



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

**FROM:** Ken Hetherington, Manager, Planning Division

**MEETING DATE:** July 22, 2013

**SUBJECT:** Report PLPD13-039A  
Portion of Lansdowne West Secondary Plan and Industrial  
Lands Along The Queensway

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## **PURPOSE**

A report to address comments and concerns expressed at the Public Meeting held by Planning Committee on May 27, 2013 regarding the proposed Zoning By-Law Amendment for a portion of the Lansdowne West Secondary Plan and the Industrial lands along The Queensway.

## **RECOMMENDATIONS**

That Council approve the recommendations outlined in Report PLPD13-039A dated July 22, 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 PLPD13-039A.
- 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(F); from M1.2 to M3.5-282(F); from M3.2 to M3.5; from M3.2 -202 to M3.5-202-281; from M3.2-170 to M3.5-170(F); from M1.2-170 to M3.5-170; from M1.2-273(F) to M3.5-273(F); from M2.2 to M3.5(F); from M2.1-18b to M3.1(F); from M2.1 to M3.1(F); and from M1.2 to M3.2(F), from M3.3 to M3.5-281, from M3.2 to M3.5-281 in accordance with Exhibit ‘E’ attached to Report PLPD13-039.

## **BUDGET AND FINANCIAL IMPLICATIONS**

The City has initiated this amendment to the Zoning By-law requiring that the City bear the costs of the processing of such amendment. This would include mailing and advertising costs associated with Notice of Public Meetings.

## **RATIONALE**

The proposed Zoning By-law has been revised from the version that was originally proposed in May, 2013. The revisions attempt to address the concerns expressed by the Downtown Business Improvement Area (DBIA), the Harper Park Stewardship Initiative and Otonabee Conservation (ORCA), in addition to the concerns expressed by Councillors.

The proposed amendments to the proposed zoning of the subject lands, maintain the integrity of the City's Commercial and Industrial policies, while providing some additional flexibility for future land uses within this area.

## **BACKGROUND**

Council, in considering a site specific amendment for the lands known as 995 Crawford Drive (Report PLPD12-038), passed a resolution on July 30, 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. At the October 29, 2012 Planning Committee meeting, Report PLPD12-068 presenting this proposed Official Plan Amendment was recommended for approval, however the implementing by-laws were to be withheld from passage pending further consultation with interested parties. This resolution was approved by Council on November 13, 2012.

An implementing zoning by-law was prepared, circulated and considered at the Planning Committee Meeting held on May 27, 2013. Planning Committee heard from the Harper Park Stewardship Initiative; the DBIA and ORCA with regard to the proposed amendment. In addition, several Councillors expressed concern with specific uses and requested consideration of some changes to address concerns with compatibility with the residential lands located to the east of the industrial lands, as well as consistency with the cultural focus of the City's Central Area.

In order to afford Planning Staff time to further discuss and consider changes with those who expressed concern, Council, at its meeting held June 10, 2013, passed the following resolution:

**“That the item be referred for two meeting cycles to the July 22, 2013 Planning Committee meeting.”**

Since the Public Meeting, Planning Staff have met with representatives of the DBIA, ORCA and the Harper Park Stewardship Initiative to clarify their concerns and to discuss potential changes to address the same.

## **ANALYSIS**

a) DBIA Comments (c/o Brad Smith, AON Inc.):

i) Request to remove Library, Museum and Art Gallery:

Planning Staff have revised the draft by-law to remove ‘Museum and Art Gallery’ from the list of permitted uses within the newly created ‘M3.5 – Combined Service Industrial District’. Museum and Art Gallery uses are cultural uses that are important to the function of the Central Area. Libraries are permitted in many Commercial Zoning Districts across the City. Planning Committee expressed interest in leaving an option for a ‘Branch Library’ as a permitted use.

ii) Regional Scale Office Facility:

Planning Staff have discussed the request to amend the minimum floor area of a Regional Scale Office Facility from 1500m<sup>2</sup> to 3000m<sup>2</sup>. Due to the fact that the “Regional Scale Office Facility” use has been removed from the other previously approved sites, and that the property owner of the “Visitor Centre” site has relied heavily on the existing zoning from an investment perspective, Planning Staff do not recommend this change.

iii) Definition of ‘Financial Institution’ and Restrictions for Restaurants:

Planning Staff have revised the draft by-law to limit the permission for ‘financial institution’ and ‘restaurant’ to the Service Node lands located on the east side of The Queensway between Erskine Avenue and Queensway Court, in accordance with the Service Industrial policies of the Official Plan. It was agreed that this would limit the opportunity for such uses and negate the requirement for caps of these uses.

iv) Growth Plan Compliance:

The proposed amendments introduce flexibility in land uses, furthering the opportunity for development/redevelopment to promote employment opportunities. The land is located within the Built Boundary, where the Provincial Growth Plan anticipates growth and intensification.

v) Provincial Policy Statement Compliance:

The application represents efficient use of land within a settlement area. The lands are serviced and linked to regional transportation systems. The amendments promote economic development.

b) Comments from Planning Committee:

i) Transportation Terminal Use:

During discussion it was suggested that a 'transportation terminal' be removed from the list of permitted uses, particularly along roadways with connections to residential areas. Planning Staff have removed this use from the new proposed M3.5 – Combined Service Industrial Zoning District. The Gateway profile of this area is challenged by such a use. The industrial park to the south of Highway 115 is more accessible for trucks.

ii) Dog Kennel Restrictions:

Planning Committee suggested the restriction on the use of lands abutting residential districts. Planning Staff have removed the permission for Dog Kennels adjacent to residential zoning districts.

iii) Branch Libraries:

Planning Staff have inserted reference to 'branch library' in lieu of the 'library, museum, art gallery' use.

c) Harper Park Stewardship Initiative Comments:

Further to the presentation made by Kim Zippel on behalf of the Harper Park Stewardship Initiative, Planning Staff met with Ms. Zippel and other representatives of the Harper Park Stewardship Initiative and Peterborough Naturalists regarding the immediate and long term objectives of the group with respect to this area. It was agreed that Planning Staff would propose the removal of three parcels of land (owned by the City and CPR) from the proposed amendment, located west of The Parkway and south of the Rail Corridor. The intention of the change is to defer further consideration of these lands until such time as the Environmental Assessment for the relocation of Harper Road is approved and/or a decision is made by the Ministry of Environment to 'bump up' the Environmental Assessment.

d) ORCA Comments:

Planning Staff met with representatives from ORCA regarding concerns with proceeding with changes in zoning prior to the completion of the Byersville Creek flood plain study.

ORCA Staff have provided supplementary comments regarding specific properties subject to the proposed zoning amendment, based on preliminary data from the Byersville Creek flood plain study. For lands that are situated outside of the floodplain, ORCA has indicated no objection to the proposed zoning change. Lands partially subject to flooding are recommended to include the (F) suffix to indicate that portions of the property are at risk of flooding. In addition, due to insufficient data, ORCA is unable to advise on the flood risk of several properties.

ORCA maintains the position that the proposed zoning by-law should be deferred until the Byersville Creek Flood Plain Study has been completed.

Planning Staff have considered the existing zoning of the subject lands and compared the revised list of permitted uses to that which currently exists on the lands affected in whole or in part by the floodplain, based on the preliminary data. The list of permitted uses for these lands, although expanded in some cases, are generally less traditional industrial uses. Redevelopment of these parcels would also be tempered by the ability to develop the parcels in accordance with regulations that are implemented by ORCA.

An (F) suffix has been added to parcels within the subject area, identified by ORCA to be impacted in whole or in part by floodplain.

Submitted by,

Ken Hetherington,  
Manager, Planning Division

Prepared by,

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Concurred with,

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Planning and Development Services

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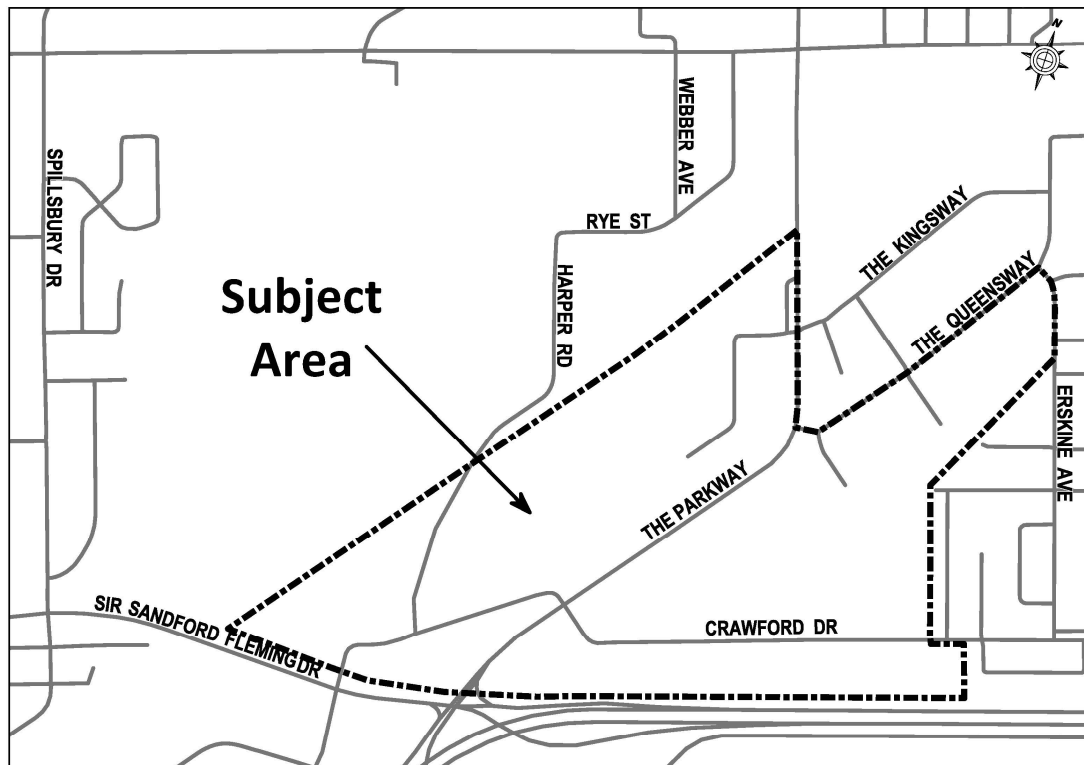
Attachments:

Exhibit A - Key Map

Exhibit B - Revised Draft Amendment to the Zoning By-law

## KEY MAP

EXHIBIT 'A'  
Page 1 of 1



**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**EXHIBIT 'B'**

**BY-LAW NUMBER 13-\_\_\_\_\_**

**Page 1 of 4**

**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 3.9 of By-Law 97-123 is amended to add the following:**

“.281 notwithstanding the permitted uses, the following uses are also permitted

- a) financial institution
- b) restaurant”

“.282 notwithstanding the permitted uses, a dog kennel shall not be permitted”

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

“

<b>M3.5</b> <b>Combined Service Industrial</b>	All M3.1, M1.2 and M1.1 uses plus: <ul style="list-style-type: none"><li>a) retail establishment for the sale of:<ul style="list-style-type: none"><li>- motor vehicles</li><li>- farm equipment</li><li>- boats, trailers and recreational vehicles</li><li>- motor vehicle parts</li><li>- horticultural supplies</li></ul></li><li>b) auction hall</li><li>c) animal hospital</li><li>d) rental or repair establishments</li><li>e) place of assembly</li><li>f) police station</li><li>g) fire hall</li><li>h) ambulance dispatch station</li><li>i) school</li><li>j) day nursery</li><li>k) branch library</li><li>l) studio workshop</li></ul> <p>Except for a transportation terminal</p>
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2. Section 19.2 of the By-Law is amended by adding the following:

EXHIBIT 'B'  
Page 2 of 4

<b>Industrial Zoning Regulations</b>	
	<b>M3.5 Combined Service Industrial</b>
<b>Minimum Lot Width:</b> <b>Minimum Lot Area:</b> <b>Minimum Lot Depth:</b>	30m 900 sq.m 30m
<b>Maximum Building Coverage:</b>  <b>Minimum Building Area:</b>  <b><u>Minimum Building Setback, Side Lot line or Rear Lot line</u></b> <ul style="list-style-type: none"> <li><b>Abutting a residential district:</b></li> <li><b>Abutting a non-residential district:</b></li> </ul>	40%    the greater of 9m or 4.3m/storey  the greater of 6m or building height or 4.3m/storey
<b><u>Minimum Landscaped Open Space Width Requirements</u> *</b> <b>Abutting a Residential District:</b>  <b>Abutting any other District: (non industrial)</b>  <b>Adjacent Arterial Streets:</b>  <b>Adjacent Other Streets:</b>  <b>Along a side or rear lot line:</b>	10m  3m  3m  3m  1.5m
<b>Outside storage:</b>	Permitted in accordance with an approved Site Plan
<b>Other:</b>	
<b>Land Use:</b>	Industrial District

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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(F); from M1.2 to M3.5-282(F); from M3.2 to M3.5; from M3.2 -202 to M3.5-202-281; from M3.2-170 to M3.5-170(F); from M1.2-170 to M3.5-170; from M1.2-273(F) to M3.5-273(F); from M2.2 to M3.5(F); from M2.1-18b to M3.1(F); from M2.1 to M3.1(F); and from M1.2 to M3.2(F), from M3.3 to M3.5-281, from M3.2 to M3.5-281**

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

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

