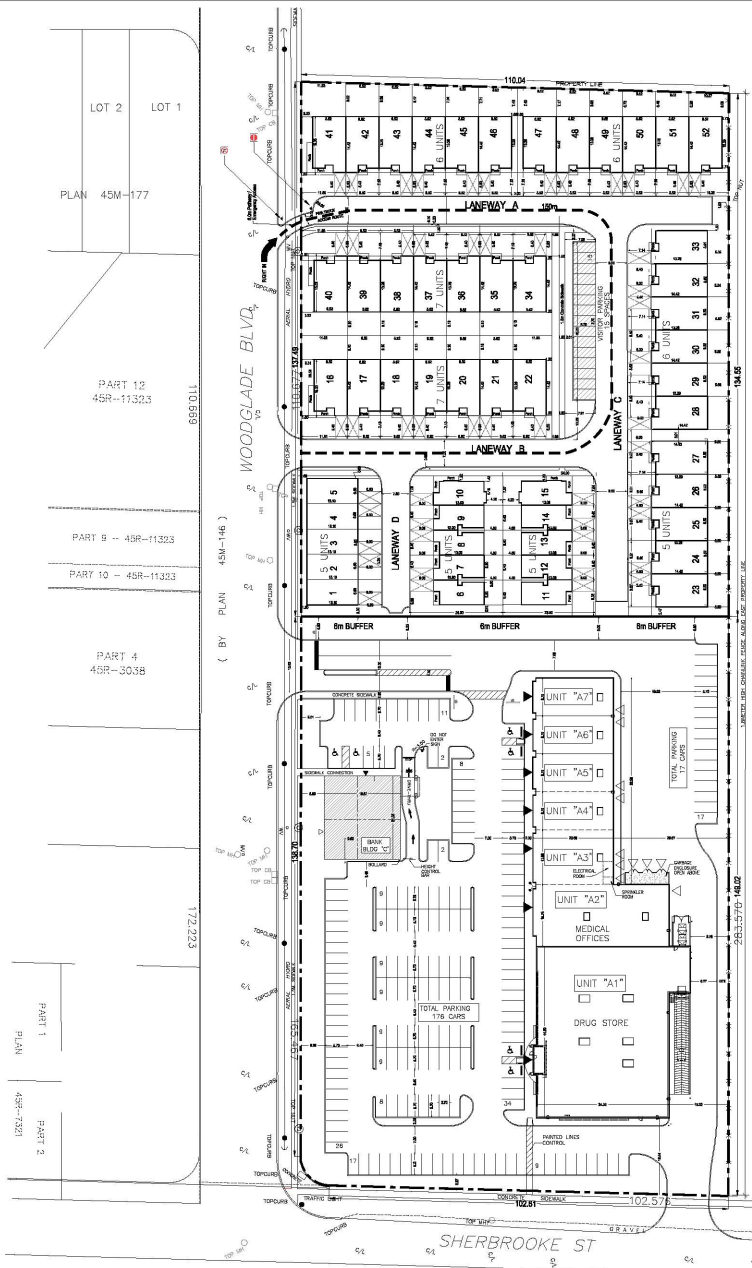
SITE STATISTICS		
Area "A" - Commercial		
SITE AREA	16,212.11 m ² ±	21.5%
BUILDING AREA	3,487.88 m ² ±	
ASPHALT AREA	8,955.87 m ² ±	
LANDSCAPED AREA	2,541.23 m ² ±	15.0%
PARKING PROVIDED	193	
Area "B" - Residential		
NO. UNITS	52	
SITE AREA	14,951.46 m ² ±	36.3%
BUILDING COVERAGE	5,432.52 m ² ±	
ASPHALT AREA	3,582.86 m ² ±	
LANDSCAPED AREA	3,572.83 m ² ±	35.7%
PARKING PROVIDED:		
- Driveway Parking	52	
- Garage Parking	52	
- Visitor Parking	15	
Total	119	
PARKING REQUIRED: 52 x 1.75 spaces per unit = 91		
UNIT TYPES	UNIT NO.	TOTAL UNITS
Two-Storey Townhouses	1-15	15
Bungalow Townhouses	16-52	37

Unit Parking Spaces Visitor Parking Spaces

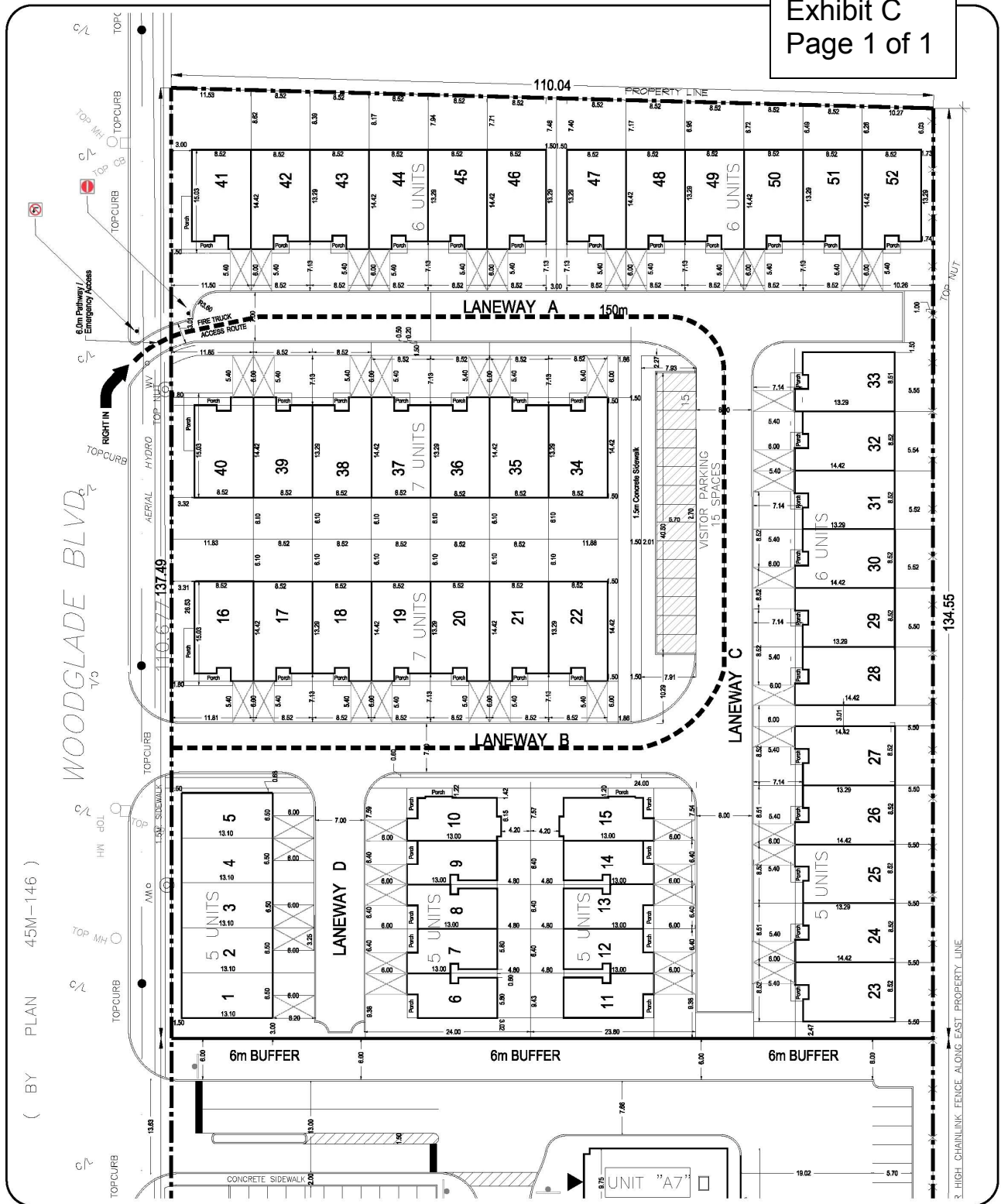


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(BY PLAN 45M-146)



THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 09-_____

**BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR
2350 WOODGLADE BOULEVARD**

**THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL
THEREOF HEREBY ENACTS AS FOLLOWS:**

1. Section 276 of By-law 97-123 is hereby amended by revising section 276.3 of Special District 246 (SP.246) as follows:

276.3 No person shall within Area A of an SP.246 district use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Type	Requirement
a) maximum lot area occupied or developed as a shopping centre	2.0 ha
b) maximum building floor area of all development	3,850 square metres
c) maximum number of storeys	2
d) maximum Gross Leasable Area of any retail or service commercial establishment exclusive of the uses listed in e) and f)	300 square metres
e) maximum Gross Leasable Area of an individual establishment for the following uses: <ul style="list-style-type: none"> • Retail Sales of: <ul style="list-style-type: none"> • New Auto Parts and Accessories; • Optical Supplies; • Art Supplies; • Pets; • Paint; Wallpaper and Decorating Supplies; • Beer, Wine or Liquor. • An Office, excluding a veterinary office; • A Clinic; • A Bank, Financial Institution or Loan Company; • A restaurant; • A gymnasium or health club; • A video rental establishment. 	550 square metres
f) maximum Gross Leasable Area of a drug store or a food store	1,600 square metres
g) minimum width of Landscaped Open Space (except at access points) <ul style="list-style-type: none"> • Abutting north property line • Abutting east property line • Abutting west property line 	6.0 metres 3.0 metres 5.0 metres

• Abutting south property line	3.0 metres
h) Planting Strips and/or architectural screening and/or landscape berm with a minimum height of 1.0 m shall be constructed and maintained within the Landscape Open Space along the north, west and south lot lines.	
i) minimum building setback from parkland	9 metres
j) maximum number of service bays for a service station	2
k) an accessory building or waste receptacle or garbage storage area may be erected or located within the district, provided the following regulations are complied with:	
i. minimum building setback	9 metres
ii. maximum building height	4.5 metres
iii. maximum building or site area	37 square metres
l) Placement of portable signs is prohibited	
276.4 SP.246 District is hereby designated as a Commercial District	

Exhibit D
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2. By-Law 1997-123 is amended by adding Section 374 as follows:

“SECTION 374

SPECIAL DISTRICT 344 (SP.344)

374.1 For the purpose of this by-law, land use district “Special District 344” hereby established and may be referred to as the symbol “SP.344”.

PERMITTED USES

374.2 No person shall within any SP.344 District use any land or erect, alter or use any building or part thereof for any purpose other than:

- (a) a dwelling

REGULATIONS

374.3 No person shall within any SP.344 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations;

