



City of
Peterborough

To: **Members of the General Committee**

From: **Cynthia Fletcher**
Commissioner of Infrastructure and Planning Services

Meeting Date: **March 2, 2020**

Subject: **Report IPSPL20-004**
Official Plan and Zoning By-law Amendment for 854, 860 and 870 Clonsilla Avenue

Purpose

A report to evaluate the planning merits of amending the Official Plan and Zoning By-law to facilitate the use of the lands for high density, multi unit residential (100 units) use with a maximum building height of 8 storeys and a combination of surface and underground parking facilities.

Recommendations

That Council approve the recommendations outlined in Report IPSPL20-004 dated March 2, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That Schedule 'E' – Residential Density of the Official Plan, as it relates to the properties known as 854, 860 and 870 Clonsilla Avenue, be amended to 'High Density Residential' in accordance with the draft amendment, attached as Exhibit 'D' to Report IPSPL20-004;
- b) That the Zoning By-law be amended to add Exception 329 to Section 3.9, to prescribe site specific regulations in accordance with the draft amendment attached as Exhibit 'E' to Report IPSPL20-004; and
- c) That the subject properties be rezoned from the R.1, R.2 – Residential District to the R.5-329 - Residential District in accordance with Exhibit 'E' attached to Report IPSPL20-004.

Budget and Financial Implications

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

Background

The subject properties are located on the south east corner of the intersection of Clonsilla Avenue and Webber Avenue. The area is comprised of a mix of residential, commercial and public service uses. The residential uses in the area range from low and medium density single unit and small-scale walk up apartment buildings and townhomes to the south and east to high density multi-unit apartment buildings to the north and northeast along the Clonsilla Avenue corridor.

The property is approximately 1.1ha. (2.7 ac.) in size and currently supports two single unit detached dwellings with accessory structures, driveways and parking areas. The applicant acquired the lands in 2017 and proposes to redevelop the property by replacing the three single unit dwellings (1 demolished, 2 to be demolished) with a high density, multi-unit residential development with:

- a maximum of up to 100 units and
- a maximum building height of 8 storeys and
- a combination of surface and underground parking facilities.

The existing R.1, R.2 – Residential Zoning District was assigned to the lands in 1972 via the passage of the 1972 Comprehensive Zoning By-law. Beginning in the late 1970's, the zoning of the lands in the area stretching along both sides of Clonsilla Avenue, west of The Parkway transitioned to permit higher density residential uses in addition to commercial and public service uses. In 2009 via Official Plan Amendment 142, Clonsilla Avenue was recognized in the City's Schedule A-1 (City Structure) as an 'intensification corridor', intended to accommodate a significant portion of the City's residential growth, in accordance with the 2006 Provincial Growth Plan.

The application was accompanied by a Functional Servicing Review, Tree Inventory, Traffic Impact Study, Noise Impact Study, Conceptual Landscape Plan, Building Elevations, Planning Justification Report and Conceptual Site Plan. Further to the circulation of the application with the accompanying documents, the applicant also provided Concept Visualizations of the revised concept site plans to assess the impact of the proposed development to the streetscape and in relation to the surrounding neighbourhood. Additional meetings with Planning Staff to address comments received from the agency circulation resulted in the changes to the concept site plan and refinement of the application.

A Public Open House was hosted by the applicants on August 28, 2019 at St. Alphonsus Liguori Church Hall, providing an overview of the original proposal with concept renderings and the concept site plan. Approximately 30 people attended the Open House and the applicant responded to questions of those in attendance. Concerns regarding the management of traffic on Wentworth Street and Webber Avenue, increased traffic on Clonsilla Avenue and Webber Avenue and unsafe pedestrian conditions on Clonsilla Avenue were expressed by several neighbours in attendance and further via an email on behalf of the Condominium Board at 861 Wentworth Street. There was also concern expressed regarding the proposed height and massing of the building and its proximity to the easterly lot line.

The applicant has worked with Planning Staff to maximize the building setbacks proposed along the east and south lot lines. This increased setback is intended to address concerns regarding the adequate buffering from the adjacent lower density residential uses, in addition to ensuring an appropriate relationship between the building and both Clonsilla Avenue and Webber Avenue. As a result of the modifications to the concept site plan, the applicant has submitted a revised plan to reduce the overall footprint of the building, reduce the amount of hard surface area and increase the setbacks of the proposed building from the property lines.

Analysis

a) **Official Plan**

The lands are designated 'Residential' on Schedule 'A' – Land Use and located within the Built Boundary and within the Intensification Corridor along Clonsilla Avenue on Schedule A-1 – City Structure. The application proposes to amend Schedule 'E' – Residential Density to extend the High-Density Residential designation across Clonsilla Avenue to include the subject lands.

The policies related to the Intensification Corridors encourage appropriate intensification within the Built Boundary of the City, in locations where capacity exists or can readily be improved within the infrastructure, and where additional development can be compatibly integrated with existing built form, land use patterns, natural heritage features and natural hazards. Intensification is encouraged along identified Intensification Corridors as identified on Schedule A-1, City Structure.

The Residential policies of the Official Plan “encourage residential intensification to increase the supply of housing through better use of existing resources, buildings and under-utilized sites” as noted in Section 4.2.1.2 of the Official Plan (Residential Objectives).

The subject property is situated within the Clonsilla Avenue Intensification Corridor and is considered to be underutilized land within a previously developed area. The proposed redevelopment of the lands to support up to 100 units would result in a density of approximately 90 units/ha., within the density range contemplated under the High Density Residential range of 75 to 110 dwelling units per hectare and contemplated with the City's current Official Plan along intensification corridors.

A Noise Impact Study was submitted with the application to assess potential noise from adjacent roads - Clonsilla Avenue, Webber Avenue, The Parkway and Lansdowne Street West, as well as stationary noise sources in accordance with Provincial Guidelines. Based on the results of the assessment, Cambium Inc. recommends specific measures related to layout of equipment and building features including window types, balconies and HVAC equipment to be addressed at the building detailed design stage. In addition, it is recommended that noise warning clauses, which is a typical measure used to make residents aware of potential noise sources, be introduced to any lease arrangements with tenants.

Development applications, including Official Plan and Zoning By-law Amendment applications must address the provisions of Section 4.2.5.6 and 4.2.5.7 of the Official Plan which includes the requirement for a concept site plan and building perspective, with sufficient details related to the massing and conceptual design and relationship to the streets and surrounding neighbourhood. The adequacy of municipal servicing, implications of traffic generation, provision of amenities, proximity to schools, parks and recreation areas, adequate buffering, parking and landscaping, and proximity or presence of significant natural/environmental features should all be considered in the evaluation of the proposed amendment. In addition, the property is located within the Built Boundary. Lands within the Built Boundary are intended to facilitate a significant portion of growth representing a minimum of 50% of the housing units within Peterborough, approved annually.

The introduction of 100 new units is proposed to complement the existing high and medium density development of lands in the area. The traffic study supports the intensification of the land use to introduce new dwelling units with adequate parking, to be provided on the surface and underground. Access to the parking areas is proposed along Webber Avenue at the south end of the site. A pick-up/drop off area is also proposed along the Webber Avenue frontage, closer to Clonsilla Avenue. The Transportation Division recognizes the existing background traffic volume in the area and related operational challenges as expressed by the neighbours through the public consultation of this application. The traffic study submitted with the application confirms that the proposed development will contribute to the background traffic along the Clonsilla Avenue corridor, however, does not trigger the need for mitigative measures such as turning lanes along Clonsilla Avenue. Transportation staff agree with the conclusions of the traffic study. The Transportation Division has noted, however, that the City is proposing to undertake an operational review of Clonsilla Avenue to examine potential improvements to address existing operations and to support future development along

Clonsilla Avenue. It is not expected that this particular development would be required to deal with the overall traffic issues of Clonsilla Avenue. The revised concept site plan increases the proposed setback from the centreline of Clonsilla Avenue from 16.1m from the centreline to a minimum of 20.5m to allow the City to protect for a 36m ultimate right-of-way along Clonsilla Avenue with a 2.0m setback from the future property line.

Adequate sanitary and stormwater services exist to support the proposed development. The developer will be required to address downstream capacity issues with a financial contribution towards a downstream solution at Site Plan Approval stage. Stormwater management details and Low Impact Development techniques will be refined at Site Plan Approval stage via detailed design.

The proposed residential development will be serviced by municipal servicing, in close proximity to schools, parks and public transit, conforms to the policies of the Official Plan and is compatible with the neighbouring uses.

b) Zoning By-law

The property is currently zoned R.1, R.2 – Residential District permitting low density residential uses. The proposed use of the lands to permit up to 100 residential units, requires an amendment to the Zoning By-law.

The submission is accompanied by necessary studies and analysis to ensure conformity with the Official Plan policies. Site specific regulations are proposed in the draft Zoning Amendment attached as Exhibit 'E' to Report IPSPL20-004 with regard to minimum lot area, minimum building setbacks, maximum building height, minimum distance between parking, driveway and vehicle movement areas and windows to habitable rooms, and area required for parking and landscaping to accommodate the proposed development.

The Concept Site Plan submitted with the application and refined by the applicant, illustrates the ability of the property to support the minimum parking requirements of the Zoning By-law for the proposed residential units.

The applicant proposes to amend the Zoning of the subject lands to permit the development for multi unit residential development within an 8 storey building, oriented toward the intersection and in close proximity to the street line for Clonsilla Avenue and Webber Avenue. The applicant has revised the concept site plan to reduce the size of the footprint of the building and proposes to step the 7th and 8th storeys of the building on each end to provide a transition in the massing of the building. The proposed setback of the building relative to the easterly and southerly lot lines is also increased in the revised proposal to provide a greater separation and improved massing transition to the adjacent low-density lands.

In order to ensure compliance with the concepts identified in the revised plan, Planning Staff are recommending an increased setback from the southerly lot line to a minimum setback distance of 6m per storey; and maintenance of the standard minimum setback of 3m per storey from the easterly side lot line. The proposed stepping of the building will be achievable with the revised setback requirements, based on the height of the building relative to the lot lines. A revised setback provision of 6m from the southerly lot line is therefore required to be included in the site-specific regulations included in the draft amendment.

The proposed Zoning By-law Amendment as attached in Exhibit 'E' to Report IPSPL20-004 will introduce site-specific regulations for the lands that will the proposed new development (revised) as follows:

Regulation	Proposed
Minimum lot area per dwelling unit	110 m ²
Minimum building setback from southerly side lot line:	6m per storey
Maximum number of storeys	8
Maximum Lot Coverage by open parking, driveways and vehicle movement areas	40%
Minimum distance between parking, driveway and vehicle movement areas and windows to habitable rooms	1.8 m
Minimum setback of building to centreline of Clonsilla Avenue	20.5 m

c) Site Plan Approval

Subsequent to Zoning Approval, the proposal will also be subject to Site Plan Approval prior to issuance of a Building Permit. Any residential development containing more than four (4) dwelling units is subject to Site Plan Approval. Approval of the Site Plan related to the proposed development of the lands for more than fifty (50) units requires Council Approval. Site Plan Approval will address the details related to the location of parking, driveways, lighting, landscape treatment and buffering.

It is recommended that the following site-specific details be considered as part of the Site Plan Approval process related to servicing, noise mitigation and tree planting:

1. Include provisions in the Site Plan Agreement to require implementation of the recommendations of the Noise Study, prepared by Cambium Inc., dated 2019-04-03.
2. Include provisions in the Site Plan Agreement to require a contribution to the upgrading of the identified downstream servicing improvement, based on proportionate flows.
3. Include provisions in the Site Plan Agreement for tree compensation, based on the former tree canopy on the subject lands.
4. Include provisions in the Site Plan Agreement to address downstream erosion and sediment control of the Wentworth Street stormwater pond.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on April 26, 2019.

The City's Infrastructure Management Division has no objection to the proposed Official Plan and Zoning Amendment request subject to the payment of cash in lieu of parkland, and contribution toward upgrades of identified downstream sanitary service improvement requirements as detailed by the City's Development Engineer. Additional comments were forwarded to the Applicant for future consideration at the Site Plan Approval stage related to stormwater management and requirement for a 2.1m road widening across Clonsilla Avenue with a 0.305m reserve; a 5.0m by 12.0m daylighting triangle at the northwest corner of the site (12.0m measured along Clonsilla Avenue).

The City's Development Engineer provided comment on the Functional Servicing Report and General Comments to be considered at the detailed design stage and reflected in the Site Plan. The applicant is advised that a contribution to the upgrading of the identified downstream servicing improvement, based on proportionate flows, will be required as a condition of site plan approval. The Development Engineer further recommends that the future landscape plan provide for planting of trees and shrubs at the base of the proposed retaining wall on the south side of the property at time of Site Plan Approval. Quality and quantity of stormwater is to be reviewed in detail at the Site Plan Approval stage with some form of pre-treatment of the bioretention facility. The applicant is also referred to the City of Peterborough Engineering Design Standards for specific Site Plan submission requirements, including the updated Low Impact Development requirements.

The City's Transportation Division provided comments to the applicant related to the review of the Traffic Impact Study. Concerns related to the trip distribution assumptions used in the study were expressed, particularly with respect to the usage patterns of future

residents and anticipating higher volume to and from the west. The Transportation Division agrees with the conclusions of the traffic study and is concerned about the cumulative impact of development and background traffic increase in the area. The Transportation Division is proposing to undertake an operational review of Clonsilla Avenue to examine potential improvements to address existing operations and to support future development along Clonsilla Avenue. There was additional concern expressed regarding the proposed reduced building setback of 16.1m from the centreline of Clonsilla Avenue as expressed in the initial application. Since the receipt of the comments, the applicants have revised the application to increase the proposed building setback to 20.5m from the centreline of Clonsilla Avenue to allow the City to protect for a 36m ultimate right-of-way with a 2.0m setback from the future property line, in keeping with the request of the City's Transportation Division.

Peterborough Utilities Group indicate that the owner will need to contact PDI for electric service to the new building. A pad mounted transformer is required and depending on the building load calculation, the overhead lines along Clonsilla Avenue may need to be converted in order to service this development. The costs of this expansion will be calculated using the Ontario Energy Board Distribution System Code Appendix B. A minimum 4m horizontal separation will be required from the PDI-owned overhead lines along Clonsilla Avenue to the building. If electric heat is provided in rental units, then the electric heat has to be metered separately from the renter's meter. From a water perspective, if the proposed development requires a larger water service, any existing water services are required to be decommissioned by PUC at the cost of the owner. Development charges are applicable.

The City's Urban Forest Technologist indicated that the trees were removed from the site without notification to the City under the Tree Notification By-Law 19-042. City Staff recommend that compensation be agreed to through the site plan agreement and landscape plans.

Curve Lake First Nation provided comment and request for additional information. The applicant responded with information and the review fee. No further comments have been received to date.

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:

The applicants held an Open House related to the proposed amendments on August 28, 2019. Approximately 30 people attended the Open House in addition to the applicants', consulting Planner, City Planning Staff and Ward Councillors. Comments and questions were largely related to traffic, building massing and building location on the site. There was also interest expressed in the units for some area residents looking to downsize.

Written comments were received on behalf of the Condominium Board at 861 Wentworth Street expressing concern about increased traffic on Wentworth Street, Webber Avenue; speed limits on Clonsilla Avenue and the lack of safe pedestrian crossing; on street parking on Webber and Wentworth close to Clonsilla Avenue; and the increased use of Wentworth Park with limited facilities.

No further written comments have been received as of February 5, 2020.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

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Attachments:

Exhibit A – Land Use Map
Exhibit B – Revised Concept Site Plan
Exhibit C – Concept Renderings
Exhibit D - Draft Official Plan Amendment
Exhibit E – Draft Zoning By-law Amendment

Exhibit A, Land Use Map, Page 1 of 1

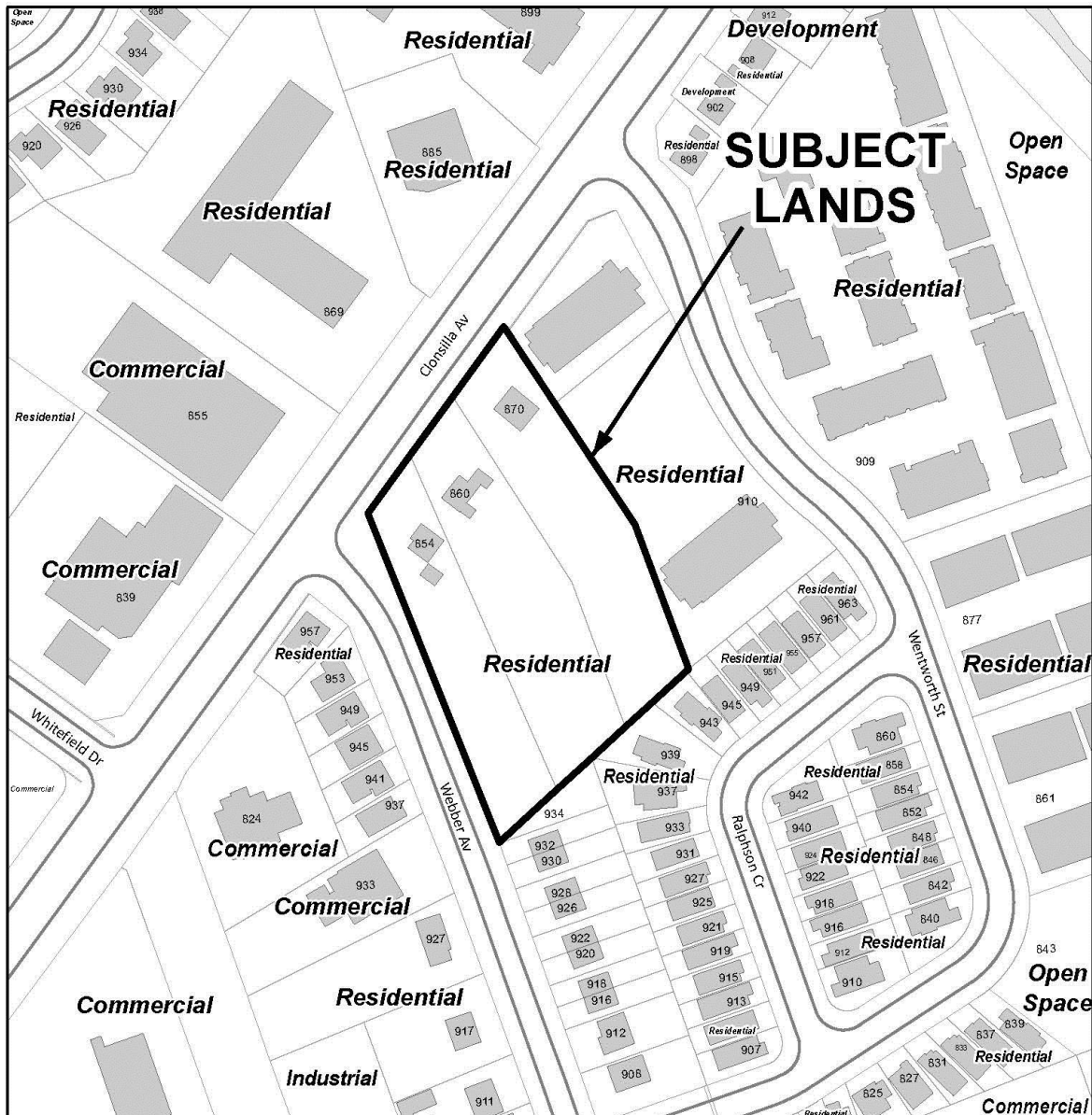
Land Use Map

File: O1901 and Z1906

Property Location: 854, 860 and 870 Clonsilla Ave

EXHIBIT

SHEET OF



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 handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.



Date: April 18, 2019

Map by: jellis

0 12.5 25 50 75 Metres

[illegible]

Exhibit C, Concept Renderings, Page 1 of 1



Looking East



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Tel: 705-876-8340 Fax: 705-742-8343
www.ecovue.ca or 416.917.1111



Looking North-East



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Exhibit D – Draft Official Plan Amendment, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 20-

Being a By-law to Adopt Amendment Number to the Official Plan of the City of Peterborough for the properties known as 854, 860 and 870 Clonsilla Avenue

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

Schedule 'E' – Residential Density of the Official Plan of the City of Peterborough is hereby amended by changing the designation of the subject lands to 'High Density Residential' in accordance with Schedule 'A' attached hereto.

By-law read a first, second and third time this day of , 2020.

Diane Therrien, Mayor

John Kennedy, City Clerk

Exhibit D – Draft Official Plan Amendment, Page 2 of 2

Schedule A

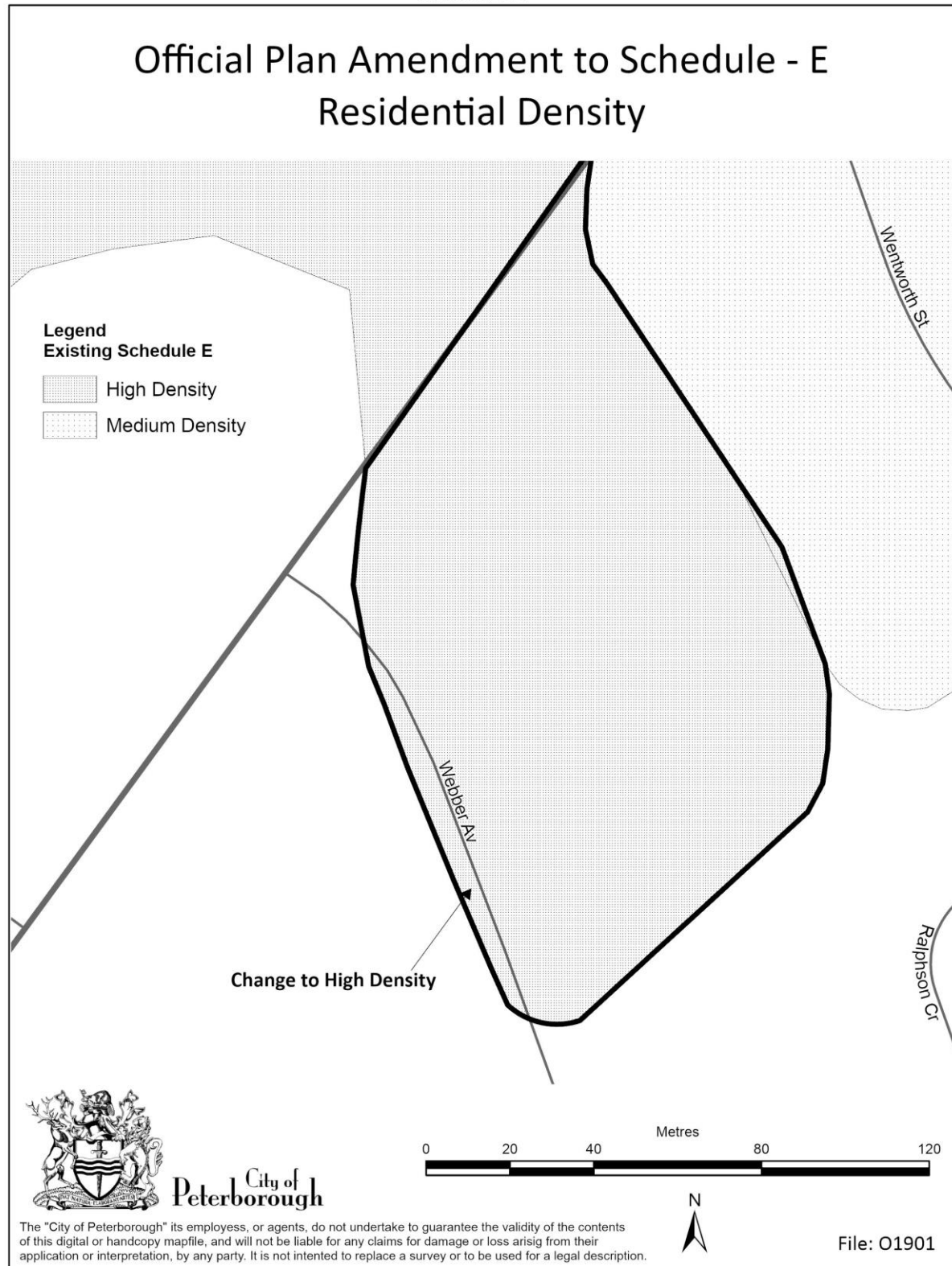


Exhibit E, Draft Zoning By-law Amendment, Page 1 of 3



The Corporation of the City of Peterborough

By-Law Number 20-

Being a By-law to amend the Zoning By-law for the lands known as 854, 860 and 870 Clonsilla Avenue

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

1. That Section 3.9 – Exceptions, be amended to add the following:

“**.329** Notwithstanding the provisions of this By-law to the contrary, the following shall apply:

Minimum lot area per dwelling unit	110 m ²
Minimum building setback from southerly side lot line:	6m per storey,
Maximum number of storeys	8
Maximum Lot Coverage by open parking, driveways and vehicle movement areas	40%
Minimum distance between parking, driveway and vehicle movement areas and windows to habitable rooms	1.8 m
Minimum setback of building to centreline of Clonsilla Avenue	20.5 m

Exhibit E, Draft Zoning By-law Amendment, Page 2 of 3

2. That Map 16 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 R.1,R.2 – Residential District to R.5-329 – Residential District.

By-law read a first, second and third time this day of , 2020.

Diane Therrien, Mayor

John Kennedy, City Clerk

Exhibit E. Draft Zoning By-law Amendment. Page 3 of 3

