



City of
Peterborough

To: **Members of the Planning Committee**

From: **Jeffrey Humble, Director, Planning and Development Services**

Meeting Date: **June 12, 2017**

Subject: **Report PLPD17-029**
475 George Street North and Part of 175 Murray Street
Zoning By-law Amendment

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 475 George Street North and a Part of the property known as 175 Murray Street, to modify the SP. 13 – Special Commercial District to permit residential dwelling units on the ground floor and to extend the SP.13 – Special Commercial District to a portion of 175 Murray Street to facilitate the severance and consolidation of the lands for redevelopment.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-029 dated June 12, 2017, of the Director, Planning and Development Services, as follows:

- a) Amend Section 41, Special District 13 (SP.13) of Zoning By-law 1997-123, to delete the requirement to locate dwelling units only in a second or higher storey, in accordance with Exhibit 'C' attached to Report PLPD17-029; and
- b) That the zoning of the easterly portion of the lands known as 175 Murray Street be amended from the PS.2 – Public Service District to the SP.13 – Special Commercial District in accordance with Exhibit 'D' attached to Report PLPD17-029.

Budget and Financial Implications

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

Background

The property known as 475 George Street North (former YMCA) was subject of a Zoning Amendment approved by Council in 2011 that had the effect of amending the list of permitted uses and regulations of the SP.13 Zoning District to permit a mix of residential and commercial uses with site specific provisions and subject to the conditions associated with the removal of the 'H' Holding Symbol. The 2011 application proposed approximately 56 independent apartment units, together with 84 residential suites, retail and clinic uses. Site specific regulations were incorporated in the zoning related to parking, building coverage, building floor area ratio and setbacks to permit the proposed redevelopment. The 2012 application also proposed the introduction of 47 parking spaces in an underground parking facility on site, to address the residential parking requirements.

In February of 2012, Council reviewed a final design for the redevelopment of the property, including the demolition of the original gymnasium, to be reflected in the Site Plan Agreement. The 'H' Holding Symbol was removed from the zoning of the property on the strength of the satisfaction of PACAC and the guarantee of a Site Plan Agreement to address the remaining conditions, including Council's approval of the Site Plan.

Since 2012, the property has been conveyed to George and Murray Development Corporation who have now submitted a new Site Plan Application proposing the conversion of the former YMCA building as well as a building addition. The proposed building addition is seven storeys high, in accordance with the height regulations of the current zoning. The development currently proposes to accommodate 147 dwelling units.

The current owner has opted to forgo the 2012 concept for underground parking and has considered alternative parking arrangements to provide both on-site and off-site parking for residents of the proposed development. Murray Street Baptist Church own the abutting lands along Murray Street and have agreed to sell and convey the easterly portion of their lands known as 175 Murray Street to be consolidated with the lands known as 475 George Street North, intended to accommodate approximately 23 parking spaces. These lands are included in the Zoning Amendment Application and are proposed to be rezoned to the SP.13 – Special Commercial District, consistent with the zoning of 475 George Street North.

In addition to the lands being conveyed by Murray Street Baptist Church, the owner has also been working with City Staff regarding an Exclusive Use Lease Agreement with the City to facilitate 50 parking spaces in the City owned Brock Street Municipal Parking Lot

as an alternative to providing cash-in-lieu of parking. Subject to Site Plan Approval and Council Agreement to a lease arrangement, the use of a portion of the Brock Street lot may provide an adequate number of parking spaces to satisfy the minimum Zoning requirements of 0.5 parking spaces per unit, without requiring the payment of cash-in-lieu of parking, however, the owner has the option to pay cash-in-lieu of parking due to the location of the property within the downtown core, Area 1. The current proposal contemplates the eastern half of the Brock Street Lot to be subject to a long term lease, thereby leaving the Brock Street First Nations' Burial Site within the westerly half of the lot. The balance of the lot is to continue to be used as public parking.

The Site Plan application, including the potential use of a portion of the Brock Street Municipal Lot has been circulated and is currently being processed. As part of the Site Plan Approval, Council will be asked to endorse a long term lease arrangement for the exclusive use of a portion of the Brock Street Parking lot (see Exhibit 'C' to Report PLPD17-029). The addition of the Murray Street Baptist Church lands via Consent approval by the City's Committee of Adjustment and the Zoning Amendment to facilitate ground floor residential uses are both required in order to proceed with the current proposed Site Plan.

Analysis

a) Official Plan

The lands are designated 'Commercial' and located within the Commercial Core Area, forming part of the City's Central Area. The Commercial Core Area is intended to be the focus for the major concentration of retail, office, entertainment and service commercial uses along major streets in the area. Pedestrian related activity such as retail uses are to be located at grade level, with any office and residential uses in upper storeys in order to maintain the continuous shopping function. The City's Official Plan was amended in May, 2009 to reflect the Central Area Master Plan. The Central Area is recognized as the multifunctional center of the City, fulfilling the central place functions of the City and the Greater Peterborough Area. The subject lands are located at the northerly limit of the Commercial Core Area at the George Street North gateway to the Central Area.

The application proposes to utilize the ground floor for residential units. Historically, a small retail operation was located in the southerly portion of the most recent addition to the building along George Street North. The designated original 1892 former YMCA building is to be retained. The existing doorway entry to the building along George Street is also proposed to be retained and is elevated from the sidewalk with stairs leading to the first floor. It is the intention of the developer to maintain the elevation of the first floor in the original and existing buildings and continue the elevation into the proposed extended addition to the south to provide appropriate circulation within the building. As a result, the first floor will continue to be elevated from the grade at the sidewalk and less suitable for retail purposes as envisioned by the Official Plan.

The introduction of residential units to the Commercial Core is consistent with the Central Area Master Plan policies of Section 10.6.3 c) *“To encourage new residential development, particularly in higher density or mixed-use forms that will add to the vitality of the Central Area and create an expanding local market for retail growth.”*

b) Zoning By-law

The lands known as 475 George St. N. are zoned SP.13 – Special Commercial District and permit a wide range of commercial uses for the property, including high density residential use.

The application proposes to amend the regulations of the SP.13 – Special Commercial District to allow the use of the ground floor for residential dwelling units. The application further proposes to extend the SP.13 – Special Commercial District to the west, to include the easterly portion of the Murray Street Baptist Church lands known as 175 Murray Street. The applicant has filed an application for Consent to sever these lands to the City’s Committee of Adjustment, to be considered at the June 6th, 2017 meeting. The applicant intends to convey the lands and consolidate the lands with the lands at 475 George Street North property to facilitate on site parking related to the proposed development.

As mentioned above, the property is located at the northerly limit of the Commercial Core Area. The introduction of residential units along the elevated ground floor will not interrupt a commercial function along the west side of George Street, and although it is desirable to facilitate retail commercial at grade, it is equally desirable, in this instance, to preserve the historical configuration of the building, including the elevation of the first floor, not conducive to retail use.

The addition of lands for parking will provide approximately 23 parking spaces on site and will partially address the minimum parking requirements as set out in the City’s Zoning By-law. Based on the proposed 147 units, a minimum of 74 parking spaces are to be provided. Potential for an exclusive lease arrangement with the City for another 57 spaces may be considered by Council at a future date as part of the Site Plan Approval process. Cash-in-lieu of parking is also an option available to the developer, whereby the payment of money for any on-site deficiency, is provided to the City in lieu of providing parking. The City is required to enter into an agreement with owners, where eligible, to excuse the on-site parking requirement, together with a deposit into a special fund for the creation and maintenance of parking in the downtown. Details of the balance of the parking will be provided to Council as part of the Site Plan Approval process.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on March 29, 2017.

The City's Utility Services Department indicated no objection to the rezoning application in principle, subject to cash-in-lieu of parkland, where required. Additional comments have been forwarded to the applicant for their consideration, including the requirement for a stormwater management design report (water quantity and quality) for the development of parking on the parcel to be severed from the Murray Street Baptist Church lands for parking. A 0.5m road widening will also be required across the frontage of the severed parcel fronting onto Murray Street and an engineering servicing plan was required to address increased sanitary outflows, at the Site Plan Approval stage.

Peterborough Utilities indicates that the suitability of the existing water services be confirmed by the owner and a review of the payable Development Charges for the redevelopment. A pad-mounted transformer will be required on the property and space should be allocated for the same at the Site Plan Approval stage. If electric heat is provided in rental units, then the electric heat has to be metered separately from the renter's meter.

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 May 15th, 2017 by newspaper advertisement (Peterborough Examiner) and by direct mail. The notice complies with the requirements of the *Planning Act*.

No further written comments have been received as of May 19, 2017.

Submitted by,

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Director, Planning and Development Services

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Attachments:

Exhibit A - Land Use Map
Exhibit B - Concept Plan
Exhibit C – Site Plan Illustrating Parking as Proposed
Exhibit D - Draft Zoning By-law

Exhibit A – Land Use Map – Page 1 of 1

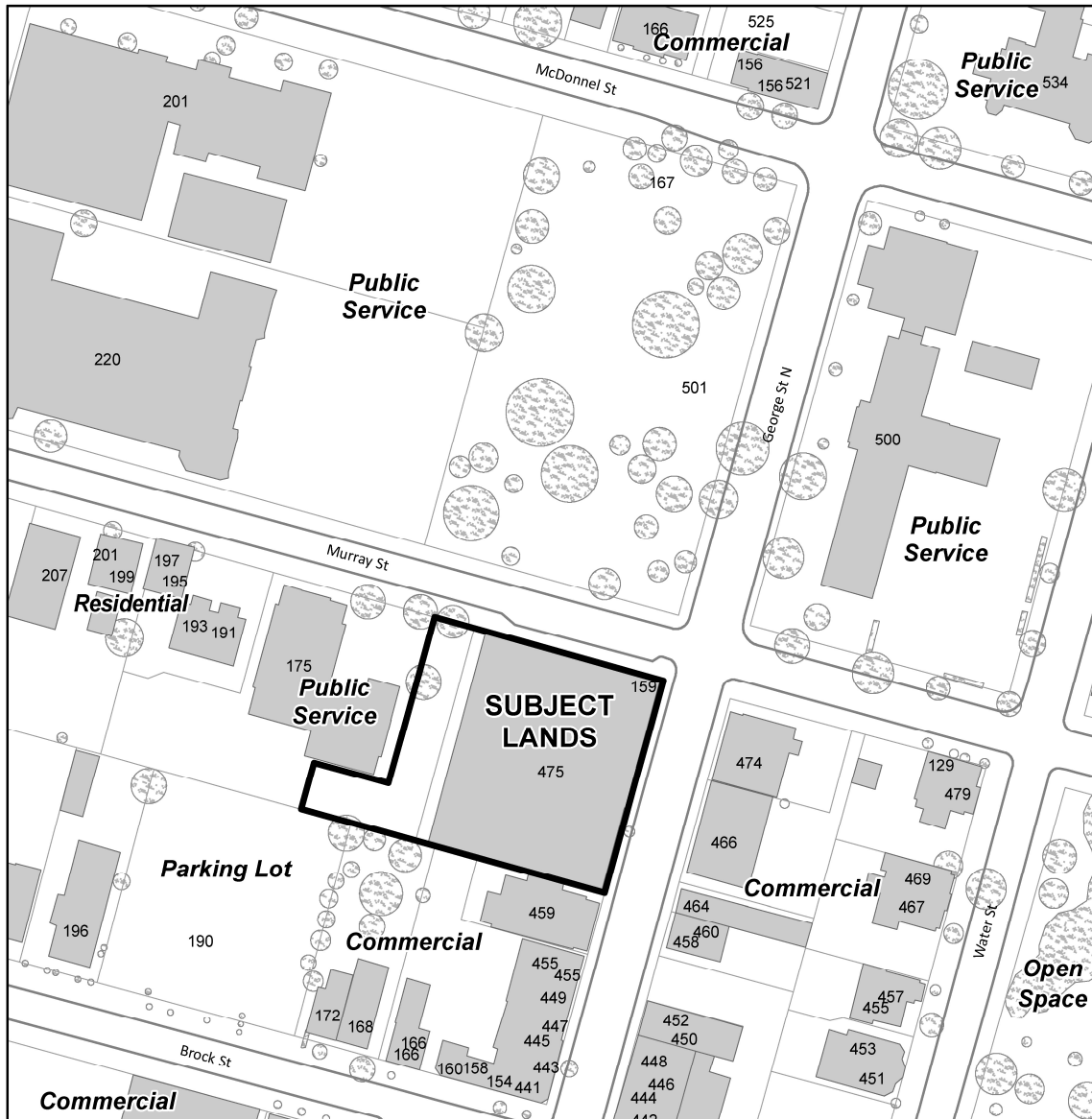
Land Use Map

File: Z1702

Property Location: Part of 175 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: March 29, 2017

Map by: JEllis

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Exhibit B – Concept Plan – Page 1 of 1

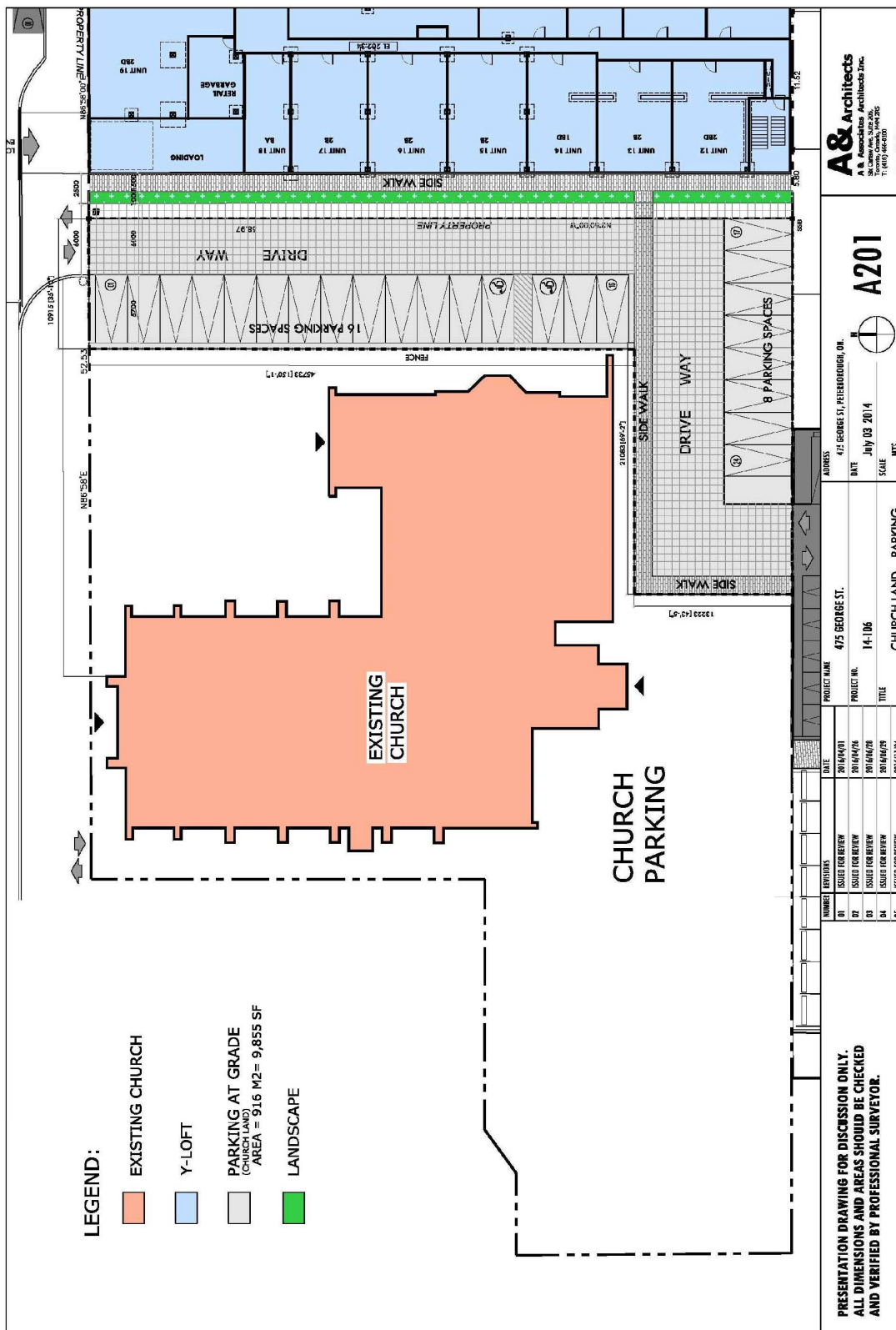


Exhibit C – Site Plan – Page 1 of 1

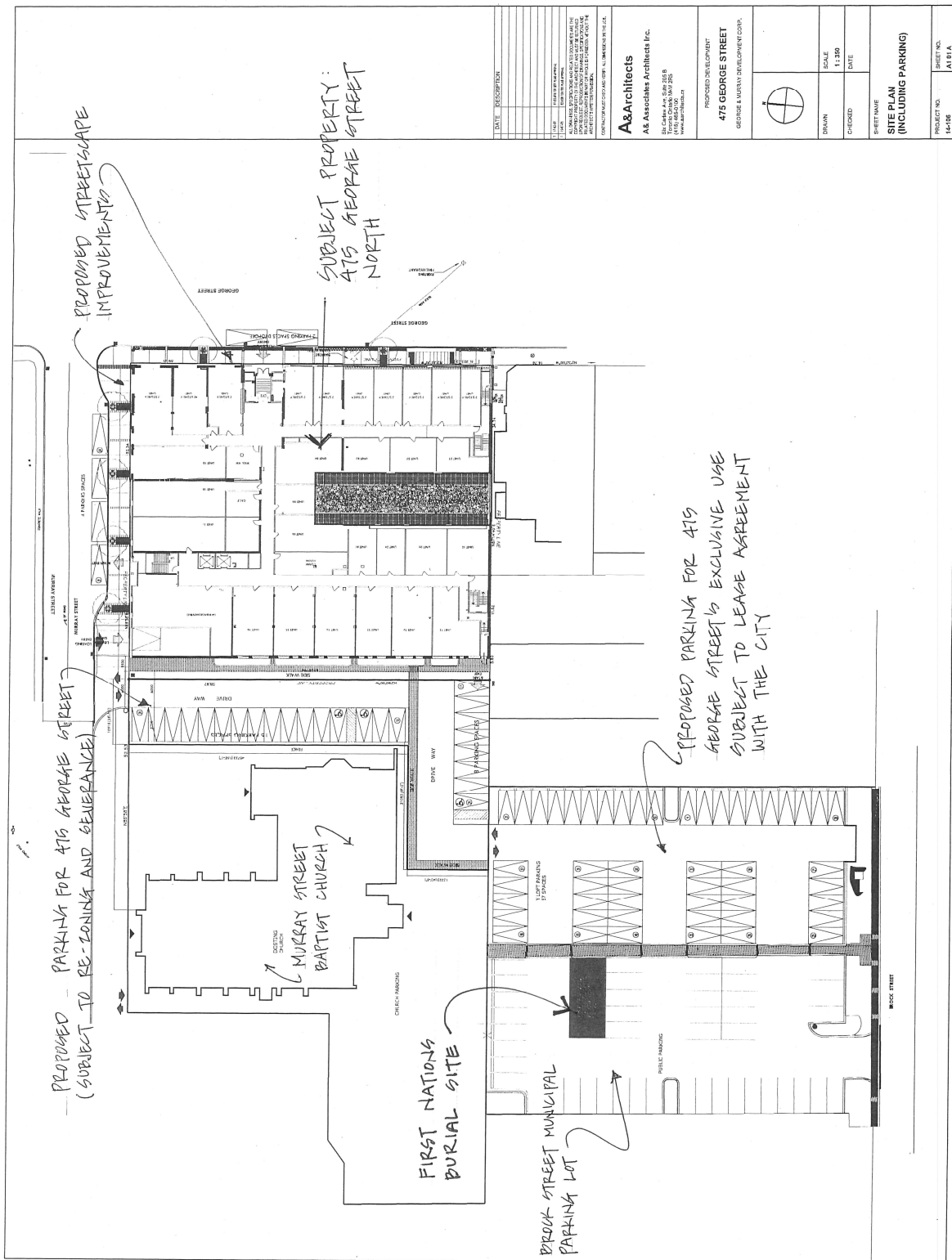


Exhibit D – Draft Zoning By-law - Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 17-

Being a By-law to amend the Zoning By-law for the lands known as a Part of 175 Murray Street and 475 George Street North

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

1. That Section 41.4 Regulations of the SP.13 Zoning District be amended to delete "41.4 c) dwelling units shall be located only in a second or higher storey".
2. That 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 the PS.2 – Public Service District to the SP.13 – Special Commercial District.

By-law read a first, second and third time this day of , 2017.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit D – Draft Zoning By-law - Page 2 of 2