



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: June 21, 2010

SUBJECT: Report PLPD10-044
1866 and 1900 Lansdowne Street West

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law from the SP.121 and SP.338 – Special Commercial Districts to a modified SP.121 – Special Commercial District, to amend the list of permitted uses and size restrictions for the properties at 1866 and 1900 Lansdowne Street West, in accordance with the Neighbourhood Centre policies of the Official Plan.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD10-044 dated June 21, 2010, of the Manager, Planning Division, as follows:

- a) That Section 151, Special District 121, in the City's Comprehensive Zoning By-Law #1997-123, be amended in accordance with the draft amendment, attached as Exhibit 'C' to Report PLPD10-044, to modify the list of permitted uses and size restrictions for the lands known as 1866 and 1900 Lansdowne Street West.
- b) That the zoning of the property known as 1900 Lansdowne Street West be amended from the SP.338 – Special Commercial District to SP.121 – 'H' - Special Commercial District (as amended), in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD10-044.
- c) That the 'H' Holding Symbol be removed at such time that Site Plan Approval is granted for the subject property, including provision for a 2.76m road widening across the frontage of 1900 Lansdowne Street West.

BUDGET AND FINANCIAL IMPLICATIONS

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

BACKGROUND

The subject application was received on April 20, 2010, proposing an amendment to the zoning of the lands to permit uses consistent with the Neighbourhood Centre Commercial policies of the Official Plan.

The lands at 1866 Lansdowne Street West support the existing Mapleridge Plaza, zoned SP.121 – Special Commercial and the lands known as 1900 Lansdowne Street West, zoned SP. 338 – Special Commercial, which are currently vacant (former Deck Transport). An application was originally submitted in 2006, seeking expansion of the Neighbourhood Centre designation and zoning of the lands known as 1900 Lansdowne Street West (former Deck Transport lands) and to rezone the plaza lands at 1866 Lansdowne Street West. The request was deferred to 2007, due to the unknown impacts on the City's Commercial Structure, and whether the additional retail space was warranted, based on the 2000 Retail Market Analysis figures.

The applicants agreed to hold their application for Official Plan Amendment until the completion of the City's Retail Market Analysis Update in March, 2009. In the interim, a Zoning By-Law amendment was approved for 1900 Lansdowne Street West in October 2007, to implement the 'Service Commercial' designation of the lands in effect at the time in the Official Plan.

In June, 2009, with the benefit of the conclusions of the City's Retail Market Analysis Update, Council supported an amendment to the Neighbourhood Centre designation in the Official Plan, to facilitate a limited expansion of the designation to include both the property at 1900 Lansdowne Street West and the easterly portion of the former Rockhaven site, known as 1875 Lansdowne Street West.

Official Plan Amendment #141 was approved in July, 2009 and the owners of 1866 and 1900 Lansdowne Street West have now applied to implement the Neighbourhood Centre Official Plan designation through appropriate zoning.

ANALYSIS

a) Official Plan

The lands are currently designated 'Commercial' on Schedule 'A' – Land Use of the City of Peterborough Official Plan and form part of the Mapleridge Neighbourhood Centre on Schedule 'I' – Commercial Areas.

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; larger scale neighbourhood serving retail uses such as food stores, drug stores and hardware stores. In addition, the lands are also intended to support 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 Zoning By-Law Amendment to implement the Neighbourhood Centre Official Plan designation, supports the function of the lands as intended by the Official Plan.

The subject properties form part of the Mapleridge Neighbourhood Centre, which was expanded via OPA #141 to include both the property at 1900 Lansdowne Street West and the easterly portion of 1875 Lansdowne Street West (new Shoppers Drug Mart site). Including the lands at 1900 Lansdowne Street West and the recently approved drug store on the easterly portion of 1875 Lansdowne Street West, the Mapleridge Neighbourhood Centre will support a total floor area of approximately 12,500m² (134,553 sq. ft.), comparable to the Brookdale Neighbourhood Centre lands with a total floor area of approximately 12,700m². The size and function of the expanded Neighbourhood Centre was considered carefully by Planning Staff; Urban Metrics, market consultants on behalf of the City; and by Council in support of Official Plan Amendment #141.

The implementation of the Neighbourhood Centre policies through rezoning of the subject lands at 1866 and 1900 Lansdowne Street West has also been considered. Planning Staff have sought additional comments from Urban Metrics related to the introduction of additional retail space through zoning permission, particularly expansion potential for the existing supermarket use from its current size restriction of 2,325m² (25,026 sq. ft.) to the proposed cap of 4200m² (45,209 sq. ft.). The existing size and zoning restriction of the food store space at this location is below average for modern urban supermarket chains. Food store space was recognized in the 2009 Retail Market

Analysis Update as an integral component of the function of a neighbourhood centre in addition to being recognized as a category with limited expansion potential. Food store space has been reviewed in detail through the processing of two recent applications for additional food store space in the north end (expansion of Wal Mart and a new No Frills supermarket at Chemong Road).

Urban Metrics has reviewed the impact of the proposed expanded supermarket through this application, on the existing commercial structure in the City. In addition, Urban Metrics has considered the impact of the application on the planned function of the Mapleridge Neighbourhood Centre.

Urban Metrics has concluded that *“the incremental impact of the expansion of the No Frills store at Mapleridge Plaza would result in some sales transfers, particularly from those stores along Lansdowne Street. These stores are generally performing strongly and their post expansion sales performances do not suggest that closure would likely occur.”*

In assessing the impact of the application on the planned function of the Mapleridge Neighbourhood Centre, Urban Metrics has commented as follows:

“In our opinion, the proposed expansion of the No Frills store would enable the store to compete more effectively with the nearby competition, provide a broader range of merchandise and services to local residents, and strengthen the neighbourhood function of the node. The expansion would also ensure the continued strength of Mapleridge Plaza, which will be impacted by the loss of Shoppers Drug Mart.

In conclusion, the proposed expansion of the No Frills store at Mapleridge Plaza would strengthen the neighbourhood serving function of the node, provide an enhanced level of service to local residents and would not affect the planned function of other commercial nodes in the City.”

b) Zoning By-Law

The subject properties are currently zoned separately with 1866 (existing Mapleridge Plaza) being zoned SP.121 – Special Commercial and the lands known as 1900 Lansdowne Street West (vacant - former Deck Transport) zoned SP. 338 – Special Commercial. The applicant proposes to amend the Zoning of the properties from the SP.121 and SP.338 – Special Commercial Districts, to a modified SP.121 – Special Commercial District, to amend the list of permitted uses and size restrictions, implementing the Neighbourhood Centre policies of the Official Plan, as follows:

<u>Proposed Permitted Uses</u>	<u>Proposed Size (Applicant)</u>	<u>Existing Size (SP.121)</u>
Video Rental Establishment	330m ²	735 m ²
A Personal Service Establishment	330m ²	235 m ²
A Sub Post Office	330m ²	235 m ²
A Dry Cleaning Depot (Class 2)	330m ²	new
An Art School, Music School, Dance School or Fine Arts School	330m ²	no limit
A Gymnasium or Health Club	330m ²	no limit
A Printing Shop	330m ²	no limit
A Clinic	330m ²	735 m ²
A Convenience Retail Store	330m ²	235 m ²
A Bake Shop	330m ²	735 m ²
A Loan Company	330m ²	735 m ²
A Self Service Laundry	330m ²	new
A Studio	330m ²	235 m ²
A Day Nursery	330m ²	no limit
A Private Club	330m ²	no limit
A Repair Shop (Electronics, Appliances)	330m ²	new
A Mailbox Rental Service Outlet	330m ²	new
A Retail Establishment	330m ²	300 m ²
A Retail Catalogue Sales Establishment	330m ²	new
A Rental Establishment (restricted to having no outdoor display or storage)	330m ²	no limit
A Drug Store	4200m ²	735m ²
A Food Store (maximum of one with a floor area greater than 300m ²)	4200m ²	2325m ²
A Home Improvement or Hardware Store	4200m ²	735m ²
A Restaurant	no limit	no limit
A Library, Museum or Art Gallery	no limit	new
A Bowling Alley	no limit	no limit
A Bank or Financial Institution	no limit	735 m ²

The applicant proposes to develop the vacant lands at 1900 Lansdowne Street West to support two retail commercial units with a total floor area of up to 1858m² (20,000 sq. ft.) and up to 176 parking spaces, in accordance with the standards of the City's Zoning By-Law. The SP. 338 - Special Commercial District was assigned to the property in October, 2007 to implement the Service Commercial designation of the lands at the time.

The regulations associated with the SP.121 were designed specifically for the site at 1866 Lansdowne Street West, to permit the existing plaza configuration and location on the site, as well as to restrict the size of individual units based on the specific use. The existing zoning was originally assigned to the property in 1979. The property was

subject of an amendment in 1981 to add the C.4 zoning and a further amendment in 1993 to enact the existing by-law provisions, reflecting the current built form. A minor variance was also granted in 2006 to reduce the landscaped strip along the easterly property line to 0m to improve the configuration of the aisle width and parking adjacent to the City owned walkway to the east. This reduction is reflected in the draft by-law amendment attached as Exhibit C to this report (PLPD10-044). The list of permitted uses predates the 2000 Commercial Policy Review (CPR) undertaken by the City. Although several uses comply with the current Neighbourhood Centre designation assigned to the property in 2001 as a result of the City's CPR, some of the uses are no longer consistent with the current designation. As such, Staff have requested the applicant to include 1866 Lansdowne Street West (existing plaza) in the zoning amendment application to ensure consistency with the Neighbourhood Centre Official Plan policies. In response, the applicant is proposing to remove many service commercial uses such as retail sales of furniture, appliances, building products and contractors supplies; a taxi stand; a car wash; a service station; a hotel or motel; sales of farm equipment and supplies, motor vehicles, etc.

The lands at 1900 Lansdowne Street West were rezoned to SP.338 in 2007 to implement the Service Commercial designation of the property in effect at the time. Site specific regulations were applied to the lands to address concerns of the neighbouring residents. In particular, a minimum building setback from a side or rear lot line of 10 metres was established and the requirement for a 10 metre landscaped open space strip along a lot line abutting a Residential District was implemented. Several "obnoxious" uses typical of a Service Commercial District, were also deleted due to the proximity of the existing residential uses abutting the property to the west and north.

In 2009, Council approved OPA #141, which had the effect of extending the Neighbourhood Centre designation to 1900 Lansdowne Street West, supported by the conclusions of the Retail Market Update prepared by Urban Metrics, for a modest increase in the size of the overall Neighbourhood Centre. The subject application serves to implement this recent designation of the lands as forming part of the Neighbourhood Centre and extends the site specific regulations applied in 2007. As such, Planning Staff are unable to support a reduction in the minimum width of the landscaped open space proposed along the lot lines abutting residential designations. A minimum of 10m is recommended for the landscaped open space strip adjacent to residential designations. In addition, a proposed loading area in proximity to the landscaped open space and a residential designation may be required to be supported by a noise study at the Site Plan Approval stage.

The proposed zoning by-law amendment includes a list of uses consistent with the Neighbourhood Centre policies and serves to delete uses previously assigned to both parcels. In addition, specific caps on size of individual units is recommended to ensure compliance with the provisions of the Neighbourhood Centre designation. Planning

Staff recommend support for the proposed uses and caps identified in the application with three exceptions.

- 1) The proposed cap for a drug store is recommended to be limited to 1725m², more consistent with recent approvals for large format drug stores and typical of a current size justified by retail market support in a neighbourhood centre.
- 2) The proposed 'Home Improvement or Hardware Store' be amended to 'Hardware Store' and limited to a cap of 1725m², consistent with the drug store cap, in order to distinguish between a neighbourhood hardware store and a home improvement store, more typical as a use in the Special Purpose Retail and Service Commercial designations.
- 3) The 'private club' use be amended to 'place of assembly' to accommodate a use with a defined term, and to recognize the existing Mapleridge Seniors Centre use at 1866 Lansdowne St. W. and/or alternate use in compliance with the 'place of assembly' definition.

In consideration of the conclusions of the Urban Metrics' Retail Market Update and further analysis of food store space, Planning Staff also recommend that the zoning of the lands limit the total amount of food store space for units greater than 300m² to a maximum of one unit between the two properties, capped at 4200m². The food store space is recognized as an important anchor to the function of the Neighbourhood Centre, however, based on the conclusions of the Retail Market Analysis Update and further food store analysis, including comments from Urban Metrics related specifically to the subject application, only a limited amount of additional food store space is warranted.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Utility Services Department:

The City's Utility Services Department (USD) has no objection to the rezoning, and recommends cash-in-lieu of parkland where applicable. USD strongly urges the applicant to coordinate servicing of the lands as part of the Lansdowne Street West municipal reconstruction project to avoid future restoration of the road and the associated costs.

The applicant is advised that a 2.76m road widening is required across 1900 Lansdowne Street West at the time of Site Plan Approval or as part of a future consent application for severance, if applicable. Any amendments to the Site Plan for 1866 Lansdowne Street West will trigger the same road widening requirement. Mutual easements for traffic flow between properties and possibly servicing and stormwater management may also be required at the Site Plan Approval stage.

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 by newspaper advertisement (Peterborough Examiner) on April 27, 2010. Notice of Public Meeting was issued on May 28, 2010 by direct mail and by newspaper advertisement (Peterborough Examiner). The notice complies with the requirements of the Planning Act.

Written response was received from Patricia Foran of Aird and Berlis on behalf of 1703582 Ontario Inc., owners of lands known as 1875 and 1913 Lansdowne Street West, requesting written notice of any decision regarding the subject application and copies of the draft zoning by-law associated with the application.

A written response was received from Sharon Ballantyne, neighbouring resident at 3042 Westridge Boulevard, advocating for improved pedestrian access for the existing plaza and any future construction including the consideration of curbs, corner crossings and alignment of sidewalks to maximize safety and accessibility.

No further public written responses were received as a result of the circulation.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Concurred with,

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Attachments:

Exhibit A - Land Use Map

Exhibit B - Site Plan

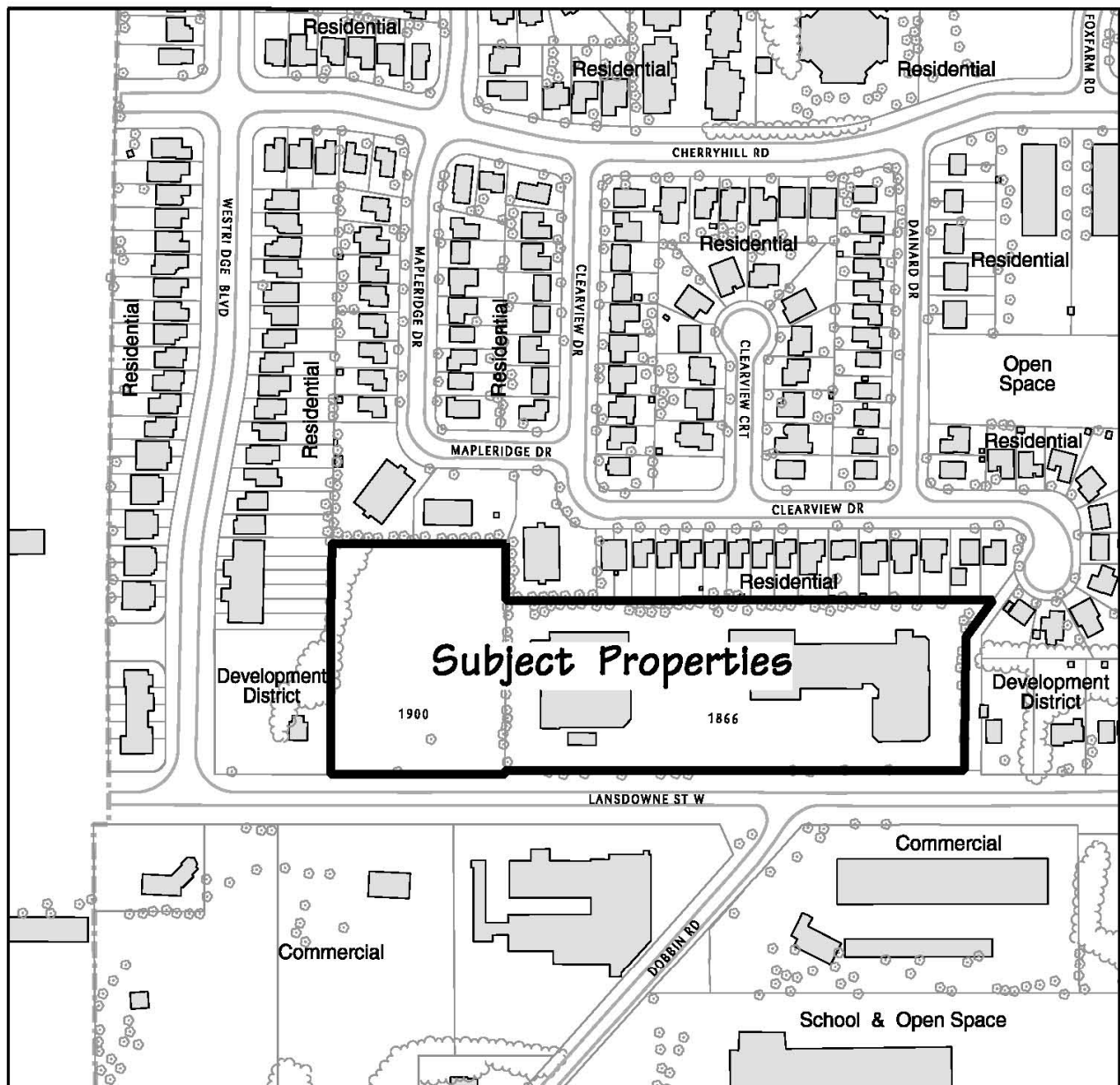
Exhibit C - Draft Zoning By-law Amendment

Land Use Map

Exhibit A
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File # z1011

Property Location: 1866 & 1900 Lansdowne St W



The City of Peterborough Planning Division

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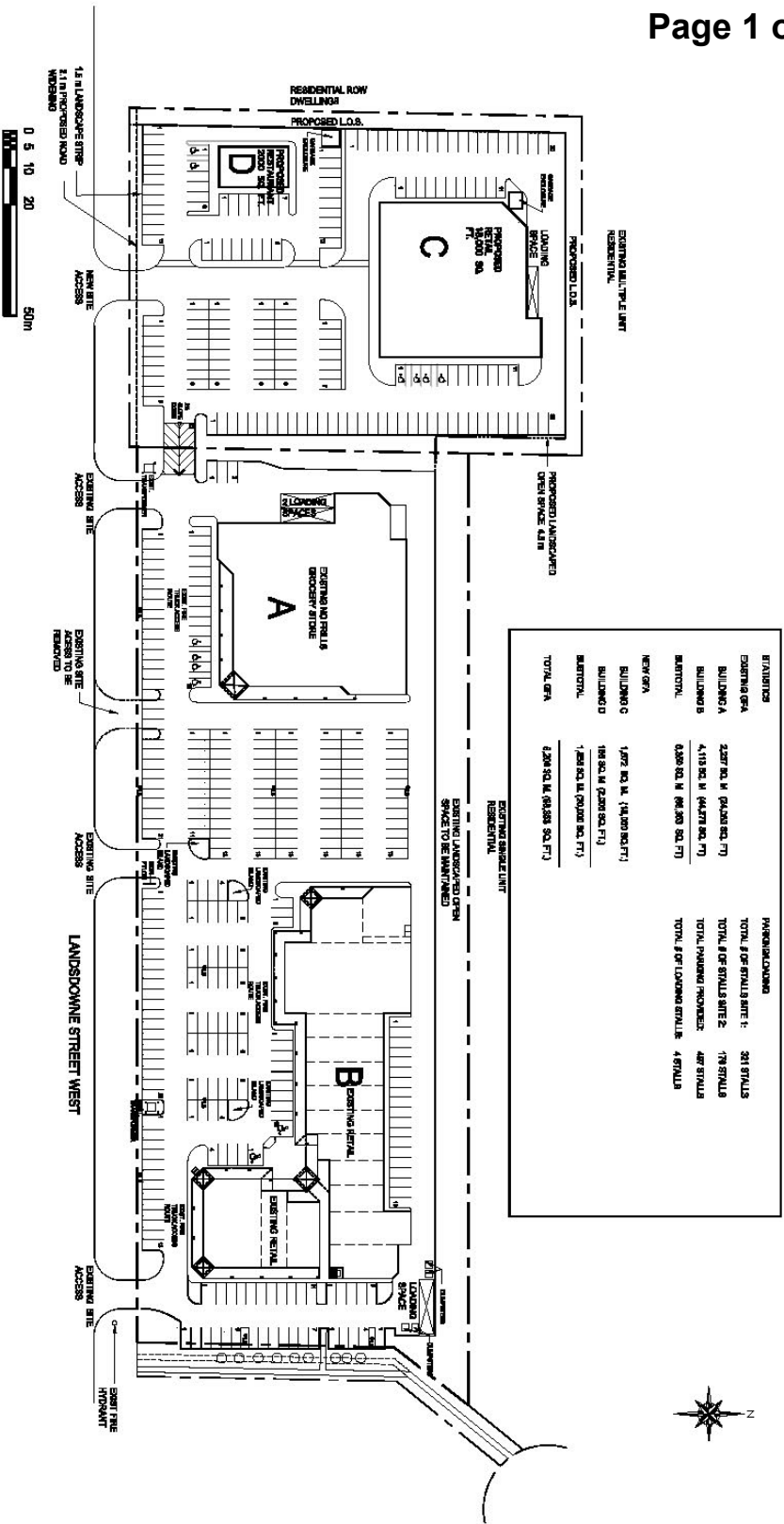
Date - April 2010
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Exhibit B
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MAPLERIDGE PLACE, PETERBOROUGH, ONTARIO
PROPOSED EXPANSION FOR BRYTON CAPITAL CORPORATION

Date: 26.06.10 Scale: 1:1000



**THE CORPORATION OF THE CITY OF PETERBOROUGH
BY-LAW NUMBER 10-_____**

**BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR
1866 AND 1900 LANSDOWNE STREET WEST**

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

1. Section 151 Special District 121 (SP.121) is hereby repealed in its entirety and replaced with the following:

“

SECTION 151

SPECIAL DISTRICT 121 (SP.121)

151.1 For the purpose of this by-law, land use district "Special District 121" is hereby established and may be referred to as the symbol "SP.121".

PERMITTED USES:

151.2 No person shall within an SP.121 district use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a video rental establishment
- b) a personal service establishment
- c) a sub post office
- d) a dry cleaning depot (Class 2)
- e) a printing shop
- f) a clinic
- g) a convenience retail store
- h) a bake shop
- i) a self service laundry
- j) a studio or craft workshop
- k) a day nursery
- l) a repair shop for electronics and appliances
- m) a mailbox rental service outlet
- n) a retail establishment
- o) a retail catalogue sales establishment
- p) a rental establishment with no outdoor display and/or storage
- q) a food store
- r) a drug store
- s) a hardware store
- t) an art school, music school, dance school or fine arts school
- u) a gymnasium or health club
- v) a place of assembly

- w) a restaurant
- x) a library, museum or art gallery
- y) a bowling alley
- z) a bank, financial institution or loan company

Exhibit C
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REGULATIONS

151.3 No person shall within an SP.121 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	80 metres
b) minimum lot depth	80 metres
c) maximum floor area per commercial purpose: i)uses (a) to (p) inclusive ii)use (q) iii)uses (r) and (s) iii)uses (t) to (z) inclusive	330 square metres 4200 square metres 1725m ² no restriction
d) notwithstanding Section 151.2, a maximum of one food store with a floor area greater than 330m ² shall be permitted on lands known as 1866 and 1900 Lansdowne Street West inclusive, and zoned SP.121	
e) maximum floor area for all commercial purposes, including basements	6,600 square metres for lands known as 1866 Lansdowne St W 2,000 square metres for lands known as 1900 Lansdowne St. W.
f) maximum building coverage	30% for lands known as 1866 Lansdowne St. W. 20% for lands known as 1900 Lansdowne St. W.
g) maximum building height	3 storeys

Exhibit C
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<p>h) minimum building setback</p> <p>i) For 1866 Lansdowne St. W.:</p> <ol style="list-style-type: none"> 1) east side lot line 2) west side lot line <p>3) rear lot line</p> <p>ii) For 1900 Lansdowne St. W.:</p> <ol style="list-style-type: none"> 1) side and rear lot line 	<p>9 metres</p> <p>9 metres, excepting along the northerly 10.5 metres of the westerly side lot line, where a minimum 3.4 metres shall apply.</p> <p>9 metres, excepting along the westerly 12.4 metres of the rear lot line, where a minimum 1.5 metres shall apply.</p> <p>10 metres</p>
<p>i) landscaped open space shall be provided and maintained along lot lines in accordance with the following:</p> <p>i) For 1866 Lansdowne St. W.</p> <ol style="list-style-type: none"> 1) north 2) south 3) east 4) west <p>ii) For 1900 Lansdowne St. W.</p>	<p>9 metres, excepting the westerly 12.4 metres, where a minimum 1.5 metres shall apply</p> <p>1.5 metres</p> <p>0 metres</p> <p>3.4 metres</p> <p>10 metres along a lot line abutting a residential district and 1.5 metres along all other lot lines provided such open space may be interrupted by driveways</p>
<p>j) planting strips and/or privacy fencing shall be required to be constructed and maintained within the landscaped open space along a lot line abutting a residential district</p>	
<p>k) a waste receptacle or garbage storage area may be erected or located within the district, except within the minimum required landscaped open space area, provided the following regulations are complied with:</p> <p>1) minimum building setback</p>	<p>3 metres</p>

2) maximum building height	3 metres
3) maximum building or site area	15 square metres

Exhibit C
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151.4 SP.121 District is hereby designated as a commercial district.”

2. **Map 15** 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.338 to SP. 121-‘H’**.
3. The ‘H’ – Holding Symbol will be removed from the Zoning By-Law upon Site Plan Approval being granted for 1900 Lansdowne Street West, such Site Plan to include provisions requiring the dedication of land to the City for a road widening along Lansdowne Street West.

By-law read a first, second and third time this day of _____, 2010.

D. Paul Ayotte, Mayor

(SEAL)

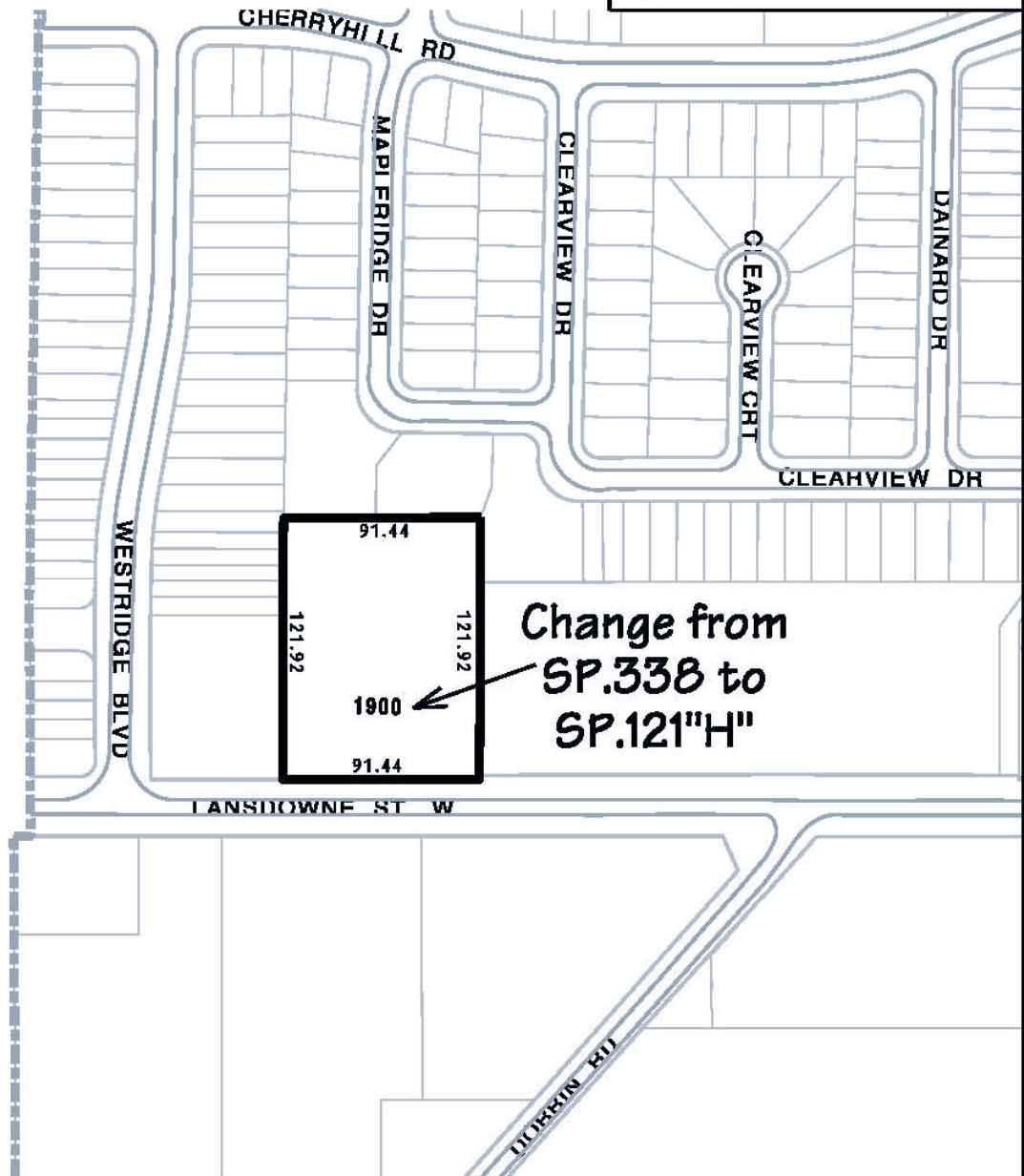
Nancy Wright-Laking, City Clerk



Dimensions are in metric

SCHEDULE 'A' TO
BYLAW 20
PASSED TH
OF
MAYOR
CLERK

Exhibit C
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