



City of
Peterborough

To: Members of the General Committee

From: Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

Meeting Date: July 13, 2020

Subject: Report IPSPL20-013
Zoning By-law Amendment – 850 Lansdowne Street West

Purpose

A report to evaluate the planning merits of amending the current SP.268-244, 5h – Commercial District zoning of the lands known as 850 Lansdowne Street West to add 'office' to the list of permitted uses, consistent with the Service Commercial policies in the City's Official Plan.

Recommendations

That Council approve the recommendations outlined in Report IPSPL20-013 dated July 13, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That Section 3.9 be amended to add Exception .333, to recognize uses permitted via an amendment in 2016 and to add an 'office' as a permitted use with a maximum floor area of 350m²; and to permit a reduced landscaped strip of 4.0 m abutting a residential district and 0.8 m along any other lot line that are not street lines in accordance with Exhibit 'C' attached to Report IPSPL20-013;
- b) That the zoning of the lands known as 850 Lansdowne St. W. be amended from SP.268 -244, 5h to SP.268-333, 5g - H in the City of Peterborough Zoning By-law #97-123 in accordance with Exhibit 'C' attached to Report IPSPL20-013; and
- c) That the 'H' Holding Symbol be removed at such time as Site Plan Approval is granted for the redevelopment of the property, including provisions for the conveyance of a daylighting triangle at the intersection of Lansdowne St. W. and Wightman Ave.

Budget and Financial Implications

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

Background

The subject lands are located at the northeast corner of the intersection of Lansdowne Street West and Wightman Avenue. The lands have supported a service commercial use since at least 1973 and has been a lighting store since 1996.

The lands were rezoned in 2016 to add a 'bank, financial institution or a loan company' as a permitted use via Exception .244 and introduced alternative regulation 5h to recognize the existing building coverage of the lands. At the same time, a definition for 'Bank, Financial Institution or Loan Company' was added to the Zoning By-law.

The applicant proposes to facilitate the re-use of the existing building for a 'small scale office' having a maximum floor area of 350 square metres. The application also seeks to incorporate site specific regulations to reduce the minimum landscaped open space requirement adjacent to the residential district to the north from 10 metres to 4 metres; and to increase the maximum building coverage from 25% to 30% (replace alternative regulation 5h with 5g to reflect the existing building and a former Minor Variance granted in May of 2005 (File A20/05)).

The existing parking area at the east side of the existing building is currently accessible from both Lansdowne Street West and Wightman Avenue with an additional service entrance at the northern portion of the site from Wightman Avenue. The applicant proposes to reconfigure the existing parking lot to facilitate additional angled parking along the easterly portion of the lands, together with a new one-way driveway to wrap around the east and northerly portions of the building in general conformity with the Concept Site Plan attached. Furthermore, the applicant agrees to ensure planting of additional white spruce as contemplated in the existing Site Plan Agreement, together with a 1.5m high privacy fence along the northerly side lot line in accordance with a revised Site Plan.

In order to address future road widening requirements for Lansdowne Street West (1.85m) and to facilitate the requirement for a day-lighting triangle at the southwest corner of the property, the applicant also agrees to close the southerly Wightman Avenue driveway.

Analysis

a) Provincial Policy Statement, 2020

Any decision on the proposed Official Plan and Zoning By-law amendment must be consistent with the Provincial Policy Statement, 2020 (PPS) which came into effect on May

1, 2020. The PPS provides general direction to municipalities with respect to addressing matters of provincial interest in land use planning.

“1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;”

“1.3.1 Planning authorities shall promote economic development and competitiveness by:

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;”

Adding a small scale ‘office’ use will encourage economic opportunities and add to a wide range of permitted uses on-site. The subject lands are municipally serviced and supported by transit and located on a high capacity arterial street.

Staff is satisfied that the proposed use is consistent with the PPS.

b) A Place to Grow, 2019

Similar to the PPS, the Zoning by-law amendment must conform with A Place to Grow, Growth Plan, 2019 for the Greater Golden Horseshoe. Where PPS provides general context of Provincial interest, the Growth Plan outlines additional context and land-use policies which must be read in conjunction with PPS.

In addition to the general policies of the Growth Plan, the following policies are considered to have direct relevancy with respect to the subject Zoning By-law amendment:

2.2.1.1 “c) within *settlement areas*, growth will be focused in:

i. *delineated built-up areas*;

ii. *strategic growth areas*;

iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and

iv. areas with existing or planned *public service facilities*;”

The property is located within the Delineated Built Boundary as defined by the Growth Plan.

2.2.5.3 “Retail and office uses will be directed to locations that support *active transportation* and have existing or planned transit.”

Subject property is located along an existing transit route with a full urban cross section including sidewalks.

In staff's opinion, the subject development conforms with the policies the Growth Plan, 2019.

c) Official Plan

The lands are designated ‘Commercial’ on Schedule ‘A’ – Land Use, and ‘Service Commercial’ on Schedule ‘I’ – Commercial Area, located just outside of the Lansdowne/Parkway Shopping Node on Figure 1, Peterborough’s Commercial Structure.

Lansdowne Street is identified as an intensification corridor in Schedule A1 – City Structure of the Official Plan. The growth management objectives encourage intensification of people and jobs in this area.

The Service Commercial policies contemplate automotive-oriented commercial uses, hotels, motels, restaurants and other hospitality and tourist services. Retail uses are limited to those that require large sites for extensive display such as furniture, appliances, horticultural, home improvement and building supplies, vehicle, farm supply and large equipment sales, flea markets and auction halls. Personal and financial services and light industrial uses with accessory retail are also contemplated. The proposed small-scale office and small-scale clinics are directed to Service Commercial lands adjacent to Shopping Nodes, Neighbourhood Centres and as transitional use adjacent to residential areas.

The subject lands are situated adjacent to the Lansdowne/Parkway Shopping Node to the west and south. The lands also abut Residential lands to the north, extending along Wightman Avenue. The proposed office use is compatible with both the residential uses to the north and the commercial uses along Lansdowne Street West. The limitation on the size of the office use to a maximum of 350m² ensures that it is consistent with the ‘small scale’ as envisioned by the Service Commercial policies of the Official Plan, reserving larger scale office use to the Central Area. Implementing the Service Commercial policies with the proposed modification to add ‘small scale office’ as a permitted use, therefore, conforms to the goals and objectives of the policies.

d) Zoning By-law

The current SP.268-244, 5h Special District limits the commercial uses. It is consistent with the existing Service Commercial policies of the Official Plan to respect the existing Commercial Structure of the Official Plan.

The application seeks to broaden the permitted uses to add 'small scale office' to the list of permitted uses and to modify the associated regulations to facilitate the use of the entire ground floor area to office use. The limit of the maximum floor area to 350m² is consistent with the floor area anticipated for a small-scale commercial use contemplated within the Service Commercial Designation. It is also feasible to achieve the minimum parking standards for Area 3 as required by the Zoning By-law, being 1/28 square metres of floor area, results in 13 spaces. The concept site plan illustrates that there is room for a total of 15 parking spaces.

The effect of the amendment is to offer the opportunity for the subject lands to expand the range of commercial uses in keeping with the locational criteria as identified for small scale office use in the Service Commercial policies of the Official Plan.

The introduction of additional parking and widening of the drive aisle along the easterly side of the property, will result in a reduction of the width of the landscape strip along the easterly lot line from 1.5m to 0.8m and a reduction of the width of the landscape strip along the northerly lot line (abutting residential) from 10m to 4m. These reductions are necessary to facilitate adequate parking and driving movements around the building. Additional planting and a 1.5m high privacy fence will support and enhance the buffer between the commercial lands and the adjacent residential lands to the north.

Exception .244 was applied to the property via an amendment in 2016 (permitting a bank, loan company, or financial institution and prohibiting the use for a library, museum or art gallery). A new Exception .333 is now proposed to address the addition of the small-scale office as well as the site-specific regulations related to setbacks as described above. Planning Staff recommend that the requirements of the existing Exception .244 be consolidated with the new Exception .333 to simplify the Zoning designation.

An 'H' Holding Symbol is proposed to be affixed to the Zoning to ensure that matters related to the redevelopment of the land can be addressed. The owner is required to amend the existing Site Plan Agreement to reflect the proposed changes to the traffic circulation and parking on site to accommodate the office use prior to issuance of a Building Permit. Approval of the Site Plan amendment related to the proposed development of the lands for ground floor office use is delegated to Staff. Site Plan Approval will address the details related to the location of parking, driveways, landscape treatment and buffering.

e) Site Plan

The existing Site Plan Agreement is proposed to be amended to reflect the closure of the southerly Wightman Avenue driveway for the purpose of future widening of the Lansdowne Street West road allowance of 1.85 metres and the requirement for a day-lighting triangle at the southwest corner of the property (approx. 5 metres by 12 metres).

Furthermore, the applicant agrees to ensure planting of additional white spruce, together with a 1.5m high privacy fence along the northerly side lot line in accordance with a revised Site Plan.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on February 11, 2020.

The Infrastructure Management Division has indicated that it has no objection to the proposed rezoning subject to payment of cash-in-lieu of parkland where required; the applicant providing the City with a daylighting triangle at the southwest corner of the site (approx. 12m by 5m) and a road widening of 1.85 m on Lansdowne Street West across the frontage of the property.

There are no significant concerns or comments from other agencies or departments.

b) Summary of Public Responses:

No written comments have been received as of June 15, 2019.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

Contact Names:

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Attachments:

Exhibit A – Land Use Map
Exhibit B – Concept Site Plan
Exhibit C- Draft Zoning By-law Amendment

Exhibit A – Land Use Map – Page 1 of 1

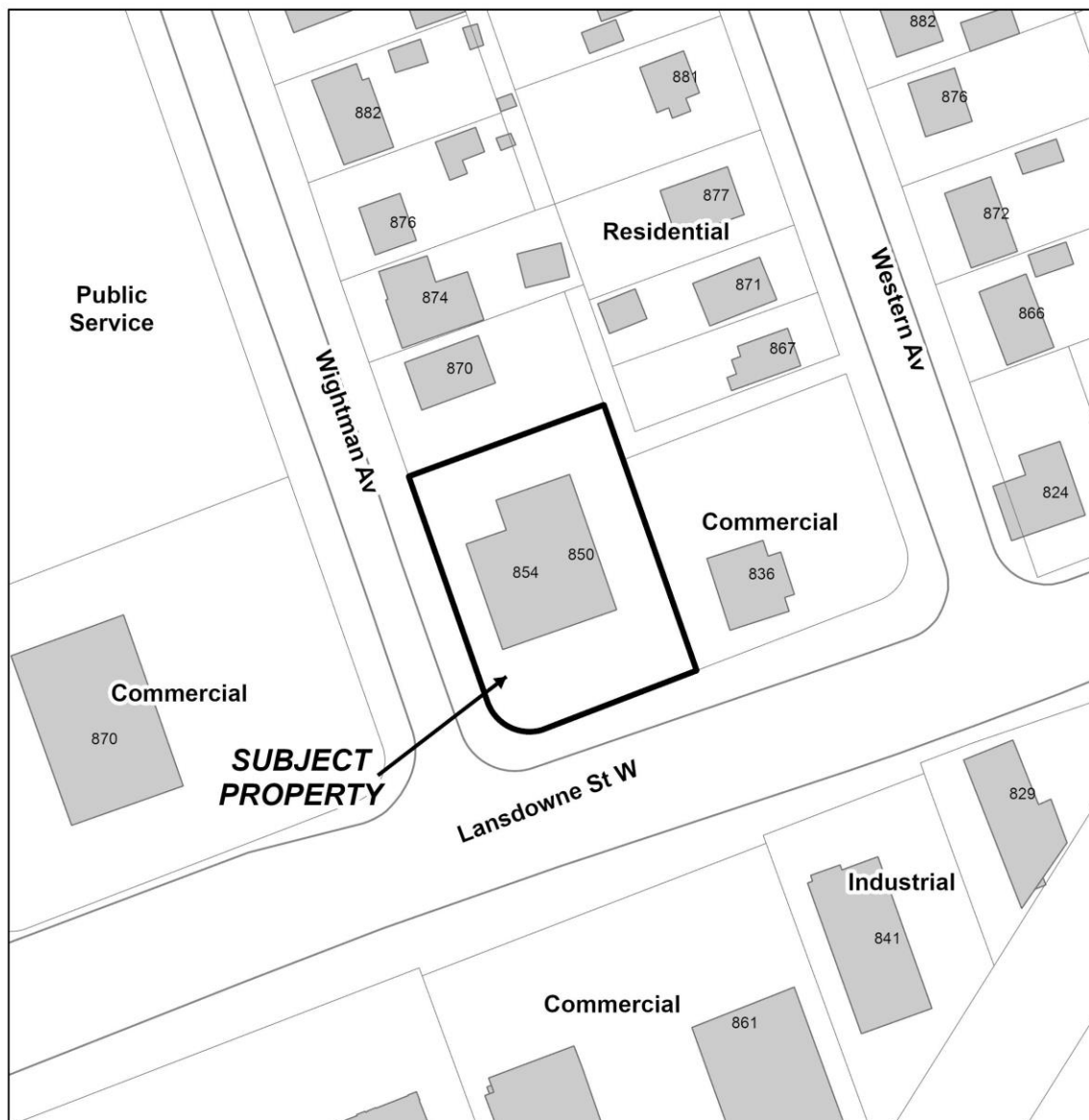
Land Use Map

File: Z2002

Property Location: 850 Lansdowne Street West

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 hardcopy 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: February 3, 2020

Map by: PZhao

0 3.75 7.5 15 22.5 30 37.5 Metres

Exhibit B – Concept Site Plan – Page 1 of 1

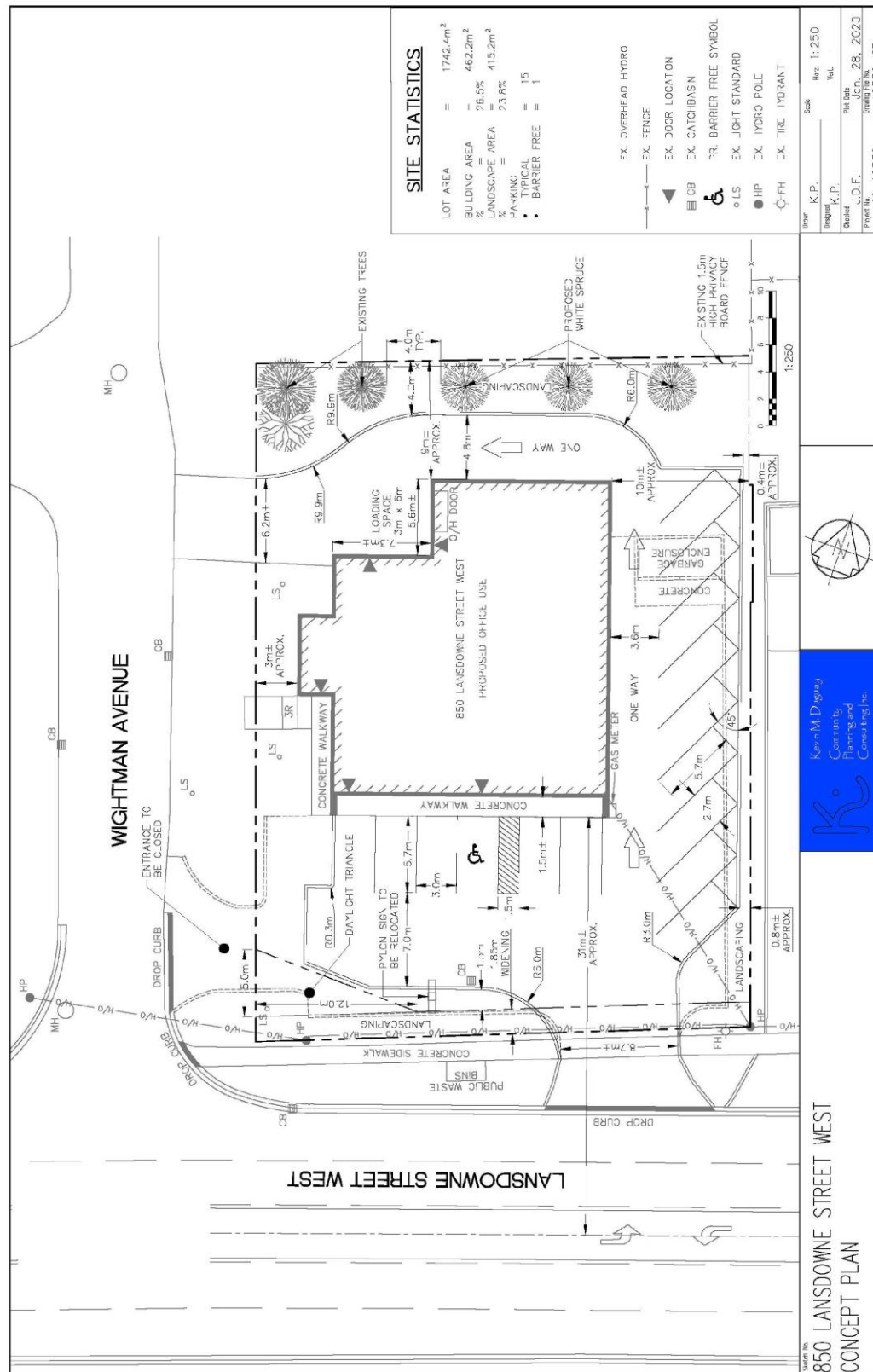


Exhibit C – Draft Zoning By-law Amendment – Page 1 of 2



City of
Peterborough

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 850 Lansdowne Street West

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

1. That Section 3.9 – Exceptions be amended by adding Subsection .333 as follows:

“.333

- i. In addition, a bank, loan company, or financial institution shall be a permitted use;
 - ii. A library, museum or art gallery shall not be permitted;
 - iii. In addition, an office with a maximum floor area of 350m² shall be a permitted use;
 - iv. Notwithstanding the provisions of 298.3 g) i), landscaped open space shall be provided and maintained a minimum of 4 metres along a lot line abutting a Residential District;
 - v. Notwithstanding the provisions of 298.3 g) ii), landscaped open space shall be provided and maintained a minimum of 0.8 metres along all other lot lines that are not street lines”
2. That Map 18 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 ‘SP.268-244 5h’, to ‘SP.268 – 333, 5g H’.

3. That the 'H' Holding Symbol be removed at such time as Site Plan Approval is granted for the redevelopment of the property, including provisions for the conveyance of a daylighting triangle at the intersection of Lansdowne St. W. and Wightman Av.

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

Diane Therrien, Mayor

John Kennedy, City Clerk

Exhibit C – Zoning By-law Amendment – Page 2 of 2

