



City of  
**Peterborough**

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**To:** **Members of the Planning Committee**

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

**Meeting Date:** **November 21, 2016**

**Subject:** **Report PLPD16-085**  
**1230 Lansdowne Street West and Part of 740 Clonsilla Avenue**

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## **Purpose**

A report to evaluate the planning merits of amending the Zoning By-law for the properties known as 1230 Lansdowne Street West and Part of 740 Clonsilla Avenue from SP.268-166-Commercial District and C.4-Commercial District to a modified C.7-166 'H' - Special Purpose Retail Zoning District to permit the use of the lands for a large format retail use.

## **Recommendations**

That Council approve the recommendations outlined in Report PLPD16-085 dated November 21, 2016, of the Manager, Planning Division, as follows:

- a) That Exception .166 of Section 3.9 Exceptions of the City's Comprehensive Zoning By-law 97-123 be amended to eliminate the requirement for a 1.5 metre landscaped open space strip along the westerly lot line; reduce the required parking to 1 space per 30 square metres of floor area for retail commercial; and reduce the required rear yard setback to 3 metres to permit an architectural wall, to 2.7 metres for a patio and to 4 metres for an overhead canopy, in accordance with the draft amendment, attached as Exhibit 'C' to Report PLPD16-085.
- b) That the zoning of the subject property be amended from the SP.268-166-Commercial District and C.4-Commercial District to a modified C.7-166 'H'- Special Purpose Retail Zoning District, in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD16-085.

- c) That the “H”-Holding Symbol be removed from the subject property at such time as the properties are merged, and subject to approval of a revised Site Plan, including the portion of the lands severed from 740 Clonsilla Avenue and the provision of stormwater management facilities for the surrounding lands.

## **Budget and Financial Implications**

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

## **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 ‘Special Purpose Retail’ on Schedule ‘I’ – Commercial Area. The City’s Commercial Structure is illustrated on Schedule ‘I’ – Commercial Area and provides for appropriate and orderly development of commercial land use. The proposed use contemplated by the subject zoning complies with the ‘Special Purpose Retail’ policies that apply to the lands.

New development is subject to Site Plan Approval via a revised Site Plan, to ensure that the property complies with standards with regard to stormwater management, parking, traffic circulation and landscape treatment.

## **Background**

The subject application was originally received on August 5, 2016 and deemed to be complete as of October 20, 2016. The application 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 February 17, 2017 if Council has not made a decision.

The total lot area of the subject lands is approximately 0.9 ha (2.23 ac.), located between Lansdowne Street West and Clonsilla Avenue, east of the intersection of Clonsilla Avenue and Lansdowne Street West. The lands currently support a retail commercial building fronting onto Lansdowne Street West and a parking lot associated with Wallace’s Conley Collision adjacent to Clonsilla Avenue.

The applicant has also submitted application to the City's Committee of Adjustment for Consent to Sever a portion of the lands known as 740 Clonsilla (B17/16), intended to be merged with the lands known as 1230 Lansdowne Street West, to facilitate additional parking, an entrance feature to the building facing Clonsilla Avenue, stormwater management facilities and a new driveway connection replacing the existing easterly connection along Clonsilla Avenue. Consent to permit Easements are also proposed over the severed and retained parcels to accommodate vehicular traffic between the properties and stormwater management facilities for the surrounding lands.

The applicant proposes to convert the existing building to a large format retail use (Mark's Work Warehouse) with associated parking and landscaping, in keeping with the Special Purpose Retail policies of the Official Plan. The total proposed floor area of the retail space is 2617 m<sup>2</sup> (28170 ft<sup>2</sup>).

A Parking Study has been submitted in support of a reduction in the amount of parking required for a retail establishment, as prepared by Tranplan Associates, dated August 2, 2016. A preliminary Stormwater Management Brief has also been submitted in support of the redevelopment of the site, prepared by D.M. Wills Associates Limited, dated July 26, 2016.

Site Plan Approval was granted in 2000 for the lands known as 1230 Lansdowne Street West. Amendment to the Site Plan Agreement will be required to include the additional lands known as Part of 740 Clonsilla Avenue and recognize the extended driveway, easements and stormwater management facilities in addition to the parking.

## **Analysis**

### **a) Official Plan**

The lands are currently designated "Commercial" on Schedule 'A' – Land Use and "Special Purpose Retail" on Schedule 'I' – Commercial Areas of the City of Peterborough Official Plan.

Section 4.3.4. of the Official Plan states that the objective of the 'Special Purpose Retail' designation is "to provide for the accommodation of large format retail outlets and other facilities in accordance with the Commercial Structure policies of Section 2.3 of the Official Plan." Large format retail uses are preferred to be in a form where access, building configuration and other matters are co-ordinated with adjacent properties. A limited list of other commercial uses including personal service shops, restaurants, gas bar and automotive sales and service uses, commercial recreation and assembly uses, financial services and public and community facilities are also anticipated in the Special Purpose Retail designation. Supermarkets, Department Stores and other similar Mass General Merchandisers are not permitted. Smaller scale uses are not permitted except where in existence at the time of designation in the Special Purpose Retail category.

The introduction of commercial uses, including those listed in the C.7 Zoning District are consistent with the 'Special Purpose Retail' designation and controlled in size by regulation. These regulations ensure that the retail uses are large format while allowing smaller scale service type of commercial uses in addition.

**b) Zoning By-law**

The subject properties are currently zoned SP.268-166 – Commercial District and C.4 – Commercial District permitting a range of service commercial uses including limited retail uses such as motor vehicle sales, building products establishment and furniture and appliance sales. The proposed amendment to the C.7-166 'H' zoning will have the effect of revising the list of permitted uses to add large format retail uses and revising the site specific regulations via the modified exception 166.

The proposed C.7 Zoning implements the 'Special Purpose Retail' Designation of the lands and will permit the following, subject to the regulations of the Zoning District related to size:

- a) a retail establishment, excluding a department store and a food store
- b) a retail establishment for the sale of beer, wine or liquor
- c) a video rental establishment
- d) a bank, financial institution or loan company, including an automated banking machine
- e) a personal service establishment
- f) a retail convenience store
- g) a sub post-office
- h) a dry cleaning depot
- j) a place of assembly
- k) a private club
- l) a place of entertainment, excluding a cinema
- m) an art school, music school, dance school or fine arts school
- n) a gymnasium or health club
- o) a place of amusement
- p) a hotel
- q) a restaurant
- r) a service station or a gas bar
- s) a car wash
- t) a muffler, auto glass or other motor vehicle repair establishment
- u) a repair shop
- v) a nursery or greenhouse
- w) a funeral parlour
- x) a police station
- y) an ambulance station
- z) a fire hall
- aa) a church
- bb) a library, museum or art gallery

- cc) an animal hospital or veterinary office
- dd) a rental establishment
- ee) a printing shop
- ff) a flea market
- gg) an auction hall
- hh) a parking lot or parking garage
- jj) a miniature golf course
- kk) a taxi stand

Exception 166 is assigned to the current zoning of the lands at 1230 Lansdowne Street West, intended to reflect the location of the existing building and the development of the existing site by modifying certain regulations of the SP.268 Zoning District. Exception 166 is proposed to be amended to eliminate the requirement for a 1.5 m landscaped open space strip along the westerly lot line; reduce the required parking to 1 space per 30 m<sup>2</sup> of floor area for retail commercial; and reduce the required rear yard setback to 3 m to permit an architectural wall, to 2.7 m for a patio and to 4 m for an overhead canopy.

The parking reduction has been justified in the Tranplan report to reduce the number of parking spaces from the required minimum of 1 space per 18 m<sup>2</sup> of floor area to 1 space per 30 m<sup>2</sup> of floor area. The reduction is based on an analysis of the City's Zoning By-law as compared to normal peak demand observed through a parking observation survey at the existing Mark's Work Warehouse location at 1135 Lansdowne Street West. The proposed ratio results in a reduction from 119 spaces to 89 spaces on site and it is projected that the normal peak demand of 75 spaces will be addressed on site with the ability to accommodate up to 25% additional parking for special peaking that may occur.

### **c) Site Development**

The applicant proposes to redevelop the property to provide a vehicular and pedestrian connection to Clonsilla Avenue in addition to the existing entrance along Lansdowne Street West. A main entrance feature with a canopy will be added to the north wall of the existing building, facing Clonsilla Avenue. This will be in addition to the pedestrian entrance on the south wall of the building, facing Lansdowne Street West.

The proposed redevelopment of the site includes the consolidation of the two parcels and extension of a driveway and parking area along the easterly lot line and a small addition adjacent to the northeast corner of the building, together with a new driveway entrance to Clonsilla Avenue.

The introduction of additional driveway and parking facilities will have the effect of generating more stormwater, to be managed in accordance with an approved stormwater management design, approved via Site Plan Approval.

An amendment to the existing Site Plan Agreement will be required to include the additional lands and to capture the stormwater management details, the addition to the building, employee patio area, retaining wall and parking/driveway areas.

## Response to Notice

### a) Significant Agency Responses:

Agency circulation was issued on October 12, 2016.

The City's Utility Services Department has no objection to the proposed zoning amendment, however, does provide comments to be forwarded to the Applicant for their consideration related to the future Site Plan Approval process. A Detailed Stormwater management design report will be required and it is noted that the existing gravel parking areas and garden ponding area be modeled with specific values. It is also noted that the proposed parking layout will require enhancements to the existing retaining wall system on the east side of 726 Clonsilla Avenue. Requirements for cross-easements for vehicular movement, servicing and drainage are also required.

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 October 24, 2016 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 October 27, 2016.

Submitted by,

Ken Hetherington  
Manager, Planning Division

Prepared by,

Caroline Kimble,  
Land Use Planner

Concurred with,

Allan Seabrooke, Acting Director  
Planning and Development Services

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**Attachments:**

Exhibit A - Land Use Map

Exhibit B - Concept Plan

Exhibit C - Draft Zoning By-law Amendment

Exhibit A, Page 1 of 1

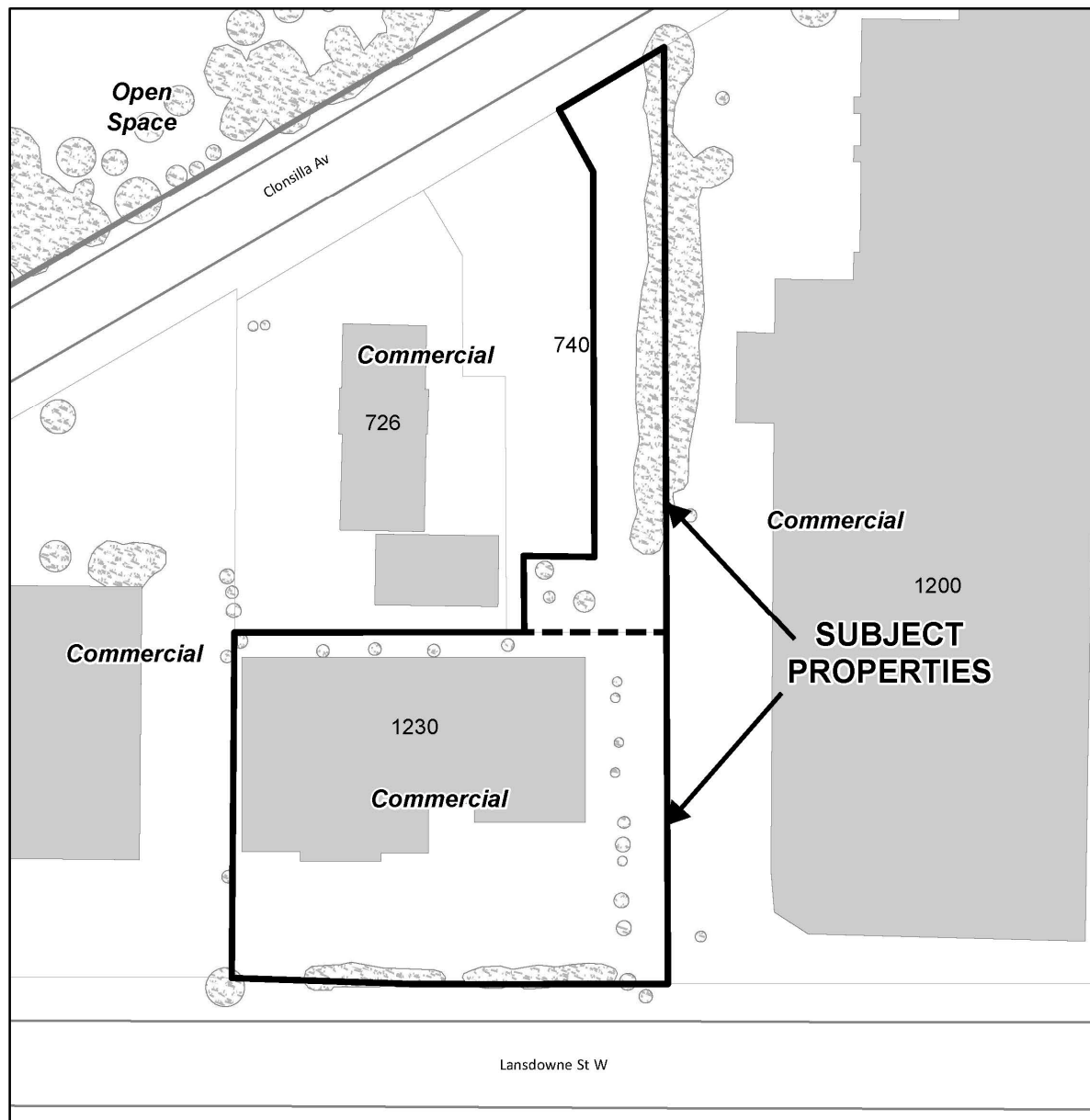
# Land Use Map

File: Z1618

EXHIBIT

SHEET OF

Property Location: 1230 Lansdowne St W and Part of 740 Clonsilla A



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.



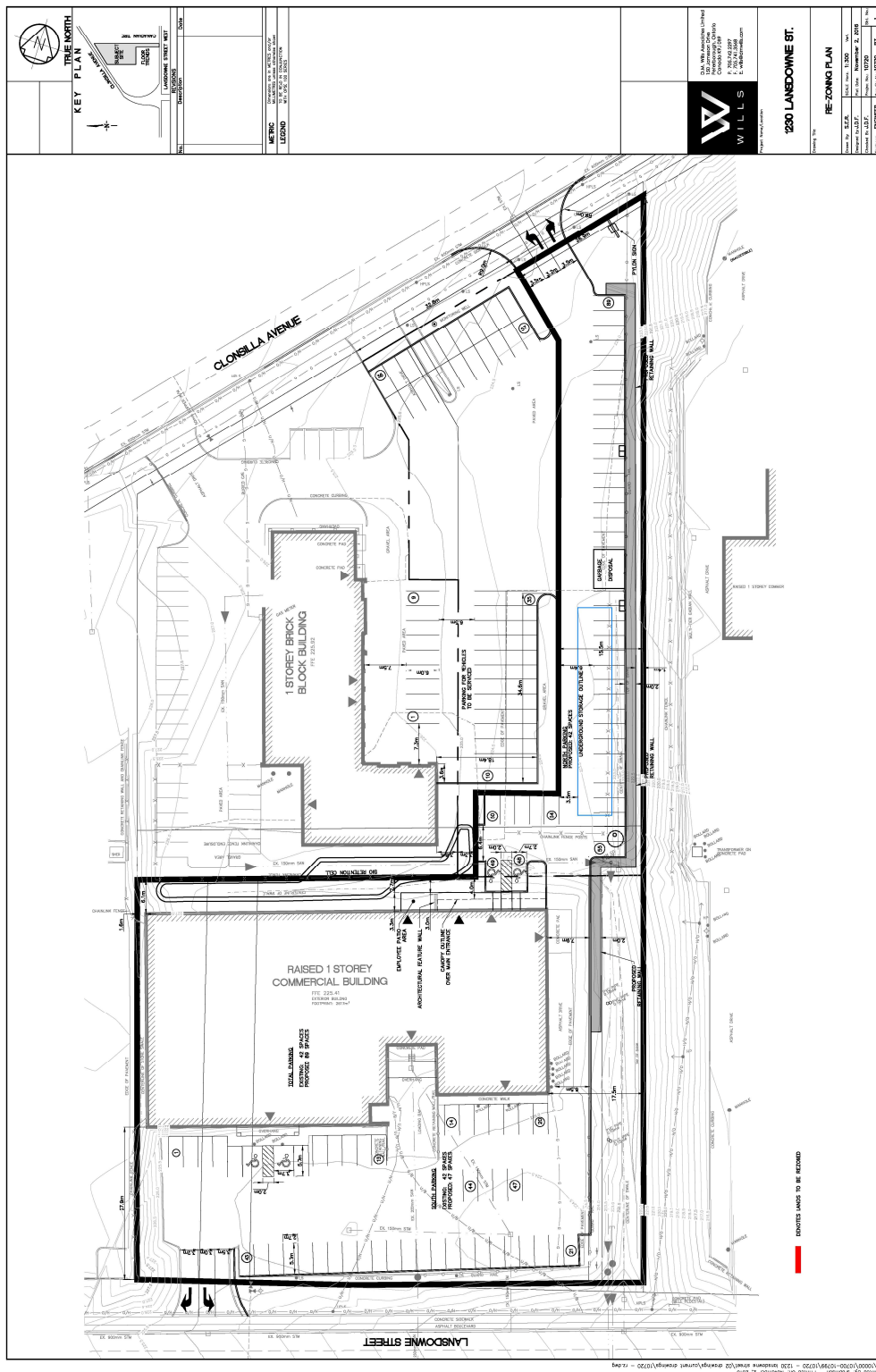
Date: October 11, 2016

Map by: JEllis

0 4.759.5 19 28.5 38 47.5 Metres



## Exhibit B, Page 1 of 1



## Exhibit C, Page 1 of 2



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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 for the properties known as 1230 Lansdowne Street West and Part of 740 Clonsilla Avenue

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

1. Map 16 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 SP.268-166 to C.7-166 ‘H’ and from C.4 to C.7-166.**
2. Exception 166 of Section 3.9 – Exceptions of By-law 97-123, is amended by adding the following:

“Notwithstanding the requirements of Section 4.2, the minimum required parking for retail commercial purposes shall be 1 parking space per 30 m<sup>2</sup> of floor area.

Notwithstanding the minimum setback from the rear lot line, a minimum of 3 m shall be permitted along the northerly rear lot line to accommodate an architectural wall, a 2.7 m setback shall be permitted for a patio and a 4 m setback shall be permitted for an overhead canopy.”

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

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

**Exhibit C, Page 2 of 2**