



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: May 27, 2013

SUBJECT: Report PLPD13-039
Portion of Lansdowne West Secondary Plan – Official Plan and
Zoning By-law Amendment

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-law to rezone industrial lands within and adjacent to the Lansdowne West Secondary Plan on Schedule M and Schedule O; and to introduce site specific policies to permit the use of a portion of the lands for a limited amount of service commercial uses in addition to the industrial uses.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD13-039 dated May 27, 2013, of the Manager, Planning Division, as follows:

- a) That Section 19.1 – Industrial Districts of the Comprehensive Zoning By-law be amended to add M3.5 – Combined Service Industrial Zoning District, in accordance with Exhibit ‘E’ attached to Report PLPD13-039.
- b) That the zoning of lands situated south and east of The Parkway and The Queensway, north of the Highway 115/7 Corridor and West of Erskine Avenue, be amended from M1.2 to M3.5; from M3.2 to M3.5; from M3.2 -202 to M3.5-202; from M3.2-170 to M3.5-170; from M1.2-170 to M3.5-170; from M1.2-273(F) to M3.5-273(F); from M2.2 to M3.5; from M2.1-18b to M3.1; from M2.1 to M3.1; and from M1.2 to M3.2 in accordance with Exhibit ‘E’ attached to Report PLPD13-039.

BUDGET AND FINANCIAL IMPLICATIONS

The City has initiated these amendments to the Official Plan and Zoning By-law requiring that the City bear the cost of processing such amendments.

RATIONALE

The City's Official Plan distinguishes between commercial and industrial lands with specific policies to prevent incompatible land uses from threatening the viability of these areas. In accordance with the City's commercial structure, retail uses are restricted to designations and nodes where they will best suit the economic viability of existing nodes, while serving trade areas ranging from neighbourhoods to regional scale retail facilities.

The current industrial designations contemplate limited forms of commercial, primarily intended to serve the industrial land uses and employees within the industrial areas, or as accessory to industrial uses. Several standard industrial zoning districts also include the retail sale of building products and home improvement type uses.

The introduction of additional service commercial uses into industrial designated lands has been considered by Planning Staff to provide additional flexibility for lands within the industrial designations in the Lansdowne West Secondary Plan. The lands within the Lansdowne West Secondary Plan Area including Crawford Drive east of The Parkway, and the lands surrounding Harper Road, south of the rail lands, have been designated for more traditional industrial uses since 1996, yet, have become shoulder sites to lands that have evolved over time to implement Peterborough's Gateway profile, and to the residential community to the east. Planning Staff have assessed the opportunities comprehensively to update the types of uses contemplated for these lands. This could provide potential for reuse of these sites for compatible land uses, more reflective of current trends, while maintaining the integrity of the City's Commercial Structure and overall Industrial policies.

BACKGROUND

Council, in considering a site specific amendment for the lands known as 995 Crawford Drive, passed a resolution in July, 2012 that the City initiate a broader amendment process, including proper Notice in accordance with the requirements of the *Planning Act*, R.S.O. c.P.13, for an adjustment to the industrial policies for the area of Crawford Drive and The Parkway.

The amendment would consider the appropriateness of providing greater industrial land use flexibility including the potential introduction of a restricted range of service commercial type uses, recognizing the evolution of these lands as shoulder sites to the Peterborough Business Park in the Lansdowne West Secondary Plan. The following resolution was approved at the City Council Meeting held on November 13, 2012:

That Council approve the recommendations outlined in Report PLPD12-068 dated October 29, 2012, of the Manager, Planning Division, as follows:

- a) That the proposed amendments to Section 4.4.5.2 – Prestige Industrial; Section 4.4.5.3 – Service Industrial; Section 10.2 – Lansdowne West Secondary Plan; Schedule ‘M’ – Lansdowne West Secondary Plan; and to Schedule ‘O’ – Industrial Land Use, of the City’s Official Plan for the properties located east of Byersville Creek, south of The Parkway and north of Highway 7/115, be approved in accordance with Exhibit ‘D’ attached to Report PLPD12-068.***
- b) That an amendment be initiated to the City’s Comprehensive Zoning By-Law #1997-123 to implement the changes in land use anticipated by the Amendments to Sections 4 and 10 of the Official Plan, and Schedule M – Lansdowne West Secondary Plan and Schedule O – Industrial Land Use.***
- c) That the Official Plan Amendment by-laws be withheld from passage pending a review of the implementing zoning by-law with interested parties.***

The implementing zoning by-law has now been prepared and circulated to parties who have expressed an interest in reviewing the list of uses proposed to be added to the existing industrial zoning districts applied to the properties. The changes to the zoning of the lands are limited to the area identified as “Service Industrial (SI) Area 3” as proposed on the revised version of the City’s Industrial Schedule ‘O’, included in Exhibit “D” attached to Report PLPD13-039. The lands affected by the zoning amendment include the industrial lands situated south and east of The Parkway and The Queensway and north of the Highway 7/115 By-Pass, to Erskine Avenue to the east.

Since the introduction of Costco to the lands at the The Parkway and Crawford Drive, and the successful implementation of the initiatives of the Lansdowne West Secondary Plan, the City has experienced additional pressure to introduce service oriented uses rather than manufacturing uses into this area of Crawford Drive, originally identified and intended to facilitate industrial uses. The City last reviewed its industrial policies in a comprehensive manner in 1996 (Official Plan Amendment #97).

The 1996 update was a comprehensive policy update to address the changing nature of the industrial areas to introduce other land uses, respecting modern industry flexibility with a mix of different types of industrial uses to respond to market and economic changes.

The introduction of laboratories, technical and some limited commercial uses to support industrial activities and to allow opportunities for complementary uses like recreational uses were facilitated through the 1996 update. The industrial designation of the lands along Crawford Drive, between The Parkway and the residential lands to the east, have been largely underutilized as traditional industrial uses. The vacant NHB site and other underutilized lands within the area have become an industrial anomaly, similar to the Braidwood Area, whereby these lands do not form part of a planned industrial park. In addition, the subject lands are located within an area influenced by several changes in the recent past, including the Byersville Creek Flood Reduction Study; the relocating of the planned site for the Intercity Go facility; new information on landfill activity in the Harper Road area and the realization of the Visitor Centre Complex.

ANALYSIS

a) Official Plan

Lansdowne West Secondary Plan:

The Lansdowne West Secondary Plan was approved and introduced into the City's Official Plan in 1991. The intent of the Secondary Plan was to identify key strategies for the City's gateway from the Highway 115/7 By-Pass and to facilitate a residential node on the south side of Lansdowne Street West; protect the wetland area known as Harper Park; establish a Business Park south of the CP Rail lands to complement the Major Bennett Industrial Park; and to facilitate future municipal facilities for commuters and major storm water detention facilities.

The amendment endorsed by City Council on November 13, 2012, included several 'housekeeping' changes with respect to the 'objectives' and policies, to reflect initiatives undertaken by the City through various approvals. These changes included a better description of the Visitor Centre site, elimination of the plans for a composting facility, deletion of the Business Park designation, and a more accurate description of the former waste disposal site in the Planning Area.

Crawford Drive Service Industrial Policies:

Multiple industrial designations were created in 1996 to distinguish the types of uses and to provide flexibility, while preserving a land base for traditional industrial uses. The General Industrial designation of the subject lands was intended to restrict land uses to more traditional industrial uses, together with warehousing and wholesale establishments and to preserve an opportunity to retain an inventory of this type of land base. Service Industrial policies were intended to recognize a range of light and general industrial uses including a broad range of business service uses which primarily support industrial activity.

The policies recognize complementary uses such as child daycare facilities, commercial recreation facilities, public service uses and places of assembly within the Service Commercial designation in highly visible locations along arterial streets with good accessibility. The conversion of the subject lands from General Industrial to Service Industrial designation will provide for some additional flexibility to support the introduction of a limited range of service commercial uses. Retail establishments for motor vehicles and parts, and uses which cater to the traveling public can be considered as complementary uses to the Service Industrial lands. These uses are considered appropriate for the subject lands, in that they are located within highly visible locations with good accessibility and provide suitable to promote redevelopment of these lands that have otherwise not been developed for more traditional industrial uses.

Although a building products establishment is a use that is also identified as an appropriate Service Commercial use, this use was introduced to both the General Industrial and Service Industrial designations in 1996 in response to market and economic changes and is considered to be compatible with industrial uses due to its outdoor storage requirements; similarities to warehousing operations; potential for dust; noise and large vehicle traffic movement.

This amendment could potentially endorse the conversion of traditional industrial lands to alternative industrial designations. A flexible approach to additional service commercial uses, on a limited basis, could be beneficial to facilitate a transition that is appropriate and in keeping with the direction of the industrial and commercial nodes within the City. An updated policy for the Crawford Drive/The Parkway/The Queensway areas would support the introduction of additional commercial uses that could have positive impact for this area by the expansion of the industrial uses.

The amendment redesignates the subject lands to Service Industrial and includes specific policies to introduce a limited range of Service Commercial uses to provide additional flexibility for uses that complement the industrial uses permitted.

Specific policy amendments included provisions for ‘automotive oriented commercial uses and uses which cater to the traveling public’ within a newly proposed ‘Service Industrial Area 3 (SI Area 3)’, as identified on a modified Schedule ‘O’ – Industrial Land Use. Schedule ‘O’ is further modified by deleting the former ‘SI Area 3’ at the south end of the Central Area, now reflected within the Central Area policies as a result of the 2001 Commercial Policy Review.

b) Zoning By-law

In order to implement the land use changes anticipated by the Official Plan Amendment to the Lansdowne West Secondary Plan and to the Industrial Land Use Schedule ‘O’, a draft amendment to the Zoning By-law has been prepared subsequent to public consultation, in accordance with the process requirements under the Planning Act.

The proposed amendment is intended to implement the policy changes proposed in the draft Official Plan Amendment by the creation of a new Zoning District (M3.5 – Combined Service Industrial) which blends the former M3.3 – Service Node; M3.2 – Enhanced Service Industrial; and the M1.2 – General Industrial Zoning Districts together, with a limited list of service commercial uses including the following:

- a) retail establishment for the sale of:
 - motor vehicles
 - farm equipment
 - boats, trailers and recreational vehicles
 - motor vehicle parts
 - horticultural supplies
- b) auction hall
- c) animal hospital
- d) rental or repair establishments

It is intended that the proposed M3.5 – Combined Service Industrial Zoning District will provide flexibility for the types of industrial uses, and subject to the regulations of the M3.3 – Service Node.

Lands zoned M3.5 – Combined Service Industrial will include the following list of permitted uses:

- a warehouse; self-service storage establishment; wholesale establishment; contractor's establishment; tradesman's shop; vehicle repair establishment; car wash; transportation terminal; bottling establishment; woodworking shop; heavy truck and equipment sales and service; dog kennel; animal hospital; dry cleaning establishment Class 1; rental establishment excluding automobile and video rental; publishing and printing establishment; research & development laboratory; building products establishment; nursery/greenhouse; utility service installation; communications and broadcasting establishment.
- an assembly, processing or manufacturing plant excluding a plant used for specific industrial uses; a feed/flour mill; a fuel storage facility.
- a place of assembly; police station; fire hall; ambulance dispatch station; school; day nursery; library; museum; art gallery; studio workshop.
- a financial institution; restaurant.
- a business service establishment; a contained assembly, processing or manufacturing plant excluding a plant used for specific industrial use.

- retail establishment for the sale of motor vehicles, farm equipment, boats, trailers and recreational vehicles, motor vehicle parts, horticultural supplies. An auction hall, animal hospital, rental or repair establishments.

In addition to the above changes, the draft amendment also proposes to change the Zoning District of several parcels on the west side of The Parkway from Business Park Industrial, Prestige Industrial and General Industrial to Service Industrial, to implement the Service Industrial designation of the lands, as anticipated in the concurrent Official Plan Amendment.

The Zoning Amendment also furthers the Official Plan policies by removing the entitlement for a regional scale office facility, permitted in the M2.2 – Business Park Zoning District, from lands on the east side of The Parkway. This will further the Official Plan policies with regard to limiting large scale office development outside of the Central Area. The existing Federal Office Building use on Crawford Drive will become 'legal non-conforming'.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Agency Circulation was issued concurrently with the Notice of Public Meeting on April 26, 2013.

Planning Staff have received comments from the City's Utility Services Department suggesting that downstream sanitary services and traffic impacts may need to be reviewed in the future, depending on the actual uses that emerge in the area. As development proceeds in the area in the future, staff may come forward with a servicing study project as a capital project, to ensure adequate services are available downstream.

Otonabee Conservation notes that a significant portion of the lands affected by the proposed Official Plan and Zoning By-law amendments fall within the flood plain of Lower Byersville Creek. ORCA and the City of Peterborough are presently involved in a study to more accurately define the floodplain of Lower Byersville Creek, including the identification of potential flood reduction measures that the City can implement in order to increase the developable lands within the watershed. ORCA advises that the zoning by-law amendment for this area is premature and should be deferred until the study is complete (anticipated for Fall of 2013). It is anticipated that ORCA will request that the lands within the Byersville/Harper Creek be zoned with an 'F' suffix at that time.

Planning staff have not received any further significant concerns or requests with respect to the proposed Official Plan Amendment as of May 14, 2013.

b) Summary of Public Responses:

Several landowners within the subject lands have contacted Planning Staff to determine what the implications of the proposed Official Plan and Zoning By-law Amendments would be for specific properties. In accordance with the direction of Council in November, 2012, Planning Staff have circulated additional information regarding proposed uses, by mail to those seeking additional information.

Mary-Anne Johnston expressed her concern with the proposed amendments, indicating that since some of the area is environmentally sensitive, she does not support additional industrial land uses within the area and opposes the amendments.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Caroline Kimble,
Land Use Planner

Concurred with,

Malcolm Hunt, Director
Planning and Development Services

Contact Name:

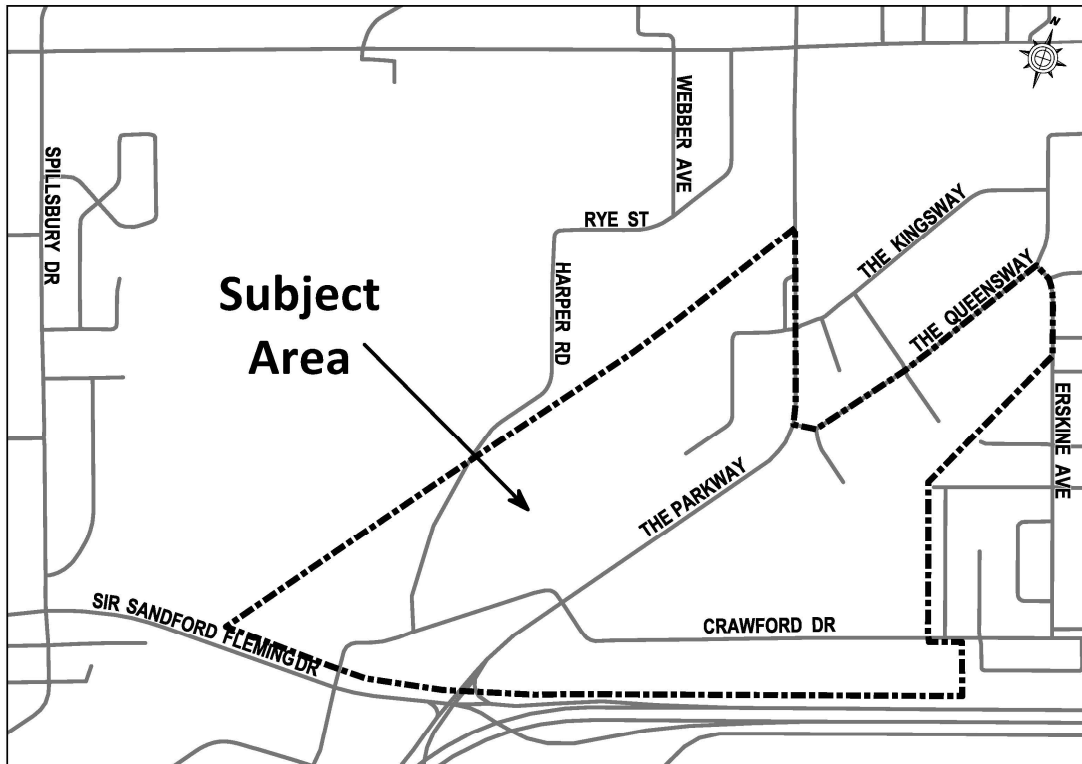
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Attachments:

Exhibit A - Key Map
Exhibit B - Existing Lansdowne West Secondary Plan
Exhibit C - Draft Revised Lansdowne West Secondary Plan
Exhibit D - Draft Amendment to Official Plan – Lansdowne W Secondary Plan
Exhibit E – Draft Amendment to the Zoning By-Law

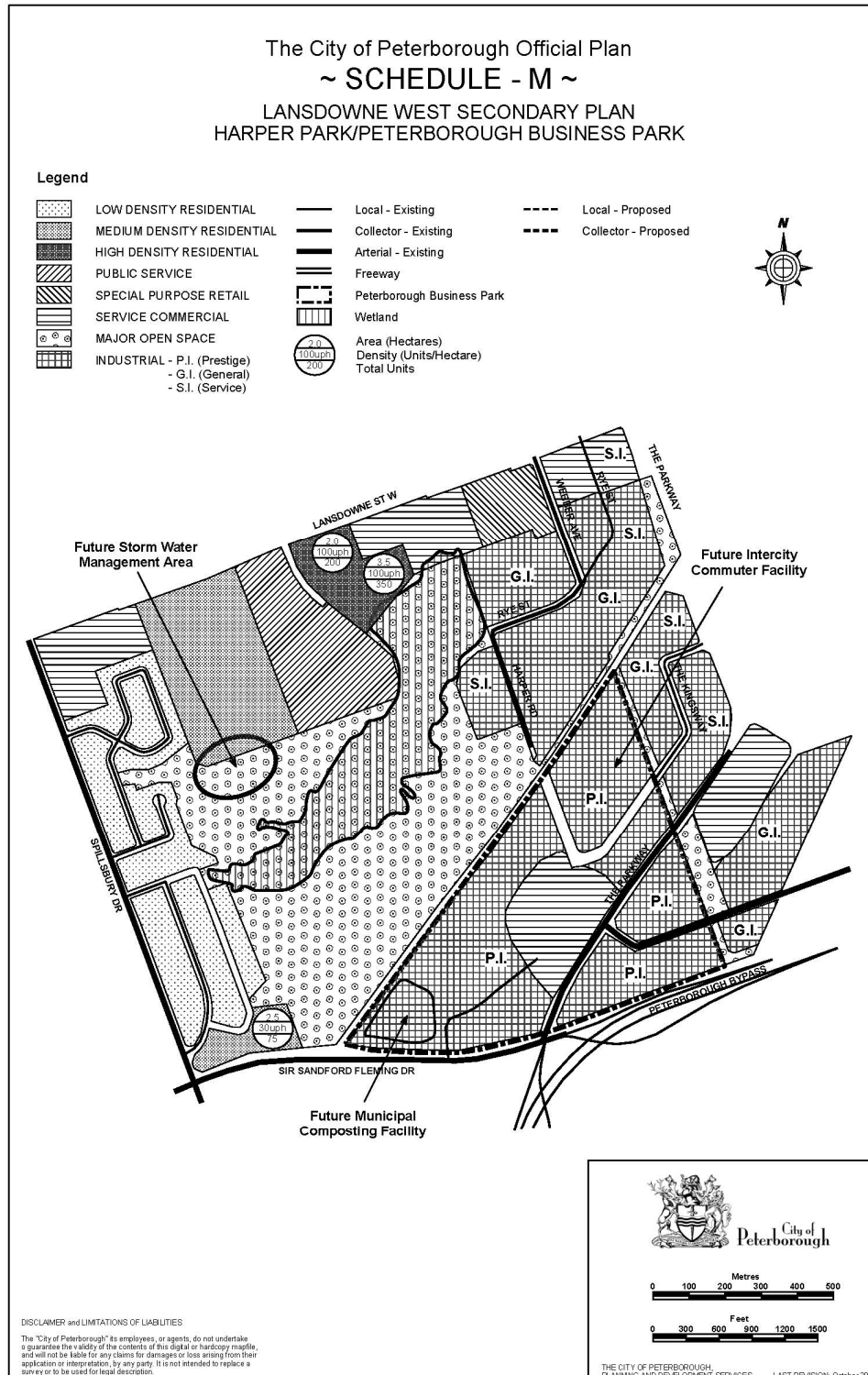
KEY MAP

EXHIBIT 'A'
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EXISTING LANSDOWNE WEST
SECONDARY

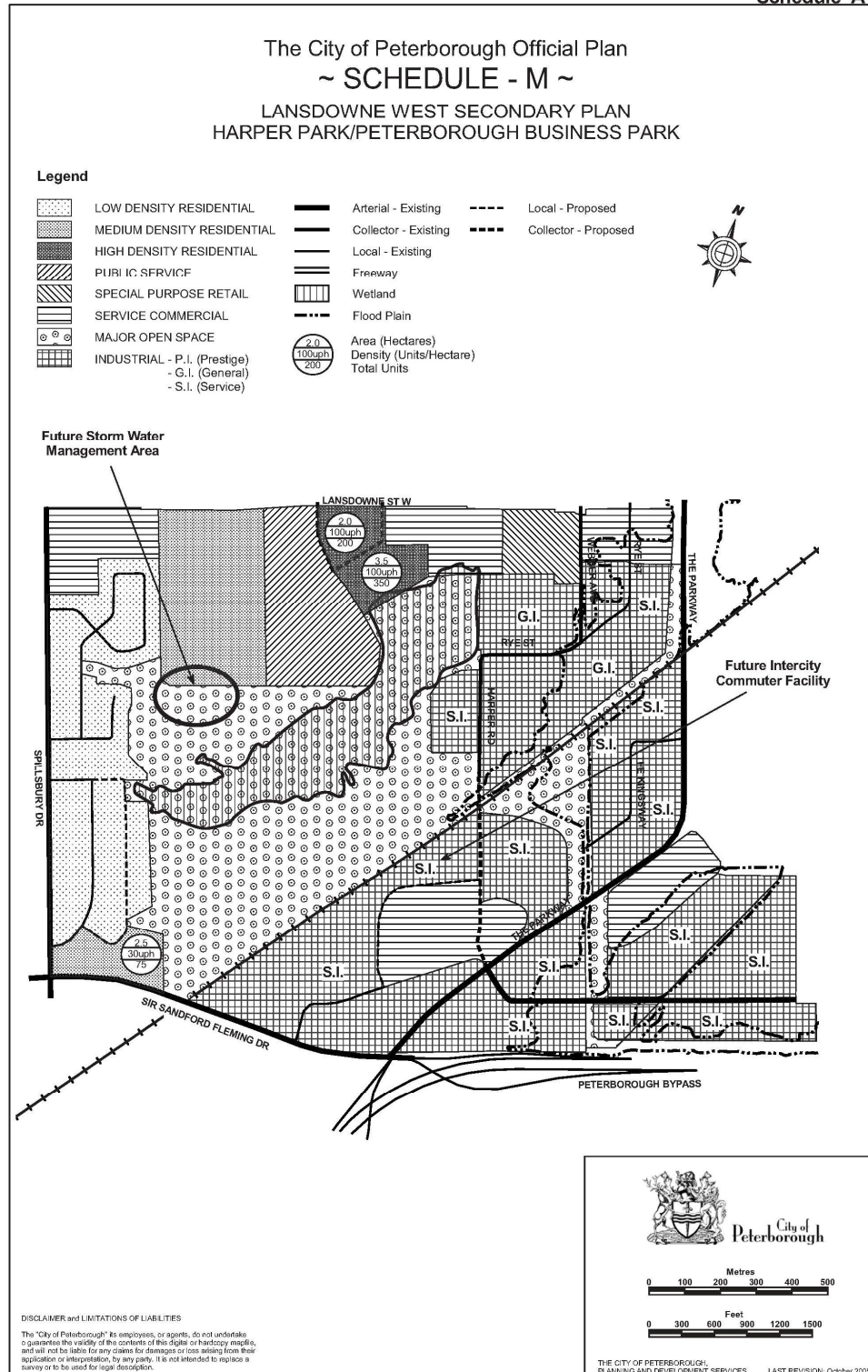
EXHIBIT 'B'
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PROPOSED REVISED LANSDOWNE WEST
SECONDARY PLAN

EXHIBIT 'C'
Page 1 of 1

Schedule 'A'



THE CORPORATION OF THE CITY OF PETERBOROUGH **EXHIBIT 'D'**
BY-LAW NUMBER 13- **Page 1 of 4**

**BEING A BY-LAW TO ADOPT AMENDMENT NO. TO THE OFFICIAL PLAN OF
THE CITY OF PETERBOROUGH**

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

1. **Section 4.4.5.2 Prestige Industrial** of the Official plan of the City of Peterborough is amended by deleting the second paragraph in its entirety.
2. **Section 4.4.5.3 Service Industrial** of the Official Plan of the City of Peterborough is amended as follows:
 - i) by adding the following to 4.4.5.3 a):

“iii) north west of The Parkway and Crawford Drive intersection, to serve a future inter-city transportation facility and adjacent industrial uses. A regional scale office facility is also a permitted use for this service commercial node.”
 - ii) by adding the following to 4.4.5.3:

“4.4.5.3 e) In addition to Service Industrial uses, a limited range of Service Commercial uses shall be permitted on lands within the area shown as “SI Area 4” on Schedule “O” to provide locations for automotive oriented commercial uses and uses which cater to the traveling public.”
3. **Section 10.2 Lansdowne West Secondary Plan** of the Official Plan of the City of Peterborough is amended as follows:
 - i) Section 10.2.2.3 is amended to by deleting the paragraph in its entirety and replacing it with the following:

“To establish a travel information and service node in close proximity to The Parkway/Highway 115/7 interchange and expand the land use potential for existing industrial lands flanking The Parkway to enhance the image of Peterborough along the ‘Gateway’ entrance corridor.”
 - ii) Section 10.2.2.4 is amended to delete the words “a municipal composting facility”

EXHIBIT 'D'
Page 2 of 4

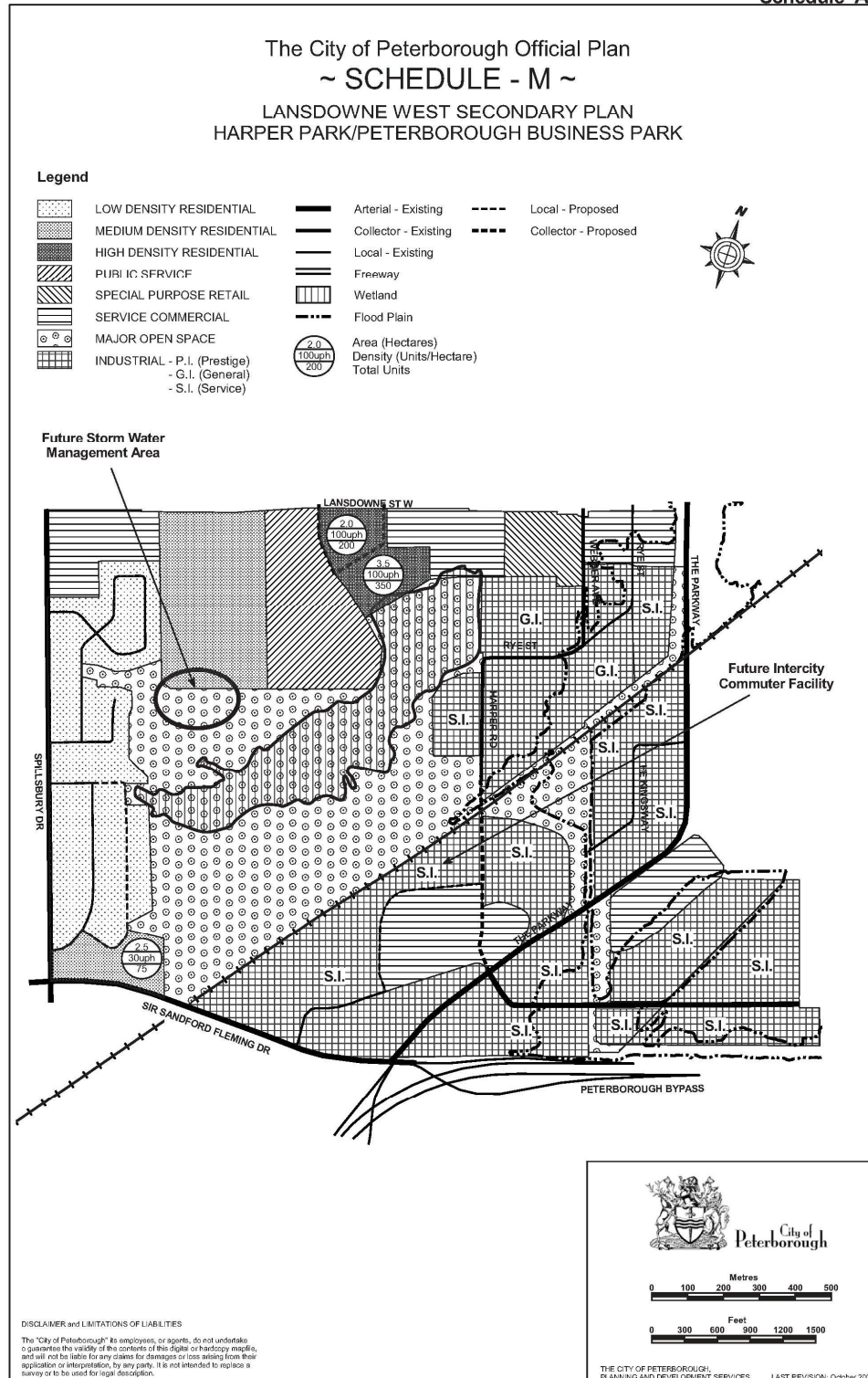
- iii) Section 10.2.3.10 is amended by deleting and replacing the first sentence with the following:
`“At the southern limit of the Secondary Plan Area, in the vicinity of Harper Park, the C.P. Rail line and Sir Sandford Fleming Drive is a former solid waste disposal site.”
 - iv) Section 10.2.3.13 is deleted in its entirety.
4. **Schedule 'M' Lansdowne West Secondary Plan** of the Official Plan of the City of Peterborough is hereby replaced with Schedule 'A' attached hereto.
5. **Schedule 'O' Industrial Land Use** of the Official Plan of the City of Peterborough is hereby amended by changing the designation of a portion of the lands within the Lansdowne West Secondary Plan area **from 'Prestige Industrial' and 'General Industrial' to 'Service Industrial'; deleting former 'Service Industrial Area 3' and by adding a new 'Service Industrial Area 3'**, as shown on Schedule 'B' attached hereto.

By-law read a first, second and third time this day of , 2013.

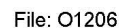
Daryl Bennett, Mayor

John Kennedy, City Clerk

Schedule 'A'



Schedule 'B'



THE CORPORATION OF THE CITY OF PETERBOROUGH

EXHIBIT 'E'

Page 1 of 3

BY-LAW NUMBER 13-_____

BEING A BY-LAW TO AMEND ZONING BY-LAW #97-123 FOR THE INDUSTRIAL LANDS SITUATED SOUTH AND EAST OF THE RAIL CORRIDOR, SOUTH OF LANSDOWNE STREET WEST, NORTH OF THE HIGHWAY 115/7 CORRIDOR AND WEST OF ERSKINE AVENUE

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

1. Section 19.1 of the By-Law is amended by adding the following:

“

M3.5 Combined Service Industrial	<p>All M3.3, M3.2 and M1.2 uses plus:</p> <ul style="list-style-type: none"> a) retail establishment for the sale of: <ul style="list-style-type: none"> - motor vehicles - farm equipment - boats, trailers and recreational vehicles - motor vehicle parts - horticultural supplies b) auction hall c) animal hospital d) rental or repair establishments
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2. Section 19.2 of the By-Law is amended by adding the following:

Industrial Zoning Regulations	
	M3.5 Combined Service Industrial
Minimum Lot Width:	30m
Minimum Lot Area:	900 sq.m
Minimum Lot Depth:	30m
Maximum Building Coverage:	40%
Minimum Building Area:	
<u>Minimum Building Setback, Side Lot line or Rear Lot line</u>	

<ul style="list-style-type: none"> • Abutting a residential district: • Abutting a non-residential district: 	<p>the greater of 9m or 4.3m/storey</p> <p>the greater of 6m or building height or 4.3m/storey</p>
<p><u>Minimum Landscaped Open Space Width Requirements</u> *</p> <p>Abutting a Residential District:</p> <p>Abutting any other District: (non industrial)</p> <p>Adjacent Arterial Streets:</p> <p>Adjacent Other Streets:</p> <p>Along a side or rear lot line:</p>	<p>10m</p> <p>3m</p> <p>3m</p> <p>3m</p> <p>1.5m</p>
Outside storage:	Permitted in accordance with an approved Site Plan
Other:	
Land Use:	Industrial District

EXHIBIT 'E'
Page 2 of 3

3. **Map 21** 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 M1.2 to M3.5; from M3.2 to M3.5; from M3.2 -202 to M3.5-202; from M3.2-170 to M3.5-170; from M1.2-170 to M3.5-170; from M1.2-273(F) to M3.5-273(F); from M2.2 to M3.5; from M2.1-18b to M3.1; from M2.1 to M3.1; and from M1.2 to M3.2.**

By-law read a first, second and third time this day of _____, 2013.

Daryl Bennett, Mayor

John Kennedy, City Clerk

