



City of
Peterborough

To: Members of the Planning Committee

From: Ken Hetherington, Manager, Planning Division

Meeting Date: June 15, 2015

**Subject: Report PLPD15-032
1637 Hetherington Dr. and 3789 Water St.**

Purpose

A report to evaluate the planning merits of amending the Official Plan and Zoning By-law for the properties known as 1637 Hetherington Dr. and 3789 Water St. to permit the redevelopment of the lands known as 1637 Hetherington Drive for Medium Density Residential Development, consisting of up to 50 dwelling units. The zoning of the lands known as 3789 Water Street is proposed to permit a mixed use development consisting of Neighbourhood Centre commercial uses and medium density residential uses in accordance with the Neighbourhood Centre policies of the City's Official Plan.

Recommendations

That Council approve the recommendations outlined in Report PLPD15-032 dated June 15, 2015, of the Manager, Planning Division, as follows:

- a) That Schedule 'A' – Land Use of the Official Plan be amended to change the designation of the lands known as 1637 Hetherington Drive from 'Major Institution' to 'Residential', in accordance with the draft amendment attached as Exhibit "C" to Report PLPD15-032;
- b) That Schedule 'E' – Residential Density of the Official Plan be amended to add the lands at 1637 Hetherington Drive to the 'Medium Density Residential' lands, in accordance with the draft amendment attached as Exhibit "C" to Report PLPD15-032;

- c) That the zoning of 1637 Hetherington Drive be amended from the UC – University and College District to the SP.358 - Special Residential District in accordance with the draft amendment attached as Exhibit 'D' to Report PLPD15-032;
- d) That the zoning of the westerly portion of 3789 Water Street be amended from the UC – University and College District to the SP.359 - Special Residential District in accordance with the draft amendment attached as Exhibit 'D' to Report PLPD15-032; and
- e) That the zoning of the easterly portion of 3789 Water Street be amended from the UC – University and College District to the SP.360 - Special Commercial District in accordance with the draft amendment attached as Exhibit 'D' to Report PLPD15-032.

Budget and Financial Implications

There are no direct budget or financial implications arising from the approval of this application.

Background

The subject applications were originally received and deemed to be complete in January, 2013, and processed in accordance with department procedures. The application was revised and additional supporting documents submitted by the applicants in response to comments received from the circulated agencies and departments. A revised version was recirculated in September, 2014. Further changes to the application and corresponding concept site plan have been made by the applicant, in consultation with Planning Staff, Utility Services Staff and ORCA (Otonabee Region Conservation Authority) Staff. The applicant is in a position to file an appeal to the Ontario Municipal Board any time.

The subject lands are currently vacant of buildings or structures and are separated by Hetherington Drive into two parcels. The lands on the west side of Hetherington Drive have a total area of 0.81 ha (2 ac) and are proposed to support up to a maximum of 50 dwelling units and associated parking and landscaping. The lands on the east side of Hetherington Drive, between Hetherington Drive and Water Street total approximately 2.58ha.(6.38 ac.) in size with a maximum of 1.29 ha (3.19 ac.) proposed to be devoted to residential land uses and the balance of the lands on the eastern portion, proposed to be used for commercial uses in accordance with the Neighbourhood Centre policies of the Official Plan.

The subject properties are currently designated 'Major Institution' on Schedule 'A' - Land Use of the City of Peterborough Official Plan, reflecting the former Trent University ownership and identified as 'Natural Area and Corridor' on Schedule 'C' – Natural Area.

The applicants purchased the lands from Trent University in 2012 with an understanding and agreement from Trent University that the Neighbourhood Centre designation at Water Street and Nasau Mills Road could be relocated to the subject lands between Hetherington Drive and Water Street, south of Woodland Drive, as accommodated in the policies of the Official Plan.

The lands are situated close to the northern most boundary of the City, north of a Hydro One hydro corridor and adjacent to a residential draft plan of subdivision in the adjacent Township of Selwyn. The lands have frontage along Woodland Drive (High Capacity Arterial), Water Street (High Capacity Arterial) and Hetherington Drive (High Capacity Collector) as illustrated on Schedule 'B' – Roadway Network, of the City's Official Plan. The land is located north of the University Heights' Subdivision and North and West of the Trent University Campus lands.

The applicant intends to develop the lands to accommodate medium density residential and commercial land uses. Trent University has acknowledged the relocation of the Neighbourhood Centre designation from the Water Street / Nassau Mills Road intersection to the portion of the subject lands situated between Hetherington Drive and Water Street, as permitted via Section 4.3.5.1 of the City's Official Plan without amendment to the Official Plan as provided for in the policy.

Several documents have been submitted in support of the application and reviewed by commenting agencies and departments including an Environmental Impact Study prepared by Azimuth Environmental, dated October 2012; Functional Servicing Study prepared by Dobri Engineering, dated October 2012; Environmental Study, Response to ORCA prepared by Azimuth Environmental, dated June, 2014; Environmental Study, Response to ORCA, prepared by Azimuth Environmental, dated October, 2014; Stormwater Management Functional Servicing Report, prepared by Engage Engineering, dated May, 2015 (reviewed by ORCA); Draft Official Plan and Zoning By-Law Amendments, prepared by MHBC Planning, dating from 2013 to May, 2015; Traffic Impact Study, prepared by Greenleaf Group Inc., dated September, 2012; Planning Report, prepared by MHBC Planning, dated November, 2012; Stage 1 and 2 Archaeological Assessment, prepared by The Archaeologists Inc., dated February, 2015; Sanitary Sewer Capacity Review, prepared by Engage Engineering, dated January, 2015; Concept Site Plan and Landscaping Plans, prepared by MHBC Planning, revised May, 2015.

The environmental significance of the land has been assessed with regard to it's watercourses, wetland habitat, wildlife habitat and ecological connectivity and woodland significance. The connectivity of the linkage between forested drumlin areas, the vegetated Hydro corridor to the south and forested areas to the north has been considered in the review of the application by Otonabee Conservation (ORCA). ORCA staff identified several issues that were required to be addressed and during the course of review of this application and have met with the proponent and Planning Staff to discuss design alternatives that satisfy both ORCA planning and permitting policies.

Planning Staff have also worked with the applicants to address the environmental concerns, including the watercourse alterations as well as appropriate land uses, zoning regulations, and conceptual site plan parameters.

Analysis

a) Official Plan

The subject lands are currently designated 'Major Institution' on Schedule 'A' – Land Use and 'Natural Area and Corridor' on Schedule 'C' – Natural Area of the City of Peterborough Official Plan. The policies of Section 4.3.5.1 of the Official Plan identifies a new Neighbourhood Centre designation at the intersection of Water Street and Nassau Mills Road on the Trent lands as conceptual and permits the relocation of the designation without amendment to the Official Plan if the intent of the designation is met to the City's satisfaction.

The lands were formerly part of the Trent University holdings until purchased by the applicant in 2012. The 'Major Institution' designation of the lands contemplates that the predominant use of the lands be for institutional type uses including post secondary educational facilities and major regional medical facilities (i.e. hospitals). The application proposes to change the designation of the subject lands on the west side of Hetherington Drive from 'Major Institution' to 'Residential' on Schedule 'A' – Land Use and to 'Medium Density Residential' on Schedule 'E' – Residential Density. The subject lands on the east side of Hetherington Drive are proposed to implement a Neighbourhood Centre designation that is recognized and permitted without amendment, from the lands at Water Street/Nassau Mills Road to the lands at 3789 Water Street (between Hetherington Dr. and Water St., south of Woodland Dr.).

The lands on the west side of Hetherington Drive are proposed to be used for medium density residential purposes, in keeping with the Medium Density Residential policies of the Official Plan. The concept plan illustrates a potential use of the lands for up to a maximum of 50 dwelling units with associated parking and landscaping.

The lands on the east side of Hetherington Drive are proposed to be used to support a predominantly commercial development with a medium density residential component and associated parking, loading and landscaping. The 'Neighbourhood Centre' policies anticipate a predominantly commercial use of the property with the option of secondary uses such as residential uses. The objective of the Neighbourhood Centre designation as stated in Section 4.3.5.2 of the Official Plan 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."* New Neighbourhood Centres are anticipated to be a grouping of retail and service commercial units on a single site with combined access and parking facilities having a total gross leasable area ranging between 2000m² and 8000m². The proposed concept plan includes a total of approximately 3500m² of commercial floor area.

The types of commercial uses contemplated in the Neighbourhood Centre designation are included in Section 4.3.5.3 of the Official Plan as follows:

- a) Retail and Service Commercial Uses such as small scale retail stores, personal service uses, and restaurants
- b) Larger scale neighbourhood serving retail uses such as food stores, drug stores and hardware stores
- c) Clinic uses.
- d) Small scale office and studio uses.
- e) Institutional and cultural uses.
- f) Medium density residential uses subject to the applicable policies of Section 4.2.2.

As cinema and theatre facilities are important to the planned function of the Central Area and are identified as particular priority functions, these uses are not permitted in Neighbourhood Centres.

The size of small scale uses within the Neighbourhood Centre is generally less than 300m² of gross floor area per unit. The proposed access to the commercial component is from both Woodland Drive and Water Street, both designated as high capacity arterial streets on Schedule 'B' – Roadway Network in the City's Official Plan.

The medium density residential use proposed for the west side of Hetherington Drive and the medium density residential component of the Neighbourhood Centre on the east side of Hetherington Drive is assessed subject to the policies of Section 4.2.2.2 of the Official Plan. The application proposes a density and housing form that is consistent with the policies, and supporting Traffic Impact Study, Municipal Servicing Report and Environmental Study all support the proposed use, proposed with roadway improvements, full municipal servicing and the re-alignment of natural watercourse features.

The 'Natural Area and Corridor' designation of the lands on Schedule 'C' – Natural Areas of the City's Official Plan is applied to the land to ensure the protection and preservation of natural features and the ecological function of the land, by ensuring that the proposed development or site alteration does not negatively impact these habitats. An Environmental Study was prepared by Azimuth Environmental in October 2012 and reviewed and revised subject to comments from Otonabee Conservation (ORCA). The report (as revised) and review conclude that the proposed development does not directly or indirectly impact any significant heritage features or functions as per the Provincial Policy Statement, nor do they function as fish habitat or provide significant or regulated habitat of endangered or threatened species. ORCA is satisfied that the proposed development, including the alterations to the watercourse, meets the intent of ORCA's guidelines and policies related to stormwater management as well as those policies included with the Authority's 'Watershed Planning and Regulations Policy Manual'. Additional details and all aspects of the design will be reviewed and addressed at the Site Plan Approval Stage.

Section 3.3.6 of the Official Plan confirms that an Official Plan Amendment is not required to recognize refinements to the limits of Natural Areas depicted on Schedule 'C' – Natural Areas, where the Natural Area has been subject of an Environmental Study.

The Site Plan Approval process will ensure the detailed servicing requirements and will formalize the concept plan from a landscaping, servicing perspective including site circulation and traffic. Explicit text regarding the need to preserve the form and function of the watercourses will also be included in the Site Plan agreement for the site and a permit from ORCA will be required prior to the commencement of any development on the site, including site grading and fill placement.

b) Zoning By-Law

The subject property is currently zoned UC – University and College District in the Zoning By-Law, reflecting the former ownership as part of the University of Trent Lands. The UC Zoning District limits the permitted uses to a university, college, university or college residence and related retail/commercial uses that form an 'integral' part of a university or college. The proposed uses contemplated for the lands include medium density residential uses and commercial uses that are not 'integral' or exclusively devoted to Trent University or its students. An amendment is therefore required to implement the Medium Density Residential and Neighbourhood Centre designations of the Official Plan.

The application proposes to amend the zoning to site specific zoning districts that reflect the proposed uses and the site specific regulations to implement the Medium Density Residential and Neighbourhood Centre policies of the Official Plan.

The proposed amendments have been modified by the applicant, subsequent to review and discussion with commenting agencies, Planning Staff and other City Departments, to ensure compliance with Official Plan policy and corresponding Provincial Policies and ORCA Regulations.

The proposed SP.358 Zoning District for the subject lands on the west side of Hetherington Drive, limits the permitted uses to single detached dwellings, row dwellings and stacked row dwellings ranging between a minimum of 25 dwelling units per hectare and a maximum of 75 units per hectare and a maximum height of 3 storeys. The proposed SP. 358 – Special Residential District includes a list of site specific regulations as follows:

1637 Hetherington Drive (west side):

Provision	Requirement
a) Minimum dwelling units per hectare	25
b) Maximum dwelling units per hectare	75

c) Minimum Building Setback - from Woodland Drive streetline - from Hetherington Drive streetline - from Westerly Lot Line - from Southerly Lot Line - from Daylight Triangle	6.0m 6.0m to garage or carport 4.5m to dwelling 3.0m to porch or verandah 1.5m to stairs 6.0m 6.0m 4.5m
d) Minimum Separation between units and/or buildings for row dwellings or stacked row dwellings: - Between Units (Internal) - Between Buildings (External) - 2 Storeys - 3 Storeys	0.0m 1.5m 3m
e) Minimum Building Separation between buildings for single unit dwellings	0.6m on one side and 1.2m on the other side
f) Minimum Lot Width for each Single Unit Dwelling	9m
g) Maximum Height: Single Detached Dwelling Row Dwelling Stacked Row Dwelling	2 storeys 3 storeys 3 storeys
h) Minimum Landscaped Open Space For Single Unit Dwellings on individual lots	20% of Lot Area 35% of Lot Area
i) Minimum Amenity Space: Row Dwellings and Stacked Row Dwellings	6m ² per dwelling unit
j) Minimum Landscaped Open Space along southerly lot line	7m
k) A maximum of one (1) tandem parking space shall be permitted for residential dwellings containing a garage or carport.	
The area zoned SP.358 shall be treated as one lot for the purposes of zoning regulations despite any future land division	

The proposed SP.359 Zoning District for the subject lands on the east side of Hetherington Drive and making up the residential and commercial components of the Neighbourhood Centre mixed use, limits the residential permitted uses to single detached dwellings, row dwellings and stacked row dwellings and apartment dwellings ranging between a minimum of 25 dwelling units per hectare and a maximum of 75 units per hectare and a maximum height of 5 storeys for apartment dwellings. The proposed commercial component of the Neighbourhood Centre mixed use, limits the permitted uses to commercial uses consistent with the Neighbourhood Centre policies. The proposed SP. 359 – Special Residential District includes a list of site specific regulations as follows:

3789 Water Street:

Residential Provision	Requirement
a) Minimum dwelling units per hectare	25
b) Maximum dwelling units per hectare	75
c) Minimum Building Setback for detached dwelling, apartment dwelling, row dwelling or stacked row dwelling: - from Woodland Drive streetline - from Hetherington Drive streetline - from easterly lot line - from southerly lot line	6.0m 6.0m to garage or carport 4.5m to dwelling 3.0m to porch or verandah 1.5m to stairs 6.0m 7.0m
d) Minimum separation between units and or buildings for row dwellings, stacked row dwellings or apartment buildings: - Between units (internal) - Between buildings (external)	0.0m 1.5m for 2 storeys 3.0m for 3 storeys 4.5m for 4 storeys 6.0m for 5 storeys
e) Minimum Building Separation between buildings for single unit dwellings	0.6m on one side and 1.2m on the other side
f) Minimum Landscaped Open Space For Single Unit Dwellings on individual lots	20% 35%
g) Maximum Height: - Single Detached Dwelling - Row Dwelling - Stacked Row Dwelling - Apartment Dwelling	2 storeys 3 storeys 4 storeys 5 storeys
h) Minimum Landscaped Open Space - Single Unit Dwellings - Other	35% of lot area 20% of lot area
i) Minimum Amenity Space - Row Dwelling and Stacked Row Dwelling - Apartment Dwelling	6m ² per dwelling unit 4m ² per dwelling unit
j) Minimum setback for parking areas abutting commercially zoned lands	3.0m
k) Minimum Motor Vehicle Parking for Apartment Dwellings (notwithstanding the requirements of Section 4.1 of the By-Law)	1.5 spaces per unit

l) Minimum Landscaped Open Space - along southerly lot line - along northerly lot line	7m 6m
m) A maximum of one (1) tandem parking space shall be permitted for residential dwellings containing a garage or carport.	
n) The Maximum land area devoted to single use dwellings, apartment dwellings, row dwellings, stacked row dwellings or combination thereof shall not exceed 1.29ha.	
The areas zoned SP.359 shall be treated as one lot for the purposes of zoning despite any future land division	

Non Residential Provision	Requirement
a) Minimum Lot Area	9290 m ²
b) Maximum building floor area of commercial uses	8000 m ²
c) Maximum height Commercial uses Buildings containing apartment dwelling units above commercial uses	2 storeys 5 storeys, of which the commercial uses shall not exceed 2 storeys
d) Maximum Gross Leasable Area of each individual small scale uses, exclusive of the uses listed in e) and f)	330 m ²
e) Maximum Gross Leasable Area of an individual establishment for the following uses: - Bank, Financial Institution or Loan Company - Copy/Printing Establishment - Restaurant - Veterinary Clinic - Place of Assembly - Club House or Lodge Hall - Church - Private Educational Facility - Place of Amusement - Tavern - Day Nursery - Clinic	600 m ²
f) Maximum Gross Leasable Area of a food store, hardware store, drug store, retail establishment for the sale of beer, wine and liquor, gymnasium or health club	3000 m ²
g) Maximum Gross Leasable Floor Area of all offices	2000 m ²

h) Minimum Building Setbacks:	
- Abutting Woodland Drive streetline	6.0 m
- Abutting Water Street streetline	6.0 m
- Abutting west property line	4.5 m
- Abutting south property line	7.0 m
i) Minimum Landscaped Open Space	
- along southerly lot line	7m
- along northerly lot line	6m
j) Minimum setback for parking areas abutting residentially zoned lands	1.5m
The areas zoned SP. 389 shall continue to be treated as one lot for the purpose of zoning despite any future land division	

The proposed Zoning Amendment also introduces provisions for residential amenity space that accommodates for outdoor areas on building rooftops, patios, terraces, balconies and decks as well as traditional outdoor landscaped open space. The draft by-law also includes a definition of 'stacked row dwelling' as 'a building consisting solely of three (3) or more dwelling units separated by vertical and horizontal party walls and contains separate or common entrance and access to grade from one or more yards.'

c) **Site Development**

A concept site plan illustrating an option for the development of the subject lands, demonstrates the ability of the lands to accommodate up to 50 dwelling units on the west side of Hetherington Drive and a mixed use development on the subject lands between Hetherington Drive and Water Street with a total of 46 residential row dwellings; 20 unit apartment dwelling above commercial; and commercial buildings totalling approximately 3500m² of floor space within 4 buildings. The concept site plan illustrates entrance opportunities from Woodland Drive and Water Street for the commercial portion and from Hetherington Drive for the residential portion. Pedestrian connections will be required at Site Plan approval stage.

The concept plan also demonstrates the ability of the site to provide parking in accordance with the minimum parking requirements as provided in the City's Zoning By-Law, together with a site specific regulation to permit up to one tandem space per unit for residential dwellings containing a garage or carport.

The supporting Functional Servicing Study and Stormwater Management Functional Servicing Report demonstrates the ability of the development to proceed on full municipal services as contemplated by the City of Peterborough Official Plan and through the connection of existing services along Woodland Drive and Water Street. More explicit text regarding the need to preserve the form and function of the watercourses will be included in the Site Plan Agreement for the site.

Traffic measures to ensure acceptable on street and on site circulation of traffic and parking will be formalized at the Site Plan Approval stage.

Response to Notice

a) Significant Agency Responses:

Agency circulation was originally issued on January 16, 2013 and revised and recirculated September 19, 2014 and Notice of Public Meeting was circulated on May 19, 2015.

The City's Utility Services Department provided comment regarding the Official Plan Amendment and Rezoning applications, indicating no objection in principle and requesting confirmation of downstream servicing capacity, a (H) Holding symbol subject to the applicant entering into a Site Plan Agreement with the City, parking calculations, compliance with minimum setbacks from the daylighting triangle at Woodland/Water Streets intersection, compliance with comments about the Traffic Study from the City's Traffic Division and cash-in-lieu of parkland where required.

In addition, Utility Services has provided comments to be considered at the Site Plan Approval stage of the development, including requirements for road widening, daylighting triangles, 0.3m reserves, road improvements to bring the roadways up to semi-urban and urban cross sections with curb, gutter, sidewalk and street lighting along the property frontage, and stormwater management for all portions of the proposal. A review of the traffic study prepared by Tranplan Associates, dated September 2012 has also been completed by Utility Services requiring, among other things, improvements at the Woodland Drive/Water Street intersection, including traffic signals and a northbound left turn lane on Water Street.

Otonabee Region Conservation Authority identified several issues that required addressing prior to proceeding with the amendments to the Official Plan and Zoning By-Law. Since the original comments, ORCA staff have met with the proponent and the consulting team as well as with Planning Staff to discuss design alternatives that would satisfy both ORCA planning and permitting policies. ORCA staff are satisfied that the proposed development, including the watercourse alterations, meets the intent of ORCA guidelines and policies related to stormwater management as well as those contained in the Authority's "Watershed Planning & Regulation Policy Manual". ORCA requests a provision for a minimum landscaped open space to accommodate for the realigned watercourse locations running along the north and south property lines which has been included in the draft by-law attached to this report (PLPD15-032).

Additional details related to all aspects of the design will be required by ORCA at the site plan approval stage, including the upgrading of culverts under Water Street in order to accommodate peak flows and geotechnical investigation to assess the potential for infiltration and groundwater recharge. A permit is also required from ORCA prior to

development of the site, including site grading and fill placement. ORCA has also noted that the entire site is located within the Intake Protection Zone 2 and defined as a Vulnerable Area for the source of the Peterborough Drinking Water Supply. Accordingly, ORCA has notified the proponent of the need to manage land use activities in a way that is protective of the municipal drinking water source.

The Downtown Business Improvement Area (DBIA) provided comments in October, 2014 with regard to the applications and sought additional justification for the potential commercial space and caps on the maximum floor area assigned for small scale retail and office space. Additional clarification regarding proposed uses and request to eliminate library, museum and art gallery uses were also included. The applicant responded to the DBIA comments and revised the application to address several of the issues/concerns raised by the DBIA including a restriction of the total amount of potential office space, reduces floor areas for individual offices and limits on the total amount of small scale retail space proposed.

Peterborough Utilities indicates that a watermain extension is required along Hetherington Drive at the cost of the developer. Development and frontage charges will apply. An expansion of the electrical distribution system is also required to accommodate this development. A capital contribution may also be required for the construction of the expansion to the distribution system.

Community Services Department indicates that the subject lands are in an area of medium to high potential for the presence of archaeological resources and requested a Stage 1-2 archaeological assessment of the site. The archaeological assessment has been completed and entered into the Ontario Public Register of Archaeological Reports as required under the Ontario Heritage Act.

Hiawatha First Nation has provided comment on the September, 2014 circulation and subsequent to the circulation of the Archaeological Assessment prepared in February, 2015. There are no concerns with the Archaeological Assessment in this area, but Hiawatha would like to be kept apprised if something should be found.

The Township of Selwyn (formerly Smith-Ennismore-Lakefield) indicated that the lands adjacent to the western boundary of 1637 Hetherington Drive is adjacent to a draft plan of subdivision within the Township that provides for pedestrian access to the subject lands. The parcel should be developed in a manner that would accommodate the proposed pedestrian linkage. The Township is requesting the City to implement the conditions of servicing related to a cost sharing agreement between the City, the Township and Trent University, dated April 5, 2001, to pay the proportionate share of the cost of the infrastructure for the subject lands. In addition, the Township has reviewed the Traffic Impact Study and request that the Township be circulated and provided with an opportunity to comment on the signalization of the Water Street and Woodland Drive intersection as a function of the site plan approval process.

Kawartha Pine Ridge District School Board has no objections to the applications, however, suggests that the City consider a possible extension of the Hetherington Drive sidewalk northward to Woodland Drive.

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 April 20, 2013 and Notice of Public Meeting by direct mail and by newspaper advertisement (Peterborough Examiner) on May 19, 2015. The notice complies with the requirements of the Planning Act.

No written comments have been received as of May 25, 2015.

Submitted by,

Ken Hetherington
Manager, Planning Division

Prepared by,

Caroline Kimble
Land Use Planner

Concurred with,

Malcolm Hunt, Director
Planning and Development Services

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Attachments:

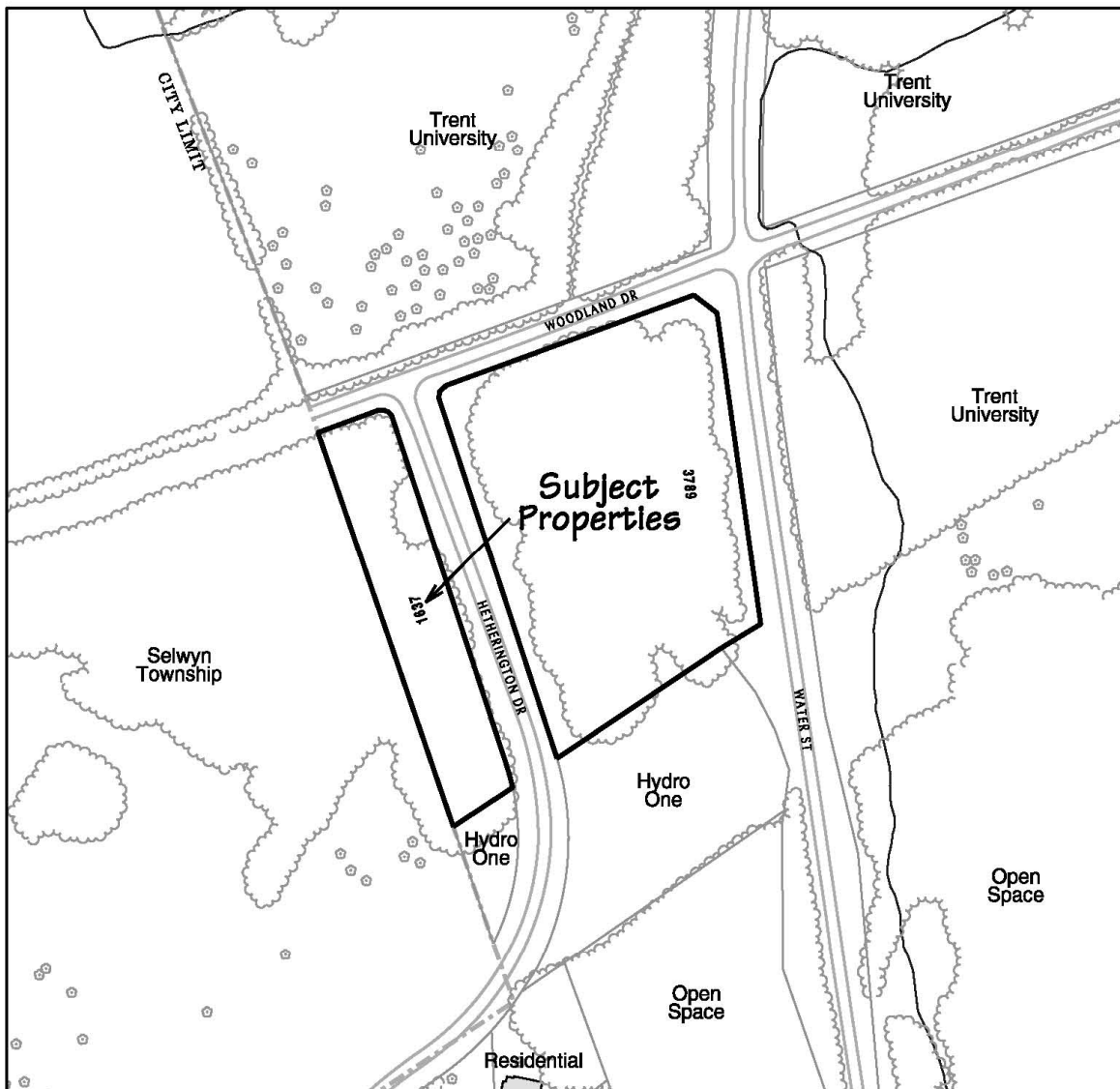
Exhibit A – Land Use Map
Exhibit B – Concept Plan
Exhibit C – Draft Official Plan Amendment
Exhibit D – Draft Zoning By-Law Amendment

Exhibit A – Page 1 of 1

Land Use Map

File # z1301 & o1301

Property Location: 1637 Hetherington Dr & 3789 Water St



The City of Peterborough Planning Division

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Date - January 2013

Dwg. by - CBerry

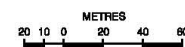


Exhibit B – Page 1 of 1



Exhibit C – page 1 of 3



The Corporation of the City of Peterborough

By-Law Number 15-

Draft Official Plan Amendment

Being a By-law to Adopt Amendment Number to the Official Plan of the City of Peterborough for the properties known as 1637 Hetherington Drive and 3789 Water Street

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. **Schedule 'A' Land Use** of the Official Plan of the City of Peterborough is hereby amended by changing the designation of land **from 'Major Institution' to 'Residential'** in accordance with Schedule 'A' attached hereto.
2. **Schedule 'E' Residential Density** of the Official Plan of the City of Peterborough is hereby amended by adding **'Medium Density Residential'** in accordance with Schedule 'B' attached hereto.

By-law read a first, second and third time this day of , 2015.

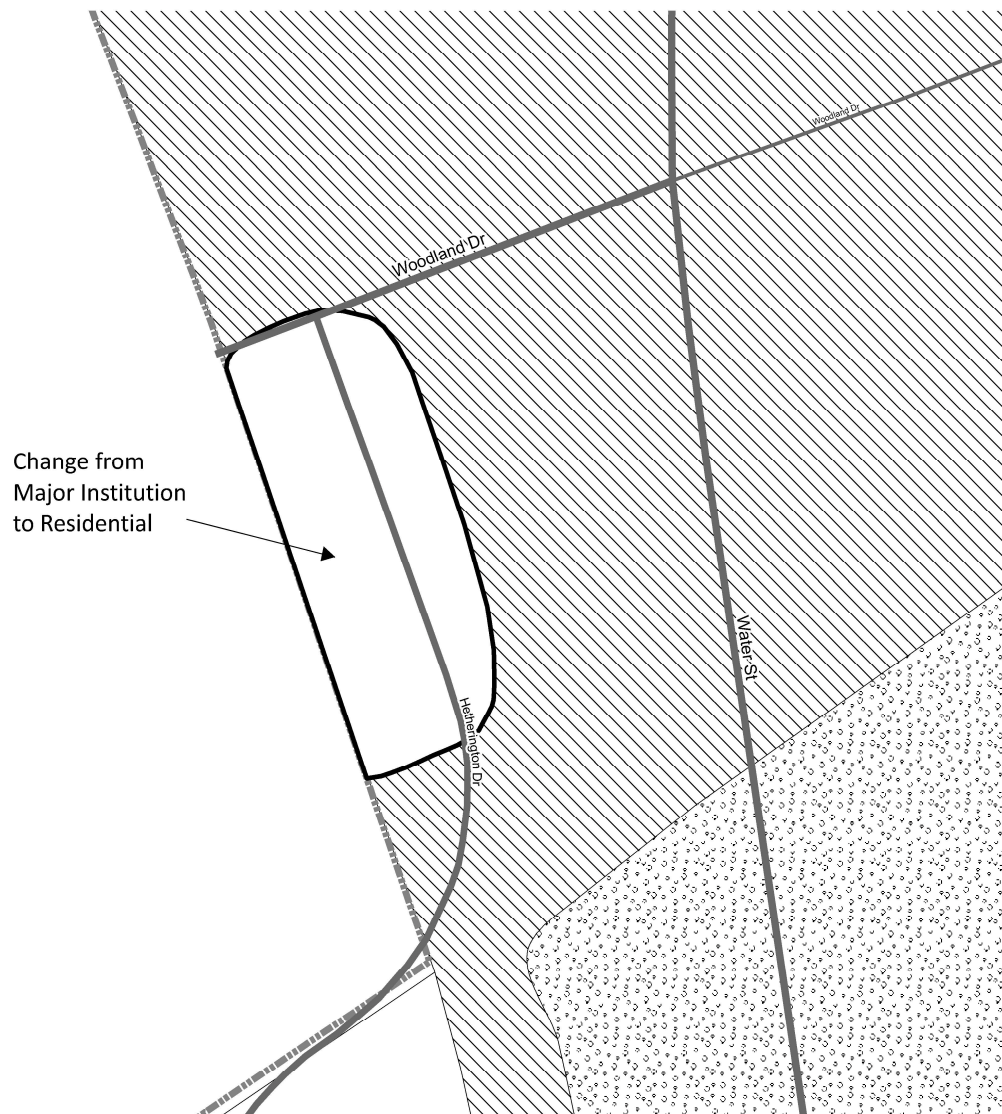
Daryl Bennett, Mayor

John Kennedy, City Clerk

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Schedule A

Official Plan Amendment to Schedule - A Land Use



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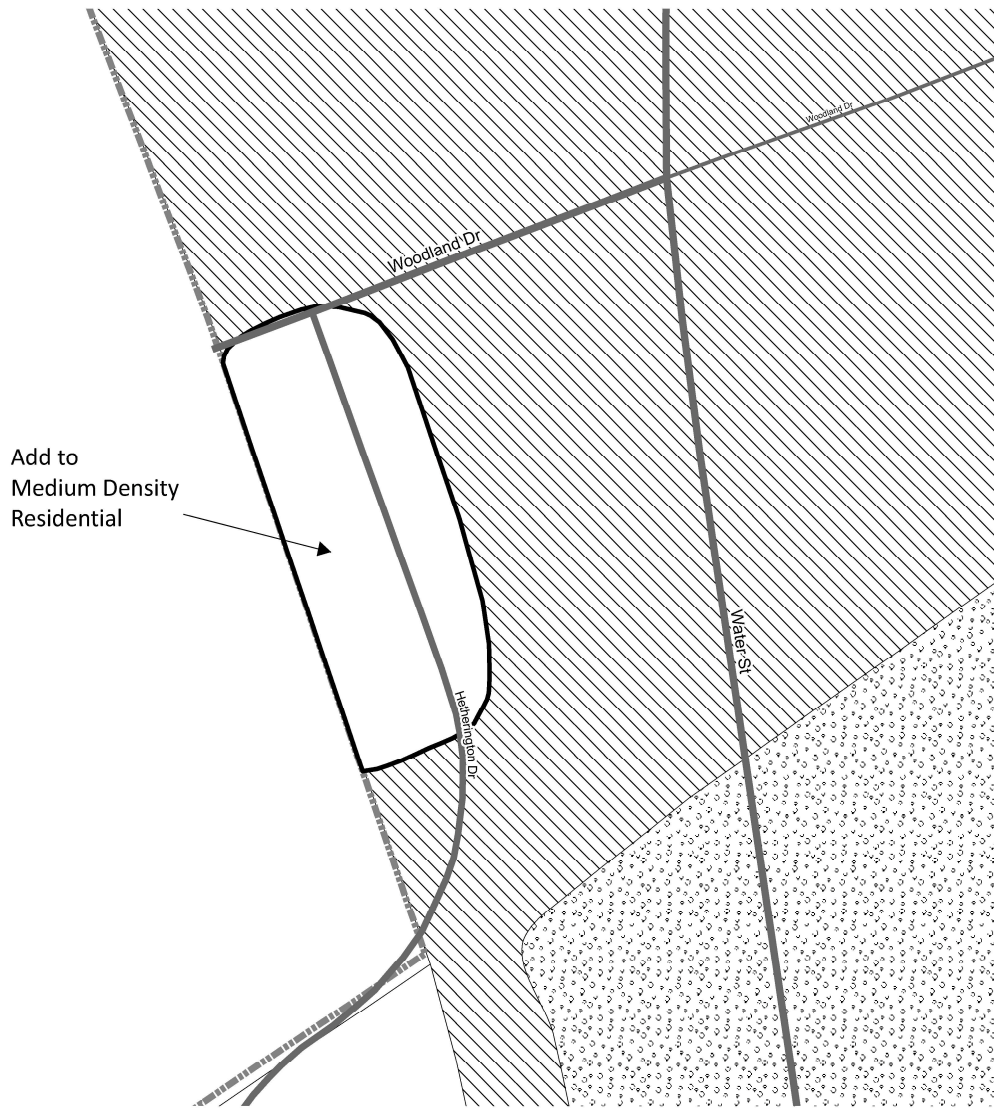


File: O1301

Exhibit C – Page 3 of 3

Schedule B

Official Plan Amendment to Schedule - E Residential Density



**City of
Peterborough**

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File: 01301

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The Corporation of the City of Peterborough

By-Law Number 15-

Being a By-law to Amend Zoning By-Law 1997-123 for the properties known as 1637 Hetherington Drive and 3789 Water Street.

1. Section 388 be added for Special District 358 (SP.358) as follows:

“Section 388
SPECIAL DISTRICT 358 (SP. 358)

388.1 For the purpose of this by-law, land use district ‘Special District 358’ is hereby established and may be referred to by the symbol ‘SP.358’.

Permitted Uses:

388.2 No person within a SP.358 District shall use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a single unit dwelling
- b) row dwelling unit
- c) stacked row dwelling

388.3 For the purposed of the SP.358 District the following definitions shall apply:

- a) Stacked Row Dwelling shall mean a building consisting solely of three (3) or more dwelling units separated by vertical and horizontal party walls and contains separate or common entrance and access to grade from one or more yards.
- b) Amenity Space shall mean an outdoor area that is designed and intended for the exclusive leisure and recreational use of the occupants of the dwelling unit and may include landscaped open spaces, building rooftops, patios, terraces, balconies, decks and other similar uses.

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Regulations

388.4 No person shall within a SP.358 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Provision	Requirement
a) Minimum dwelling units per hectare	25
b) Maximum dwelling units per hectare	75
c) Minimum Building Setback - from Woodland Drive streetline - from Hetherington Drive streetline - from Westerly Lot Line - from Southerly Lot Line - from Daylight Triangle	6.0m 6.0m to garage or carport 4.5m to dwelling 3.0m to porch or verandah 1.5m to stairs 6.0m 6.0m 4.5m
d) Minimum Separation between units and/or buildings for row dwellings or stacked row dwellings: - Between Units (Internal) - Between Buildings (External) - 2 Storeys - 3 Storeys	0.0m 1.5m 3m
e) Minimum Building Separation between buildings for single unit dwellings	0.6m on one side and 1.2m on the other side
f) Minimum Lot Width for each Single Unit Dwelling	9m
g) Maximum Height: Single Detached Dwelling Row Dwelling Stacked Row Dwelling	2 storeys 3 storeys 3 storeys

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h) Minimum Landscaped Open Space For Single Unit Dwellings on individual lots	20% of Lot Area 35% of Lot Area
i) Minimum Amenity Space: Row Dwellings and Stacked Row Dwellings	6m ² per dwelling unit
j) Minimum Landscaped Open Space along southerly lot line	7m
k) A maximum of one (1) tandem parking space shall be permitted for residential dwellings containing a garage or carport.	
The area zoned SP.358 shall be treated as one lot for the purposes of zoning regulations despite any future land division	
Notwithstanding Section 4, a maximum of one (1) tandem parking space shall be permitted for residential dwellings containing a garage or carport.	

388.5 SP.358 District is hereby designated as a Residential District”

2. Section 389 be added for Special District 359 (SP.359) as follows:

“Section 389

Special District 359 (SP. 359)

389.1 For the purpose of this by-law, land use district ‘Special District 359’ is hereby established and may be referred to by the symbol ‘SP.359’.

Permitted Uses:

389.2 No person within a SP.359 District shall use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a single unit dwelling
- b) row dwelling unit
- c) stacked row dwelling
- d) apartment dwelling

389.3 For the purpose of the SP.359 District the following definitions shall apply:

- a) Stacked Row Dwelling shall mean a building consisting solely of three (3) or more dwelling units separated by vertical and horizontal party walls and contains separate or common entrance and access to grade from one or more yards.
- b) Amenity Space shall mean an outdoor area that is designed and intended for the exclusive leisure and recreational use of the occupants of the dwelling unit

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and may include landscaped open spaces, building rooftops, patios, terraces, balconies, decks and other similar uses, except that in the case of an apartment dwelling, amenity space may be provided in the form of indoor and or outdoor amenity space or combinations thereof and that is communal and intended for the exclusive use of apartment residents.

Regulations

389.4 No person shall within a SP.359 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Provision	Requirement
a) Minimum dwelling units per hectare	25
b) Maximum dwelling units per hectare	75
c) Minimum Building Setback for detached dwelling, apartment dwelling, row dwelling or stacked row dwelling: - from Woodland Drive streetline - from Hetherington Drive streetline - from easterly lot line - from southerly lot line	6.0m 6.0m to garage or carport 4.5m to dwelling 3.0m to porch or verandah 1.5m to stairs 6.0m 7.0m
d) Minimum separation between units and or buildings for row dwellings, stacked row dwellings or apartment buildings: - Between units (internal) - Between buildings (external)	0.0m 1.5m for 2 storeys 3.0m for 3 storeys 4.5m for 4 storeys 6.0m for 5 storeys
e) Minimum Building Separation between buildings for single unit dwellings	0.6m on one side and 1.2m on the other side

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f) Minimum Landscaped Open Space For Single Unit Dwellings on individual lots	20% 35%
g) Maximum Height: - Single Detached Dwelling - Row Dwelling - Stacked Row Dwelling - Apartment Dwelling	2 storeys 3 storeys 4 storeys 5 storeys
h) Minimum Landscaped Open Space - Single Unit Dwellings - Other	35% of lot area 20% of lot area
i) Minimum Amenity Space - Row Dwelling and Stacked Row Dwelling - Apartment Dwelling	6m ² per dwelling unit 4m ² per dwelling unit
j) Minimum setback for parking areas abutting commercially zoned lands	3.0m
k) Minimum Motor Vehicle Parking for Apartment Dwellings (notwithstanding the requirements of Section 4.1 of the By-Law)	1.5 spaces per unit
l) Minimum Landscaped Open Space - along southerly lot line - along northerly lot line	7m 6m
m) A maximum of one (1) tandem parking space shall be permitted for residential dwellings containing a garage or carport.	
n) The Maximum land area devoted to single use dwellings, apartment dwellings, row dwellings, stacked row dwellings or combination thereof shall not exceed 1.29ha.	
The areas zoned SP.389 shall be treated as one lot for the purposes of zoning despite any future land division	
Notwithstanding Section 4, a maximum of one (1) tandem parking space shall be permitted for residential dwellings containing a garage or carport.	
The maximum land area devoted to Single Unit Dwellings, Apartment Dwellings, Row Dwellings, Stacked Row Dwellings or a combination thereof shall not exceed 1.29 ha.	

389.5 SP.359 District is hereby designated as a Residential District”

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3. Section 390 be added for Special District 360 (SP.360) as follows:

“Section 390

Special District 360 (SP. 360)

390.1 For the purpose of this by-law, land use district ‘Special District 360’ is hereby established and may be referred to by the symbol ‘SP.360’.

Permitted Uses:

390.2 No person within a SP.360 District shall use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) Apartment dwelling
- b) Office
- c) Veterinary Clinic
- d) Clinic
- e) Retail Establishments including:
 - i. Convenience retail store
 - ii. Drug store
 - iii. Bakeshop
 - iv. Grocery/Food store
- f) Retail Establishment for the sale of beer, wine and/or liquor
- g) Bank, Financial Institutions or Loan Company
- h) Restaurant
- i) Personal Service Use
- j) Copy/Printing Centre
- k) Rental Establishment
- l) Hardware store
- m) Taxi stand
- n) Tavern
- o) Private Educational Facility
- p) Day Nursery
- q) Studio or Craft Workshop
- r) Sub-post Office
- s) Church
- t) Place of Amusement
- u) Place of Assembly
- v) Gymnasium or Health Club including a Fitness Studio

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390.3 For the purposed of the SP.360 District the following definitions shall apply:

a) Amenity Space shall mean an outdoor area that is designed and intended for the exclusive leisure and recreational use of the occupants of the dwelling unit and may include landscaped open spaces, building rooftops, patios, terraces, balconies, decks and other similar uses, except that in the case of an apartment dwelling, amenity space may be provided in the form of indoor and or outdoor amenity space or combinations thereof and that is communal and intended for the exclusive use of apartment residents.

Regulations

390.4 No person shall within a SP.360 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Provision	Requirement
a) Minimum Lot Area	9290 m2
b) Maximum building floor area of commercial uses	8000 m2
c) Maximum height Commercial uses Buildings containing apartment dwelling units above commercial uses	2 storeys 5 storeys, of which the commercial uses shall not exceed 2 storeys
d) Maximum Gross Leasable Area of each individual small scale uses, exclusive of the uses listed in e) and f)	330 m2

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e) Maximum Gross Leasable Area of an individual establishment for the following uses: - Bank, Financial Institution or Loan Company - Copy/Printing Establishment - Restaurant - Veterinary Clinic - Place of Assembly - Club House or Lodge Hall - Church - Private Educational Facility - Place of Amusement - Tavern - Day Nursery - Clinic	600 m ²
f) Maximum Gross Leasable Area of a food store, hardware store, drug store, retail establishment for the sale of beer, wine and liquor, gymnasium or health club	3000 m ²
g) Maximum Gross Leasable Floor Area of all offices	2000 m ²
h) Minimum Building Setbacks: - Abutting Woodland Drive streetline - Abutting Water Street streetline - Abutting west property line - Abutting south property line	6.0 m 6.0 m 4.5 m 7.0 m
i) Minimum Landscaped Open Space - along southerly lot line - along northerly lot line	7m 6m
j) Minimum setback for parking areas abutting residentially zoned lands	1.5m
The areas zoned SP. 390 shall continue to be treated as one lot for the purpose of zoning despite any future land division	

390.5 SP.360 District is hereby designated as a Commercial District”

By-law read a first, second and third time this day of , 2015.

Daryl Bennett, Mayor

John Kennedy, City Clerk

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