



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: July 18, 2011

SUBJECT: Report PLPD11-049
Application for Site Plan Approval
1633 Water Street
Proposed Student Residences

PURPOSE

A report to recommend the approval of a Site Plan Application for the property at 1633 Water Street, to permit the construction of two, three - storey buildings with twenty-seven, three bedroom dwelling units in each, and two, three storey buildings with twelve, four bedroom dwelling units in each.

RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD11-049 dated July 18, 2011, of the Manager, Planning Division, as follows:

That the Site Plan Application submitted by Residence Development Corporation, for the construction of two, three - storey buildings with twenty-seven, three bedroom dwelling units in each, and two, three storey buildings with twelve, four bedroom dwelling units in each, with a total floor area of 3346.0 square metres (36,017.22 square feet) be approved, subject to the following conditions:

- a) The deposit of a parkland levy in accordance with The Planning Act, as amended.

- b) The construction of an asphalt walkway/bikeway on the north side of Nassau Mills Road from the intersection of Water Street and Nassau Mills Road to West Bank Drive.
- c) The conveyance of a road widening strip to the City, 6.0 metres in width, across the entire Water Street frontage of the property, at no cost and free of encumbrances.
- d) The deposit of site work performance security in the amount of \$300,000.00.
- e) The submission of detailed design drawings for the intersection improvements at Nassau Mills Road and Water Street.
- f) A cash deposit for the implementation of intersection improvements at Nassau Mills Road and Water Street in an amount to the satisfaction of the Director of the Utility Services Department.
- g) The retention of a Professional Engineer licensed to practice in the Province of Ontario to provide geotechnical inspections of the retaining walls and review of their construction in accordance with Division C – Part 1, Section 1.2.2 of the Ontario Building Code.
- h) The submission of all the requested technical information to the satisfaction of City Staff and the Otonabee Region Conservation Authority.

BUDGET AND FINANCIAL IMPLICATIONS

A Parkland Levy in the amount of \$46,800.00 and Development Charges in the amount of \$416,364.00 apply to the development of the property (assessed at the 2011 rate).

BACKGROUND

The subject property is owned by Trent University. Trent has an agreement with the applicant to construct student residences on the property leased for a ninety-nine year period.

The application for Site Plan Approval was initially submitted in September of 2008. It included the proposed construction of a three-storey building with a ground floor composed of commercial uses, and student residences above. With an overall floor area of 1,188 square metres, the ground floor would have had an approximate floor area of 396 square metres (4,263 square feet). As the initial site plan proposal was circulated to neighbours and staff for comment, concerns were expressed with respect

to the size and nature of the commercial component. The UC zoning district permits limited commercial uses, but only when located in a building designed and forming an integral part of the university or college. As a result, the applicant elected to remove it from the proposal.

As there were on-going concerns with respect to the development and operation of student residences by a private developer, details of the lease agreement where they relate to the land use issue, were requested by City Staff, and outlined in a letter submitted by the lawyer acting for the University in November 2008. Subsequently it was determined that the proposed land use was in compliance with the UC zoning of the property.

The previous application submitted in 2008 was also subject to an application before the Committee of Adjustment because the lease agreement between the developer and Trent University pertained to only a portion of 1633 Water Street and not the entire property. A lease in excess of 21 years on part of a property requires approval from the Committee of Adjustment. The revised plans now pertain to the entire property at 1633 Water Street and therefore approval from the Committee of Adjustment is not required.

On May 4, 2009, revised plans were submitted for review. These plans were fully circulated. As well, a Public Information Meeting was arranged and conducted by staff on the evening of May 20, 2009.

Following the information meeting, staff requested further revisions to the plans. The drawings attached to this report are in response to the comments received from City staff, the Otonabee Region Conservation Authority, other concerned agencies and utilities, and the many concerns expressed by abutting and area property owners.

FEATURES OF THE PLAN

Overview

The site is located on the west side of Water Street, just north of the intersection of Nassau Mills Road and Water Street. The property slopes down to Water Street, generally 6 to 7 metres from its developable limit on its west side.

The Site Plan shows four buildings: two; three storey buildings with twenty-seven, three bedroom dwelling units in each and two, three storey buildings with twelve, four bedroom dwelling units in each. The proposed driveway from Water Street is located at the intersection of Nassau Mills Road and Water Street. It passes a flattened area of land adjacent to one of the three storey buildings with twenty seven dwelling units. The driveway provides access to parking lots located behind the proposed buildings accommodating a total of 108 spaces.

There are walkway connections from the building entrances to the parking areas, garbage and recycling enclosures, as well as to the intersection of Nassau Mills Road and Water Street. The intersection improvements at Nassau Mills Road and Water Street will include barrier-free cross walks connecting to an asphalt walkway to be constructed at the developer's expense along the north side of Nassau Mills Road to Trent University's main driveway entrance.

A proposed retaining wall spans the whole extent of the north and west limits of the site. The retaining wall is approximately six metres high (twenty feet) at its highest point in the northwest area of the site. Another retaining wall is proposed in the southeast area of the site, to address steep grades and to preserve most of the existing wetland.

The wetland on the site is connected to the wetland located to the south by a culvert under the proposed driveway.

a) Transportation and Site Access

Although not normally required in conjunction with an application for site plan approval, a Traffic Impact Study was submitted. It investigated traffic counts and movements, and also included a useful summary of the conclusions of the Nassau Mills Road Bridge Environmental Assessment, and its potential future impacts on the subject property.

In 2004, a Municipal Class Environmental Assessment ("EA") was completed which studied the options for the rehabilitation of the Nassau Mills Road Bridge. The project included the assessment of alternatives to improve current and future turning movements, as well as the addition of traffic lanes to accommodate forecasted traffic volumes. The recommendation arising from that process was the construction of a new bridge with a four lane cross section further to the south of its present location. Additional recommendations included constructing a four-lane cross section for Water Street in the vicinity of the site, and moving the University entrance from the current location on Nassau Mills Road to a new entrance on Water Street, 150 metres north of Nassau Mills Road. A planning horizon of 2021 is contemplated for the completion of the road infrastructure improvements.

A driveway stub has been included in the site plan submitted for approval, 150 metres north of the present alignment of Nassau Mills Road, in the event the new driveway to the University is constructed in the location recommended by the consultant.

The EA also concluded that an interim solution is required before the 2021 planning horizon (on or around 2014) to add capacity to the existing Water Street/Nassau Mills Road/West Bank Drive intersections. There is enough space available for an additional lane on Nassau Mills Road between Water Street and West Bank Drive.

The Site Plan was recently revised to include a walkway connection from the proposed buildings to Water Street at Nassau Mills Road intersection. Crosswalks exist at the intersection, but there is not a sidewalk linking the crosswalks at the intersection to

West Bank Drive. West Bank Drive is the main vehicular entrance to the University. The driveway is paved with gravel shoulders.

Through the site plan review process, concern was expressed regarding the safety of students crossing Water Street. As there are foot paths across the road from the subject property, there was concern that student residents would try to cross Water Street in locations other than at the signalized intersection of Water Street and Nassau Mills Road. The subject property is located on a curve in the road where the speed limit is posted at 60 km/hr. As a result, a 1.8 metre high black vinyl chain-link fence along the Water Street frontage of the property has been added to the plan to discourage student residents from crossing Water Street at locations other than at the signalized intersection.

b) Parking

In a UC zone, 0.25 spaces are required per resident student resulting in a parking requirement of sixty-five spaces for the proposed development. The site plan shows one hundred and eight parking spaces. Accordingly, the actual rate at which parking is being provided is 0.42 per resident student.

c) Storm Water Management

Subject to the submission of additional technical information, the Storm Water Management Plan has been fully reviewed and is at a stage where it can be recommended for approval. For very large storm events, a marginal increase in volume will be permitted to flow to the City's storm water detention pond on the east side of Water Street, with the understanding that this pond will soon be reconstructed. The contract for the storm water detention pond's reconstruction has been awarded and should be underway by the time this report is considered by the Planning Committee for approval.

The Utility Services Department has advised that there is adequate capacity in both the storm and sanitary sewer mains to accommodate the proposed development.

d) Raw Water Quality Impact Analysis

The Official Plan requires the submission and approval of a Raw Water Quality Impact Analysis in conjunction with a Site Plan application where the property is located in the upstream catchment area relative to the City's water treatment plant. The report was prepared by a qualified Hydro-geological and Environmental consultant, and reviewed by Peterborough Utility Services Inc. Concerns expressed by the P.U.C. were subsequently addressed by the consultant.

e) Environmental Impact Study, Hydrogeology and Geotechnical Reports

A portion of the site lies within the Otonabee Region Conservation Authority's "Development Control Area". In response to the agency circulations, the comments submitted by ORCA have been detailed. The three main ORCA concerns are as follows:

- i.) Post development slope stability
- ii.) The proposed method of ground water management
- iii.) The reporting of the presence of a Milk Snake on the site

Post Development Slope Stability: The site is sloped, most significantly in its northwestern corner. A retaining wall is proposed in order to create a more level area for buildings and parking. At its greatest height, the wall would be just over six metres in height (twenty feet). The Geotechnical Investigation Report states that a retaining wall can be designed to address the slope stability concern. Furthermore, the report recommends "free draining" backfill behind the wall, and provides an equation to address lateral earth pressures where the wall is located above the ground water table.

A report and drawings detailing the retaining wall design has been submitted by a Professional Engineer. The developer must retain a Professional Engineer to provide geotechnical inspections of the wall and review of its construction in accordance with Division C – Part 1, Section 1.2.2 of the Ontario Building Code.

Previous renditions of the plan included a large cut into the slope in order to create developable area in the southern area of the site. At the last public information meeting, staff heard from residents that the preservation of existing vegetation on the property should be maximized. Subsequently, staff requested a significant extension of the proposed retaining wall to the south, resulting in the preservation of existing vegetation on its west side.

Proposed Method of Ground Water Management: There is a low area adjacent to the intersection of Water Street and Nassau Mills Road that ORCA has deemed "a sensitive hydrogeological feature". The environmental consultants understand ORCA's comment. However they feel that the origin of this feature needs to be considered. Prior to the construction of Water Street, the consultants say that water would have freely drained to the river. For many years, there has been no way for these flows to escape the site, other than through infiltration. Given that the hydro-geological feature has been artificially created with the construction of Water Street, it is proposed to collect the runoff and convey the flows through the on-site storm water system. The system includes a water quality enhancing installation (StormCeptor). The environmental consultant states that the system should help mitigate thermal increases in the collected waters, and mimic temperatures comparable to those of the ground water, prior to discharge.

The reporting of the presence of a Milk Snake on the site: The Conservation Authority was contacted by a citizen who advised that a Milk Snake was seen on the subject property. The Eastern Milk Snake has been identified as a species of “Special Concern” by the Ontario Ministry of Natural Resources (MNR). It is not an endangered or threatened species, but according to the MNR, its populations have been declining.

In response to the reported presence of a Milk Snake, the environmental consultant has gone to great lengths to prescribe landscape development measures to ensure there is adequate habitat for the snake in conjunction with the property’s development. A Landscape Plan has been completed incorporating the recommendations of the environmental consultant.

f) Archaeological Assessment

A Stage 1 and Stage 2 Archaeological assessment was conducted, and it was determined that there are no archaeological concerns. A complete clearance of the subject property was recommended by the Archaeologist. The City’s Heritage Resources Coordinator has supported the Archaeologist’s recommendation.

g) The Buildings

Four buildings are proposed with two, three storey townhouse type buildings, and two three-storey apartment buildings. There are a total of twenty-four dwelling units in the townhouse buildings, and fifty-four in the apartment building. All the dwelling units in the townhouse type buildings have four bedrooms and all the dwelling units in the apartment buildings have three bedrooms in each.

The townhouse buildings are raised so that the bedrooms below grade may have a window. As a result, all the building entrances are accessed by a set of stairs. The windows are generous in size, and are accented with mutton bars and plinths. Bay windows extend from grade to the eave where it is capped by a five in twelve roof pitch.

The apartment building meets the Zoning By-law’s definition for a three-storey building. Like the townhouse buildings, it is raised to provide windows for below grade bedrooms. It has similar detailing, but possesses quoin corners. Ground floor accessibility in this building was one of the latest revisions made to the plans submitted for approval.

Cross sectional drawings showing the proposed buildings relative to the rear yards of properties on Champlain Drive were requested and provided in response to the concerns of residents. The residence on Lot 12 within the Champlain subdivision was used as the sample lot. The drawings show that the peak of the roof of the proposed apartment building is 1.58 metres (5.2 feet) lower than the base of the house, and the front and back townhouse buildings are 8.83 and 9.83 metres (29 and 32.3 feet) lower respectively.

ZONING AND OFFICIAL PLAN

The Site Plan Application was reviewed and deemed to comply with the Official Plan and all applicable Zoning By-law regulations. The development is a student residence for Trent University thereby complying with the UC-University College zoning district.

PERTINENT DATA

Lot area	25,173.1 square metres.
Building Coverage	13.29 %
Parking and Driveway Coverage	4,635.8 square metres. (18.4%)
Total Number of Units	24 Four Bedroom Units 54 Three Bedroom Units
Parking Required	0.25 per student resident, 65 Parking Spaces
Parking Provided	108 Spaces

NOTICE

Notice of the application was circulated to all abutting property owners as well as all concerned utilities and agencies.

There have been a great number of telephone calls and written submissions mainly received from the residents abutting the subject property on Champlain Drive. A neighbourhood association was formed expressing strong opposition to the proposed development. The association believes the development will destroy the natural beauty of the area, has concerns about post development slope stability, but in particular, is of the opinion that the proposal does not comply with the Zoning By-law. The neighbourhood association also believes that there are more appropriate sites within the university's endowment lands to locate the residences.

Other significant responses arising from the circulation were received from the Otonabee Region Conservation Authority and the Water Department of Peterborough Utility Services Inc. These responses have been discussed under the "Site Features" section of this report.

SUMMARY

The Site Plan Application for the construction of student residences at 1633 Water Street is recommended for approval based on the following considerations:

- i.) The development proposal is deemed to comply with the Zoning By-law.
- ii.) The proposed Site Plan maximizes the preservation of existing vegetation.
- iii.) Vehicular and pedestrian access can be safely achieved from the signalized intersection of Water Street and Nassau Mills Road.
- iv.) The developer will be responsible for the detailed engineering design of the intersection of Water Street and Nassau Mills Road and will be responsible for the full cost of its reconstruction.
- v.) The Site Plan includes a stub for a potential driveway entrance further north on Water Street, to align with a potential future driveway to the university.
- vi.) With the concurrence of City staff, the environmental consultants recommend the approval of the plans.
- vii.) The Geotechnical Investigations Report concludes that the retaining wall can be engineered to ensure slope stability and a retaining wall design has been completed and submitted by a qualified Professional Engineer.
- viii.) The plans have been revised to provide full accessibility to the ground floor of the twenty seven unit apartment buildings.
- ix.) The plans have been revised to include brick, fully enclosed garbage and recycling enclosures.
- x.) A Raw Water Quality Analysis has revealed there are no concerns with the development of the property in relation to the City's water intake plant.
- xi.) There is adequate capacity in both the storm and sanitary sewer systems.
- xii.) There is a high standard of landscape development as plans were professionally prepared.
- xiii.) An acoustical consultant has determined that any noise generated by activities on the subject property does not warrant noise mitigation measures.
- xiv.) There are no archaeological issues.

The site plan application is at a stage where it can be recommended for the conditional approval of the Planning Committee.

Submitted by,

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Attachments:

Exhibit A - Site Location Map
Exhibit B - Site Plan
Exhibit C - Landscape Plan
Exhibit D - Erosion Control Plan and Removals
Exhibit E - Grading Plan
Exhibit F - Site Servicing
Exhibit G - Site Cross Sections
Exhibit H - Building Elevation Drawings