



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: November 19, 2012

**SUBJECT: Report PLPD12-070
721 Monaghan Road**

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the property known as 721 Monaghan Road (former Fire Hall) from the PS.1 – Public Service District to a modified SP.264 – Special Commercial District, to facilitate the reuse of the existing building and the construction of a two storey addition to the south side of the building for a mix of local commercial uses and residential dwelling units.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD12-070 dated November 19, 2012, of the Manager, Planning Division, as follows:

- a) That Section 3.9 Exceptions in the City's Comprehensive Zoning By-Law #1997-123, be amended in accordance with the draft amendment, attached as Exhibit 'C' to Report PLPD12-070, to modify the list of permitted uses to exclude a convenience retail store and a video rental establishment and to include a gymnasium or health club;
- b) That the zoning of the subject property, be amended from the PS.1 – Public Service District to the SP.264 – 275 – Special Commercial District in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD12-070.

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 'Residential' on Schedule 'A' – Land Use. The 'Residential' policies of the Official Plan contemplate housing and other land uses including local commercial uses that provide the adjacent residential areas with convenience goods and services, generally required on a daily basis. The proposed amendment will facilitate development that is consistent with these other land uses contemplated by the Residential policies of the City's Official Plan.

The concept site plan illustrates the ability of the proposed redeveloped site and building, to be supported by parking and to provide adequate buffering for the adjacent residential use to the west. The location of the property at the intersection of a medium capacity arterial street (Monaghan Road) and a low capacity collector street (Hawley Street) furthers the local commercial policies of the Official Plan.

The application demonstrates the ability of the site to maintain the character of the area with the conversion and reuse of the existing building, together with a future addition and the introduction of on-site parking and landscaping.

BACKGROUND

The subject application was received on August 16, 2012, deemed to be complete as of August 21, 2012 and 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 December 19, 2012 if Council has not made a decision.

The subject property is approximately 0.29 ha. (0.7 ac.) in size, located at the northwest corner of Monaghan Road and Hawley Street, and supports an existing building formerly used by the City as a Fire Hall.

Council awarded the sale of the property to the applicants at its meeting of July 30, 2012, following a public process that commenced on January 30, 2012 whereby Council approved a recommendation to declare the property as surplus to the needs of the Municipality. A Request For Proposal (RFP) Process was initiated on March 26, 2012 and closed on April 11, 2012, including advertising via the Peterborough Examiner, the City website and directly to a number of public agencies. A total of 4 proposals were received and evaluated by Staff with a recommendation to award the sale to the applicants by Council via Report PLPD12-035, dated July 23, 2012.

The applicant intends to re-use the existing building (former fire hall) and construct a two storey addition to the south side of the building to support a mix of local commercial uses and residential uses. The applicant proposes to redevelop the site to introduce 7 residential dwelling units on the second storey and small scale commercial uses with a total maximum floor area of 745m² (8019 ft²) on the ground floor.

The above noted commercial uses are proposed to be limited in size to a maximum floor area of 250m² (2691 ft²) per commercial purpose with a total maximum floor area of 745m² (8019 ft²) dedicated to commercial uses.

The lands are currently owned by the City of Peterborough with an Agreement of Purchase and Sale to the applicants, subject to the zoning approval.

The applicants hosted an Open House – Information Session to introduce the proposal to the neighbouring landowners at Grace United Church on October 18, 2012. Twelve (12) people attended in addition to the Ward Councillors, Applicant, Agent and Planning Staff. There was some discussion regarding the landscaping and fencing treatment of the westerly lot line to provide adequate buffering for the neighbouring single detached dwelling; discussion about traffic and parking – i.e. adequacy of the parking shown on the concept plan; clarification of the list of potential commercial uses; and concern that the property may be contaminated and/or unable to support the proposed development/addition.

The applicants agreed to provide privacy fencing along the westerly property line with further discussion to take place with the neighbour to the west, regarding the retention of the existing mature trees along the westerly lot line.

The application is supported by a Concept Site Plan, prepared by eco line design studio, illustrating the ability of the site to support the proposed addition and parking requirements of the site, together with landscaping.

A road widening of 3.0m is required along the Monaghan Road street line. This is proposed to be taken prior to the conveyance of the land from the City to the applicant. In addition, the City's Utility Services Department has indicated a requirement for an 8m by 12m daylighting triangle at the northwest corner of Hawley Street and Monaghan Road, together with a 5m by 5m daylighting triangle at the southwest corner of the property at the widened Hawley Street right of way.

ANALYSIS

a) Official Plan

The lands are currently designated “Residential” on Schedule ‘A’ of the City of Peterborough Official Plan. The policies associated with the ‘Residential’ designation recognize “local commercial uses which are intended to provide a range of convenience goods and services, generally required on a daily basis, to the adjacent residential areas.” These convenience goods and services include small scale restaurants, small scale food and drug stores and personal service uses as well as providing for a mix with residential uses on the second floor.

Section 4.2.6.3 of the Official Plan contemplates a range of local commercial uses to include convenience retail stores, personal services, small scale restaurants, small scale food stores, small scale office, studio and clinic uses in addition to residential uses as a secondary use.

The local commercial policies require that local commercial uses be of a sufficient size to provide adequate buffering for adjacent non-commercial uses (i.e. residential or public service) and adequate parking facilities. The policies require that these local commercial uses locate on a collector or arterial street, generally at an intersection or integrated with higher density residential development. The subject application meets the policy direction of the Official Plan.

b) Zoning By-law

The subject property is currently zoned PS.1 – Public Service District, limiting the permitted uses to institutional types of uses, including a recreation centre, library, day nursery, ambulance station and firehall among other uses. Since the relocation of the firehall use in the Spring of 2012, the building has been vacant.

The proposed conversion of the former firehall use to a mix of commercial and residential requires a Zoning By-Law Amendment. The proposed modified SP.264 Zoning District would permit a variety of commercial/residential uses for the property including the following:

- a) An office, excluding a veterinary office
- b) A clinic
- c) A personal service use (including a spa)
- d) A laundromat
- e) A restaurant
- f) A drug store
- g) A food store
- h) A sub-post office
- i) A gymnasium or health club
- j) A dwelling unit (proposing a total of 7 dwelling units)

The applicant has agreed to narrow the list of permitted uses normally included in the SP.264 Zoning District to exclude convenience retail store and video rental establishment. This modification is supported by Planning Staff in consideration that the area is well served by convenience retail stores and due to the proximity of the lands to the Major Shopping Centre (Lansdowne Place Mall).

The proposed modified SP.264 - 275 zoning district furthers the local commercial policies of the Residential designation in the Official Plan. The regulations of the proposed SP.264 – 275 Zoning District include restrictions on the size of the commercial units to a maximum floor area of 275m² (2960 ft²) to ensure that they are small scale, in keeping with the intent of the local commercial policies of the Official Plan.

The applicant proposes to introduce parking facilities to the site while maintaining a suitable buffer from adjacent residential uses. Site Plan Approval is automatically required to introduce more than 4 residential uses and to facilitate the expansion of the existing building of greater than 100m² (1076 ft²). The Site Plan Approval process will address requirements for stormwater management, parking, lighting traffic circulation, buffering and landscaping.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Agency circulation was issued on September 26, 2012.

The City's Utility Services Department has requested that the downstream servicing capacity be confirmed for the proposed use and that an 'H' Holding Symbol be included in the zoning, subject to the applicant entering into a Site Plan Agreement with the City; and that Cash-in-lieu of parkland be recommended where required. The proposed development would trigger the requirement for Site Plan Approval without use of a 'H' Holding Symbol. Site Plan Approval, in this instance, would be issued by the Director of Planning and Development Services. In addition, comments have been forwarded to the applicant for consideration regarding a future road widening and daylighting triangles.

Peterborough Utilities Services Inc. has noted that development charges are applicable for the entire property, serviced by a 1-1/4" copper service.

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 on (Peterborough Examiner) on September 22, 2012. Notice of Public Meeting was issued on October 22, 2012, by direct mail and on August 6, 2010 by newspaper advertisement (Peterborough Examiner). The notice complies with the requirements of the Planning Act.

No public written responses have been received as of October 29, 2012 a result of the circulation.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Concurred with,

Caroline Kimble,
Land Use Planner

Malcolm Hunt, Director
Planning and Development Services

Contact Name:
Caroline Kimble
Planner, Land Use
Planning & Development Services
Phone: 705-742-7777 Ext. 1735
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-Mail – ckimble@peterborough.ca

Attachments:
Exhibit A - Land Use Map
Exhibit B - Concept Plan
Exhibit C –Draft Zoning By-law

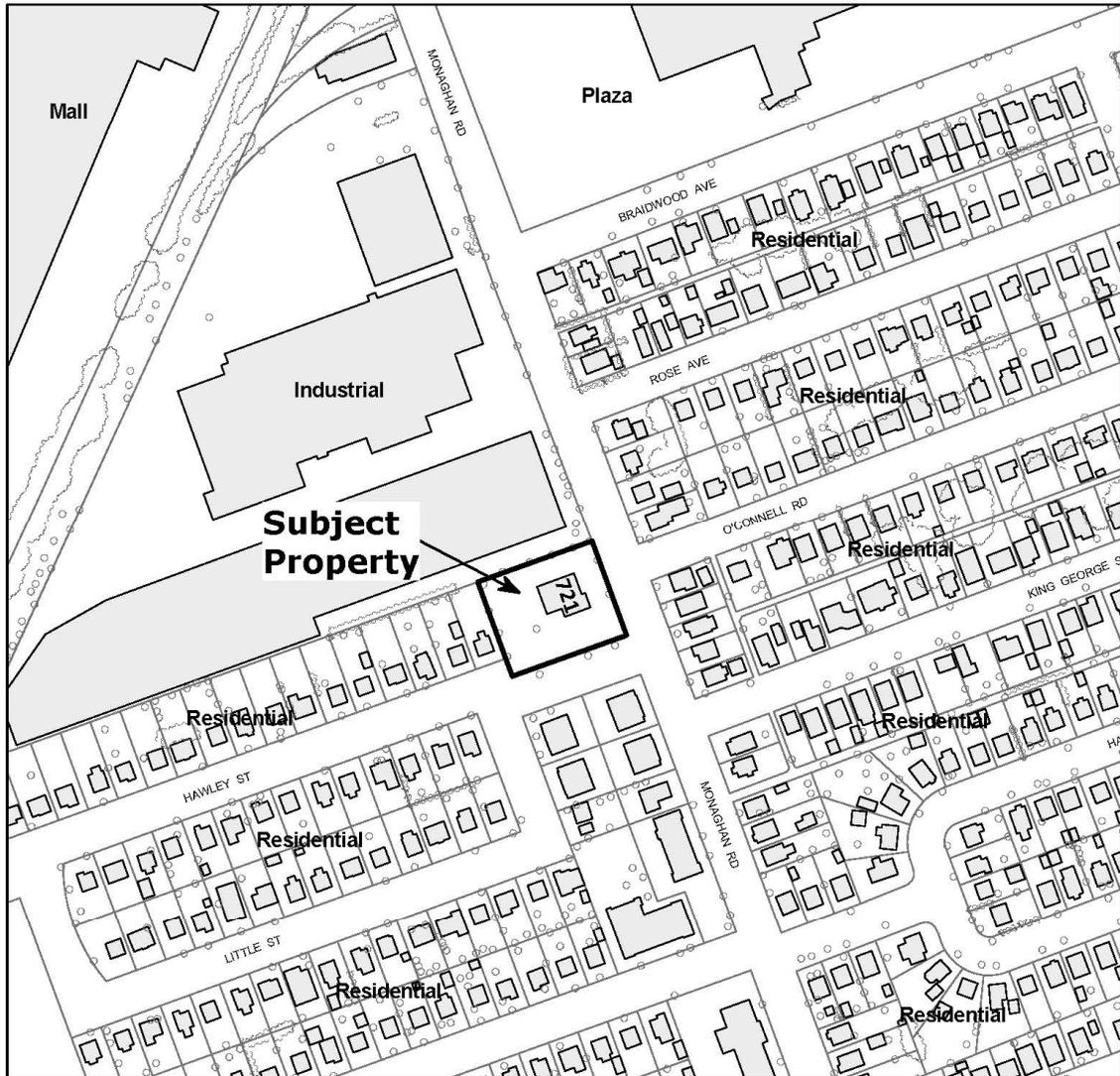
Land Use Map

File # Z1219

Property Location: 721 Monaghan Rd



Exhibit 'A'
Page 1 of 1

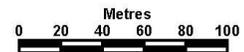


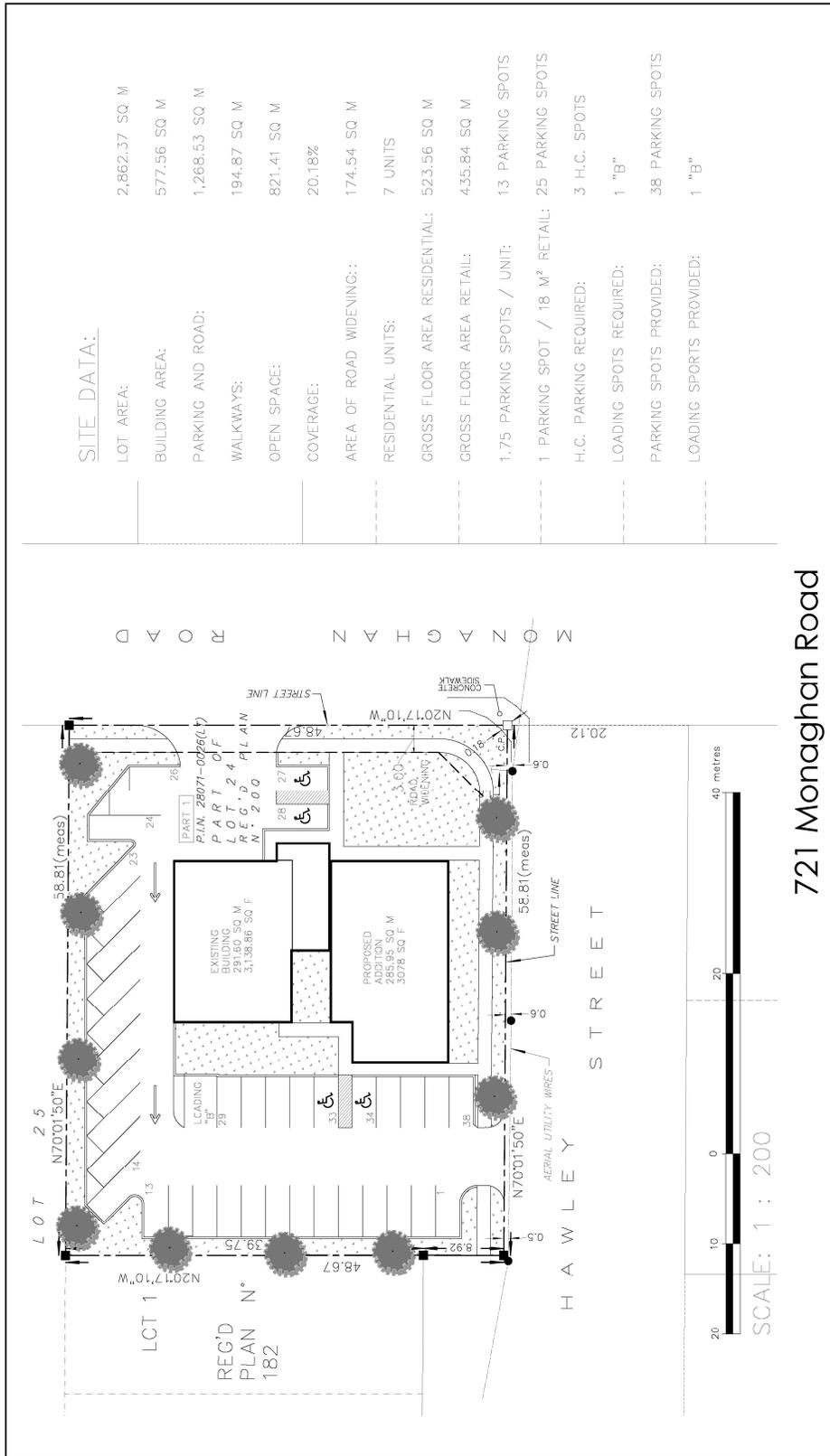
The City of Peterborough Planning Division

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or hardcopy mapfile, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for legal description.

Date - Sept 2012

Dwg by - K Muma





SITE DATA:

LOT AREA:	2,862.37 SQ M
BUILDING AREA:	577.56 SQ M
PARKING AND ROAD:	1,268.53 SQ M
WALKWAYS:	194.87 SQ M
OPEN SPACE:	821.41 SQ M
COVERAGE:	20.18%
AREA OF ROAD WIDENING:	174.54 SQ M
RESIDENTIAL UNITS:	7 UNITS
GROSS FLOOR AREA RESIDENTIAL:	523.56 SQ M
GROSS FLOOR AREA RETAIL:	435.84 SQ M
1.75 PARKING SPOTS / UNIT:	13 PARKING SPOTS
1 PARKING SPOT / 18 M ² RETAIL:	25 PARKING SPOTS
H.C. PARKING REQUIRED:	3 H.C. SPOTS
LOADING SPOTS REQUIRED:	1 "B"
PARKING SPOTS PROVIDED:	38 PARKING SPOTS
LOADING SPOTS PROVIDED:	1 "B"

721 Monaghan Road

eco line design studio

Exhibit 'B'
Page 1 of 1

2411 Selwyn Bay Lane, R.R. #1, Lakefield, ON, K0L 2H0, email: tabiennelehmann@yahoo.ca, tel: 705-657-8460, fax: 705-657-2990

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 12- _____

Exhibit 'C'
Page 1 of 2

**BEING A BY-LAW TO AMEND THE ZONING FOR
721 MONAGHAN ROAD**

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

1. Section 3.9 Exceptions of By-law 97-123 is hereby amended by adding the following:

“.275 Notwithstanding the permitted uses of the SP.264 Zoning District, the following uses are not permitted:
a) a convenience retail store
b) a video rental establishment

Notwithstanding the permitted uses of the SP.264 Zoning District, a gymnasium or health club is also permitted.”

2. Map 22 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 PS.1 to SP.264 – 275.**

By-law read a first, second and third time this _____ day of _____, 2012.

Daryl Bennett, Mayor

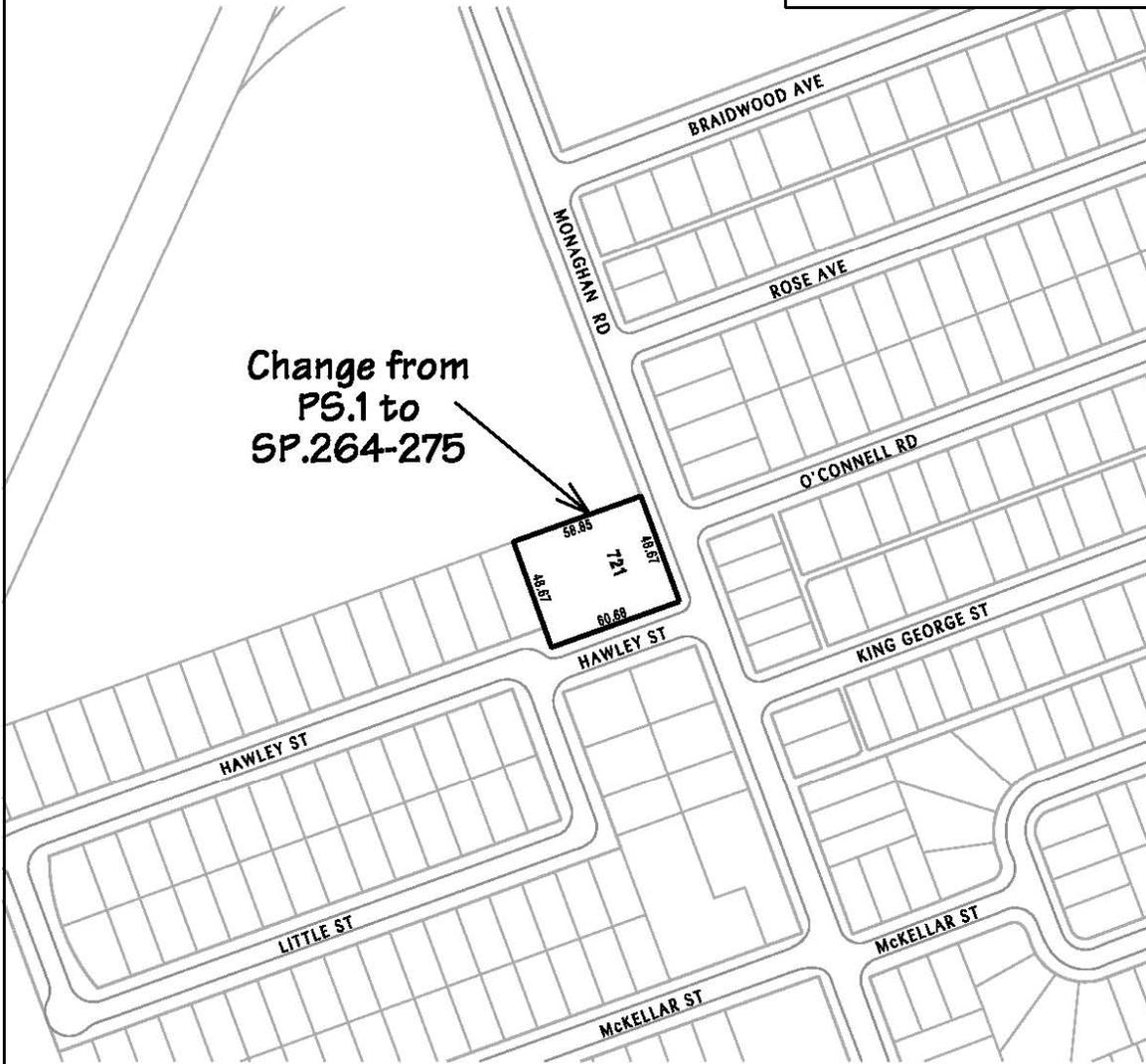
John Kennedy, City Clerk

Dimensions are in metric

SCHEDULE 'A' TO
BYLAW 2012 -
PASSED THE DAY
OF 2012
MAYOR
CLERK



Change from
PS.1 to
SP.264-275



City of
Peterborough

File: z1219

The "City of Peterborough," its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or hardcopy mapfile, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for legal description.

