



City of  
**Peterborough**

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**To:** **Members of the General Committee**

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

**Meeting Date:** **September 8, 2020**

**Subject:** **Report IPSPL20-019**  
**Official Plan Amendment O1906 and Zoning By-law**  
**Amendment Z1917 – Muskoka D & M Corp.**  
**689 Towerhill Road**

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## **Purpose**

A report to evaluate the planning merits of amending the Official Plan to re-designate the subject lands from Urban Fringe Control Area (Smith Township) to Residential and to re-zone the lands from A1 – Rural Zone (Smith Township), R.1,1m,2m – Residential District to a new Special District and D.2 – Development district to support the development of a 256-bed long term care facility and to facilitate the future residential development of the remainder of the site.

## **Recommendations**

That Council approve the recommendations outlined in Report IPSPL20-019 dated September 8, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That Schedule 'A' – Land Use of the Official Plan, as it relates to the property known as 689 Towerhill Road, be amended from Urban Fringe Control Area (Smith Township) to Residential in accordance with the draft amendment, attached as Exhibit 'C' to Report IPSPL20-019;
- b) That Schedule 'D' – Development Areas of the Official Plan, as it relates to the property known as 689 Towerhill Road, be amended to identify the lands as Development Stage 2 in accordance with the draft amendment, attached as Exhibit 'C' to Report IPSPL20-019;

- c) That Section 3.9 Exceptions of Zoning By-law 97-123 be amended by adding Exception 334 in accordance with Exhibit 'D' to Report IPSPL20-019; and
- d) That the subject property be rezoned from A1 – Rural Zone (Smith Township) and R.1,1m,2m – Residential District to PS.2-334-H and D.2-96 in accordance with Exhibit 'D' attached to Report IPSPL20-019;
- e) That the 'H' Holding Symbol be removed at such time as:
  - i. Sanitary services are available to the property;
  - ii. The Owner has entered into an agreement with the City with respect to the sharing of costs related to downstream sanitary sewer upgrades and/or sanitary sewer oversizing;
  - iii. The Owner has entered into an agreement with the City with respect to Natural Heritage protection and mitigation, stormwater management, Low Impact Development and groundwater monitoring on-site and at nearby private drinking water wells; and,
  - iv. The Owner has paid cash-in-lieu of parkland dedication to the City in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City's Parkland Dedication By-law.

## Budget and Financial Implications

In a memo dated April 30, 2020, Engage Engineering Ltd. estimates that the City will be required to contribute \$410,985.00 as its share of upgrading sections of sanitary sewer within Chemong Road and oversizing the sanitary sewer to be installed by the development proponent to accommodate flow from areas beyond the subject lands. Such financial arrangements will need to be confirmed and secured in an agreement between the Applicant and the City as part of a future Severance Consent or Site Plan approval process. The City share will require approval through a future Capital Budget and will be financed from Sewer Surcharge revenues and/or Development Charges, as applicable.

Approval of the proposed development may result in additional direct costs of up to \$15,000 to \$20,000 in annual costs for transit operations in order to extend TransCab service to this area.

Additional financial implications may arise from the need to make road and/or servicing improvements in adjacent areas independent of the proposed development. The financial details of any such improvements will be presented to Council either as part of future budget review or through a separate report.

## Background

The subject property is located south of Towerhill Road, between Chemong Road and Fairbairn Street. The property represents an undeveloped “hole” that is surrounded by existing development on all sides: a water reservoir and telecommunication tower to the north, single detached residential uses along Hillview Drive and Daniel Street to the east, Cochrane Crescent to the south, and McCrea Drive to the west, and the Northview Community Church to the west. The property is approximately 9.87 ha in size, has an irregular shape with limited frontage along Towerhill Road (approximately 20m), and has steep slopes that drop approximately 50m from the northwest corner of the site to the southeast of the site. The main contiguous portion of the site abuts the existing road stubs of McCrea Drive, Hillview Drive, and an undeveloped portion of Hillside Street.

The majority of the subject lands were annexed from the Township of Smith-Ennismore-Lakefield in 2008 and therefore are subject to the Township Official Plan designation and Zoning By-law regulations that were in effect at the time of annexation.

The Applicant is proposing to develop the southerly 2.2ha of the site with a four-storey, 256-bed long-term care facility (see Exhibit B) in the near term and would like to establish the Official Plan framework to permit a future residential development on the northerly 7.7 ha of the site, subject to future Zoning By-law and Site Plan approvals. The Applicant estimates that the proposed long-term care facility will provide a total of 215 jobs and would have up to 90 employees temporarily on site during the afternoon (3 pm) shift change.

To facilitate this objective, the Applicant is proposing to amend the Official Plan to re-designate the lands from Urban Fringe Control Area (Smith Township) to Residential on Schedule A – Land Use. Additionally, the Applicant has requested that the Zoning By-law be amended to re-zone the southerly 2.2 hectares of the site from A1 – Rural Zone (Smith Township) and R.1,1m,2m – Residential District to a new Special District for public service uses and to re-zone the remainder of the lands from A1 – Rural Zone (Smith Township) to D.2-96 – Development District to limit the use of the lands to existing uses (vacant land) pending the submission and approval of future Zoning and Site Plan applications for residential development.

If the subject applications are approved, the Applicant intends to seek a consent from the Committee of Adjustment to sever the southern 2.2 ha from the rest of the site in order to advance the proposed long-term care facility and seek Site Plan approval. As illustrated in Exhibit B, the facility is proposed to gain vehicular access from the eastern portion of Hillside Street, via Simons Avenue, and would have an emergency vehicle access to the westerly portion of Hillside Street to facilitate access to and from the Peterborough Regional Health Centre. The Applicant is not proposing to open Hillside Street as a through street between Simons Avenue and Fairbairn Street.

Presently, the subject lands, and most of the adjacent lands, lack municipal sanitary sewers. To support the proposed development, the Applicant is planning to extend a sanitary sewer to the site from Chemong Road via Martin Road, Simons Avenue and Hillside Street. This work will require the excavation, re-instatement, and paving of the affected road segments. The sanitary sewer is to be sized for the future potential to accommodate flow from the Simons Avenue subdivision area as well as from all other unserved areas adjacent to the subject lands that could feasibly drain by gravity to the sewer. The design, construction, and City cost-sharing any required oversizing of the proposed sanitary sewer can be imposed as a condition of approval through a future Committee of Adjustment consent decision and secured in a development agreement with the City. To ensure on-site development does not occur until sanitary services are available, a Holding Symbol will be imposed on the Zoning of the proposed long-term care facility portion of the site.

The current application was accompanied by a Planning Justification Report, a Hydrogeological Report, a Geotechnical Report, a Stormwater Management Report, an Environmental Impact Study, a Functional Servicing Report, a Tree Inventory Report, a Traffic Impact Study and an Archaeological Assessment.

## 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.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by (among other things):

- “a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs”.

- 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; and,
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.”

Additionally, Section 1.3.1 of the PPS requires municipalities to promote economic development and competitiveness by:

- “a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities...”

Section 1.4.3 of the PPS requires municipalities to provide for an appropriate range and mix of housing by:

- “b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.”

Planning for residential uses on the subject property will provide an opportunity to introduce housing and infrastructure that will tie existing neighbourhoods together and create a more efficient land use pattern in the area. Furthermore, the introduction of a long-term care facility will also help to address a need for long-term care in the community, will help to meet the needs of Peterborough's aging population, and will provide a compatible employment opportunity in close proximity to residential areas.

Presently, the immediate vicinity lacks municipal sanitary sewers and, in some cases, municipal water supply. The proposed development will require the extension of municipal services to the site and will facilitate the future servicing of these adjacent areas when it is deemed desirable or necessary. Over the longer term, full development of the subject lands will also provide an opportunity to explore options for linking various disconnected streets in the area to facilitate a more complete active transportation and vehicular circulation network and to explore the introduction of public transit to the neighbourhood.

With respect to Natural Heritage, Section 2.1.5 of the PPS states that development and site alteration shall not be permitted in:

- a) significant wetlands;
- b) significant woodlands;
- c) significant valleylands;
- d) significant wildlife habitat;
- e) significant areas of natural and scientific interest; and
- f) coastal wetlands

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Furthermore, Section 2.1.7 of the PPS prohibits development and site alteration in habitat of endangered and threatened species except in accordance with provincial and federal requirements.

As part of the application, an Environmental Impact Study (EIS) and Tree Inventory was completed to catalogue the existing trees on site and to assess the site for the presence of significant Natural Heritage features. These studies concluded that no significant natural heritage features are located on or adjacent to the site. The studies did note that potential roosting habitat exists on site for bat species that are considered to be either Endangered and Threatened, or of Special Concern. To address this, the EIS recommends that, where possible, potential habitat trees be maintained on site unless they are identified as hazard trees by a certified arborist, that tree removal occur between

October 1 and May 1 to avoid the active roosting season for endangered bat species, and that 25 bat boxes be installed on trees that will remain post-development.

Implementation of recommendations from the Tree Inventory and EIS will need to be secured in an agreement with the City either through the Severance Consent stage or through the Site Plan Approval stage, as appropriate. Through the approval of the Zoning By-law amendment, a Holding Symbol will be used to ensure that the various study recommendations are secured in an agreement with the City prior to development.

Section 2.6.2 of the PPS prohibits development and site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Stage 1 and Stage 2 Archaeological Assessments have been completed for the entire site in consultation with Curve Lake First Nation. The Archaeological Assessments concluded that the site is free of archaeological material and therefore no additional archaeological assessments are recommended.

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

**b) A Place to Grow, 2019**

Similar to the PPS, any decision on the proposed Official Plan and Zoning By-law amendment must conform with the policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan). The Growth Plan builds upon the policy foundation of the PPS by providing land use planning policies to address specific issues in the Greater Golden Horseshoe (GGH). The subject property is located within the Designated Greenfield Area as defined in the Growth Plan. Accordingly, the property is subject to both general policies in the Plan and to policies that are specific to the Designated Greenfield Area.

Generally, the Growth Plan requires municipalities to focus growth in a way that supports the achievement of complete communities that:

- feature a diverse mix of land uses and convenient access to local stores, services, transportation options and public service facilities such as long-term care homes;
- improve social equity and quality of life;
- provides a diverse range and mix of housing options to accommodate people at all stages of life.

The introduction of a long-term care facility at this location helps to achieve these objectives by introducing a specialized public service and employment opportunity to an area where one currently does not exist. Additionally, residential development of the subject lands will help to conclude the development of an otherwise established area and

will introduce housing in close proximity to commercial and service opportunities along Chemong Road.

In accordance with Section 2.2.7 of the Growth Plan, new development in the Designated Greenfield Area will be designed in a manner that supports the achievement of complete communities, supports active transportation, and encourages the integration and sustained viability of transit services. Presently, because of the disconnected nature of the existing development surrounding the subject lands, the immediate area does not support public transit or active transportation. By developing the subject lands, opportunity exists through future site plan approvals to better support active transportation in the neighbourhood and to explore the possibility of transit service in the neighbourhood. At a minimum, development of the subject lands will help to complete development of the immediate neighbourhood and facilitate the future municipal servicing of the neighbourhood.

Presently, the City is required to plan to achieve a minimum average density of 50 residents and jobs combined per hectare across its entire Designated Greenfield Area. While the density of future residential development on the northern portion of the site is unknown at this time, it is estimated that the proposed long-term care facility will result in an average density of 81 residents and jobs per hectare on the southern portion of the site. This density will contribute positively toward the City's achievement of an overall density of 50 residents and jobs across the Designated Greenfield Area.

The proposed development supports the achievement of complete communities and conforms with the policy directions of the Growth Plan by meeting the needs for specialized care in the community, by providing a significant employment opportunity in the neighbourhood, and by facilitating the integration of disconnected neighborhoods over the long term.

### **c) Official Plan**

Most of the subject lands are designated Urban Fringe Control Area under the former Smith Township Official Plan save and except for a small portion of the property at the south limit of the site, along the unopened portion of Hillside Street, that is designated Residential. Applying a Residential designation to the remainder of the site, as requested by the Applicant, is consistent with the existing Official Plan designation south of the site and is consistent with the existing form of development adjacent to and surrounding the site. The subject lands were included in an annexation from Smith Township that was premised on the need for additional residential land. Applying the Residential designation to the remainder of the subject lands will facilitate the logical conclusion of development in the neighbourhood as well as the expansion of municipal services into the neighbourhood. Staff supports the Applicant's request to re-designate the lands for residential purposes.

Presently, the south portion of the site along the unopened portion of Hillside Street is identified as Area 1 on Schedule D – Development Areas – of the Official Plan. This



signifies and indicates that most servicing is available throughout this area (along the west portion of Hillside Street) or that services can be fairly readily provided to each site within the area.

The subject lands do have access to municipal water supply however sanitary sewers are not available on-site and instead are available nearby within Chemong Road. To reflect this status, staff recommend that Schedule D be amended to identify the subject lands as being within Development Area 2 meaning that servicing is generally available at the limit of the area and that development and servicing can proceed as a systematic extension into the area without amendment to Official Plan.

In accordance with Section 3.1.1, public institutional and quasi-institutional uses such as long-term care facilities which provide services directly to all properties in the City or to the immediate neighbourhood shall be permitted in all land use designations, provided the use is necessary or essential and that the use can be made compatible with adjacent properties and the neighbourhood. In staff's opinion, the proposed long-term care facility is an essential use that will serve an important need for specialized care in the community. Through a combination of development setbacks to be established in the Zoning By-law and tree preservation and/or tree planting and landscaping treatments that can be required at the Site Plan Approval stage, it is staff's opinion that the proposed facility can be made compatible with adjacent properties and the neighbourhood.

Development applications, including Official Plan and Zoning By-law Amendment applications must address the provisions of Sections 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.

As illustrated in Exhibit B, the proposed long-term care facility is intended to complement the existing neighbourhood by implementing significant building setbacks through the Zoning By-law and/or Site Plan approval as follows:

- Approximately 51m from the unopened Hillside Street road allowance;
- Approximately 29m from the westerly property line adjacent to existing single detached dwellings along Hillside Street and McCrea Drive; and,
- Approximately 40m (consisting of a 23m future road allowance and a further 17.4m building setback) from the easterly property line adjacent to existing single detached dwellings along Daniel Street.

The Transportation Division has reviewed a Traffic Impact Study prepared in support of the proposed long-term care facility. The study concludes that vehicular access to the site is preferred from Simons Avenue and Hillside Street due to poor sight distance at the existing Hillside Street/Fairbairn Street intersection and the presence of traffic signals at the Simons Avenue/Chemong Road intersection. Staff strongly supports this conclusion due to the safety and operational challenges that are present at the intersection of Hillside Street and Fairbairn Street.

Additionally, the study recommended that a secondary driveway access for Emergency Medical Service (EMS) vehicles be constructed to the westerly portion of Hillside Street to facilitate access to the Peterborough Regional Health Centre. Staff support this recommendation provided, through the Site Plan Approval process, non-EMS traffic is prevented from infiltrating through the site and that EMS vehicles are directed to use the Poplar Street or Raymond Street intersections to access Fairbairn Street.

Generally, the study concluded that traffic impact from the long-term care facility will be minimal and that existing intersections in the area will be able to accommodate the proposed development without additional improvements. Staff agrees with this conclusion but notes that an additional study will be required prior to the approval of further residential development on the remainder of the lands in order to examine the need for additional road improvements and to determine the most effective road network pattern to support development on those lands and other development opportunities in the neighbourhood. Furthermore, the study will need to consider the impact of build out of nearby development areas (e.g. Lily Lake) to determine how development of the north portion of the site will fit into the longer term context for the area. Because the Applicant has requested that the D.2 Zoning district be applied to the balance of their lands, the additional traffic study will be required at such time as the Applicant seeks to re-zone those lands for development.

Presently, Simons Avenue and Hillside Street, east of the subject lands, are considered Local Streets in the Official Plan save and except for Simons Avenue's approach to Chemong Road, east of Deana Boulevard, which is identified as a High Capacity Collector Street on Schedule B – Roadway Network. In the absence of a Secondary Plan for this area, and given the nature of the proposed development and the potential for a connection to additional developable lands on the remainder of the site, Transportation staff have recommended that Simons Avenue and Hillside Street (to the east of the site) be considered for upgrade to Collector Road status as part of the Official Plan Amendment to support this development.

Currently, these streets are developed as rural roadways and have remained that way since prior to annexation in 2008. In the absence of proposed development, staff have received numerous requests to improve these streets since annexation. With the introduction of development on the subject lands, Transportation staff anticipates pressure for improvements on these streets will mount. Upgrading these streets to Collector Road status would trigger the need for improvement projects to be considered in future updates to the Development Charges By-law.

Presently, the recommended Official Plan Amendment presented in Exhibit C does not include provision to upgrade these streets to Collector Road status. However, as part of the City's ongoing preparation of a new Official Plan which is anticipated to be complete in late 2020 or early 2021, these streets can be upgraded to Collector Road status.

In 2014, the City completed a comprehensive Road Needs Study (Report USEC14-005) that evaluated the pavement condition of the City's road network and created a Pavement Condition Index (PCI) ranking for each road. At that time, Hillside Street, between Simons Avenue and the dead end at the subject property, and Simons Avenue, between Scollard Road and Martin Road, both had a PCI of under 25 meaning they require full reconstruction. As part of the 2017 Capital Budget, Council established a provision to rehabilitate roads with a PCI less than 25.

In 2019, the City updated PCI rankings based on field data collected through high-definition visual imaging. As reflected in report IPSENG20-029, the roads in the Simons Avenue/Hillside Street subdivision area remain on the list of roads requiring reconstruction/rehabilitation, with PCI of less than 15.

Should it be determined that the roads providing vehicular access to the site require immediate attention to support the development, the Proponent could be required at the Severance Consent or Site Plan Approval stage to make a cash contribution toward such repairs.

In addition to the roads which will be impacted by this development, city staff is reviewing the other roads in the Simons Avenue/Hillside Street subdivision as candidates for a short-term road re-surfacing program of work, for Council's consideration as part of the 2021 or future years Capital Budget.

Adequate sanitary services exist within Chemong Road to support the proposed development save and except for three localized sections of pipe that need to be increased in size. In other developments along Chemong Road, development proponents have contributed their pro-rated cost of these upgrades based on a proportion of design flows. At the Site Plan approval stage, the Applicant will be required to confirm and contribute their pro-rated share of these upgrades. This requirement will also be reflected in the conditions for removal of the Holding symbol to be imposed in the recommended Zoning By-law amendment.

With respect to stormwater management, the Applicant is proposing to construct a dry stormwater management pond on the property to serve the long-term care facility that will drain to an existing outlet on the south side of the Hillside Street road allowance. Additionally, the Applicant is required to implement Low Impact Development (LID) technologies on the property to help maintain the natural hydrology of the site. Stormwater management and LID will be addressed in detail at the Site Plan approval stage.

In accordance with Section 42 of the Planning Act and By-law 90-331, the Applicant will be required to convey cash-in-lieu of 5% parkland dedication for the land to be developed for the long-term care facility. This requirement is reflected in the conditions of removal for the Holding provision included in the recommended Zoning By-law. Parkland dedication for the remainder of the site will be determined at such time as the Applicant seeks re-zoning on the balance of the lands for further development.

In staff's opinion, the proposed Official Plan amendment and the proposed long-term care facility use conforms to the policies of the Official Plan and is compatible with neighbouring uses.

**d) Zoning By-law**

The majority of the property is currently zoned A1 – Rural Zone (Smith Township) save and except for a small portion along the unopened Hillside Street road allowance that is zoned R.1,1m,2m – Residential District. Typically, long-term care facilities would be permitted in the PS.2 – Public Service District. However, in this instance, the Applicant has requested that the southerly 2.2 hectares of the site be re-zoned to a new Special District for public service uses with site-specific regulations as follows:

- Minimum lot width – 143.9m (18m typical);
- Minimum lot depth – 149.1m (30m typical);
- Minimum Building Setback from side or rear lot line – the greater of 3m or the height of the building (typical), 17.4m from the eastern lot line;
- Maximum Building Coverage – 13.9% (40% typical);
- Maximum width of landscaped open space required along all lot lines except where interrupted by driveways – 3m for west and south lot lines (typical), 3.3m for north lot line and 4.4m for east lot line;
- Parking Space Requirements (per Section 4.2) – 154 spaces (typical 0.25 per bed plus 1 per staff = 154 spaces);
- Accessible Parking (per Section 4.4) – 7 accessible spaces, 6 shared accessible/guest drop off spaces (typical 1 per 20 beds = 13 spaces); and,
- Loading Spaces (per Section 4.6) – 2 spaces (typical 1 space based on proposal).

Generally, staff is not opposed to the requested site-specific regulations however staff does question the need to create a new Special District zone to reflect these requests. Furthermore, staff questions whether establishing the proposed By-law regulations based on a conceptual Site Plan that requires further detailed review limits the Applicant's ability to adjust the building design at the Site Plan stage in response to issues that may arise.

To avoid the creation of a new Special District zone and to provide added flexibility for adjustments to be made at the Site Plan stage, staff recommend that the long-term care facility portion of the lands be re-zoned to PS.2 – Public Service District with a new Zoning By-law exception under Section 3.9 as follows:

Exception No. 334

- Notwithstanding the provisions of Section 22B.2 the following regulations shall apply:
  - minimum lot width: 130m;
  - minimum lot depth: 130m;
  - minimum building setback from the east lot line: 15m;
  - maximum building coverage: 15%;
  - maximum width of landscaped open space to be established and maintained shall be 3.3m along the north lot line and 4.4m along the east lot line;
- Notwithstanding the provisions of Section 4.4, 7 accessible parking spaces and 6 shared accessible parking/guest drop off spaces shall be provided.

Staff has reviewed the request for shared accessible parking/guest drop off spaces and has no objection. To assist with enforcement, staff will recommend at the Site Plan stage that the 6 shared spaces be signed to clearly identify the parking rules.

For the remaining 5.5 hectares of the site, the application proposes to re-zone the lands to D.2-96 – Development District to limit the use of the lands to existing uses (vacant land) pending the submission and approval of future Zoning and Site Plan applications for residential development. Staff supports the requested Zoning as it provides for additional technical agency, public and Council review of the site before the remaining lands are developed.

The Applicant has advised of their intent to convey the southern portion of their lands to a third party who will independently pursue Site Plan approval for the long-term care facility while the Applicant retains responsibility for providing services to the site. To ensure issues related to the provision of services, upgrade of downstream sanitary services, implementation of natural heritage, stormwater management, LID and ground water monitoring and parkland dedication are addressed prior to development, staff have included a Holding Symbol in the recommended Zoning By-law amendment.

Planning Staff is satisfied that the proposed Zoning By-law Amendment conforms to the Official Plan.

## **Site Plan Approval**

Subsequent to Zoning approval, the proposed long-term care facility will be subject to Site Plan Approval prior to issuance of a Building Permit. As depicted in Exhibit B, the proposed long-term care facility will have a gross floor area of approximately 14,000 square metres. In accordance with By-law 11-081, the City's Site Plan exemption and approval authority delegation By-law, Site Plan approval for the proposed facility will require approval by Council. Site Plan Approval will address details related to the location of parking, driveways, lighting, tree preservation and/or planting, landscaping and buffering, stormwater management, municipal servicing and necessary road improvements.

## **Response to Notice**

### **1. Significant Agency Responses:**

Agency circulation was originally issued on December 20, 2019. Additional supporting documentation was circulated to select agencies on June 18, 2020.

The City's Infrastructure Management Division has requested additional information with respect to the proportionate cost sharing of downstream sanitary sewer upgrades within Chemong Road as well as with respect to the implementation of Low Impact Development stormwater management techniques. To facilitate the subject applications, Infrastructure Management staff is supporting the use of a Holding Provision in the recommended Zoning By-law amendment subject to satisfying their comments.

Development Engineering staff provided comment on the Functional Servicing Report (FSR) and identified a number of requirements that can be addressed at the Site Plan stage. Staff did note that the sanitary sewer capacity analysis in the FSR requires an update to reflect development that has occurred since the analysis was first prepared. That update will be addressed at the Site Plan stage as well.

The City's Transportation Division provided comment on the traffic impact study and generally concurred with the report's findings. Looking beyond the proposed long-term care facility to the future development of the balance of the lands, Transportation staff noted that an additional traffic study will be required determine the need for additional road improvements and to identify the most effective road network pattern to support development on the lands and other development opportunities in the neighbourhood. That study will be required at such time as the Applicant seeks to re-zone those lands for development.

Transportation Demand Management staff requested that an active transportation network be developed from Hillside Street to Chemong Road. As illustrated in Exhibit B, the concept site plan for the long-term care facility contemplates creating a 23m road

allowance extending north from Hillside Street, along the east side of the care facility, to the future development lands north of the facility. Through the Site Plan Approval process and the future review of development on the balance of the lands, opportunity exists to establish active transportation facilities to Chemong Road.

Accessibility Compliance staff has suggested that it may be premature to develop a long-term care facility on the subject lands because of the condition of the existing streets leading to the site (i.e. Simons Avenue and Hillside Street) and the lack of sidewalks on those streets. Planning staff acknowledges Simons Avenue and Hillside Street are currently developed to a rural standard without sidewalks and that the proposed development may generate additional vehicular and pedestrian traffic on these streets. Unfortunately, in the absence of development, it is difficult to justify and finance the reconstruction of these streets to bring them to a typical urban standard. Approval of development such as the proposed long-term care facility may help to serve as a catalyst for infrastructure improvements in the neighbourhood however the Applicant is not required to install sidewalks within the surrounding neighbourhood.

Additionally, Accessibility Compliance staff requested that a walkway be provided along the Hillside Street frontage of the long-term care facility property to connect Westdale Avenue to Daniel Street and noted that such facilities have a high demand for short term resident drop off parking spaces. Pedestrian access to and from the site can be explored at the Site Plan Approval stage. In response to the comment about drop off parking, the Applicant amended their Site Plan concept and proposed Zoning By-law amendment to provide shared accessible/resident drop off parking spaces.

The Built Environment Sub-Committee, of the Accessibility Advisory Committee requested that the proposed long-term care facility be provided with transit service, specifically a bus route. Presently, full bus service is not available to the subject property because of the disconnected nature of the local street pattern. Over time, as the balance of the land develops, opportunity may exist to plan a street network that will accommodate bus service. Presently, Peterborough Transit offers regular bus routes nearby on Chemong Road and Fairbairn Street, however, because these routes are beyond the City's target walking distance of 450m from the site, the City may need to consider providing TransCab service to the site. Additionally, it is expected that the City will serve the proposed facility directly with Handi-Van service.

Peterborough Utilities Commission (PUC) noted that the future residential development on the balance of the lands proposes a water connection between two water pressure zones operating at different water pressure ranges (Zone 2 and Zone 3N), through private property, which will not be supported. Additionally, PUC advises that there is an existing trunk watermain located through the subject property and that care will need to be taken to ensure access to that watermain is not affected through any proposed development on site. The future residential development will require a redundant water supply from Zone 3N based on proposed unit count and anticipated site elevation and will be subject to

Development Charges. Issues related to the servicing of the balance of the lands will be addressed at such time as development is pursued on the lands.

Otonabee Region Conservation Authority (ORCA) reviewed the application and advised that the proposed development is located outside of known flooding hazards and therefore the application is consistent with Section 3.1 of the PPS. Additionally, ORCA advised that it had reviewed the Environmental Impact Study prepared for the site and agreed with the consultant that no wetlands are present on the property. With respect to woodland on the property, ORCA advised that details regarding the mitigation of woodlands will be reviewed at the detailed design (i.e. site plan) stage.

ORCA noted that the subject property is located within their development control area pursuant to Ontario Regulation 167/06 and therefore permits from ORCA will be required prior to any site alteration or construction. Furthermore, ORCA advised that the proposed stormwater and sanitary sewer infrastructure to be installed off-site will affect areas within ORCA's development control area and will therefore require permits from the Authority. Through that process, further information relating to any potential wetland and downstream impacts, and mitigation measures will be required.

Finally, ORCA advised that the subject lands are outside of the area that is subject to the Trent Source Protection Plan prepared under the 2006 Clean Water Act.

Peterborough Public Health recommended that the proposed long-term care facility be developed with a transit route that would travel along Hillside Street to the facility, that sidewalks be provided along both sides of McCrea Drive, Hillside Street, and all other neighbouring streets, that Hillside Street be made a through street from Simons Avenue to Fairbairn Street, and that parkland be provided in close proximity.

As discussed, transit and sidewalks are currently not available however the approval of development in the area may facilitate such services in the future. With respect to making Hillside Street a through street, Planning staff supports the concept in principle however the existing intersection of Hillside Street and Fairbairn Street has poor sight lines. Accordingly, staff can not support completing Hillside Street as a through street at this time until safe access can be provided to Fairbairn Street.

With respect to parkland, Raymond and Cochrane Park and Poplar Park are both in close proximity to the subject lands provided sufficient access is established from the subject lands to the parks along Hillside Street and Cochrane Crescent. Through the site plan approval, the provision of on-site outdoor amenity space for residents will be explored. Furthermore, through the future review of development on the balance of the lands, opportunity exists to plan for additional parkland.

No further agency has expressed any significant concerns or requests with respect to the proposed Official Plan and Zoning By-law amendments.



**Summary of Public Responses:**

The Applicant held an Open House related to the proposed amendments on September 19, 2019. Approximately 80 people attended the Open House in addition to the applicants' consulting team, City Planning Staff and Ward Councillors. Comments and questions were largely related to impact of the proposed development on adjacent properties, the status of street and servicing upgrades in existing unserviced areas, whether a through street connection would be made between Simons Avenue and Hillside Street, and nature of the servicing installation to be undertaken by the developer and whether existing residents have an opportunity to connect to those services.

Since that time comments have been received expressing concern about the proposed EMS vehicle access to the westerly portion of Hillside Street and the potential safety risk that EMS vehicles access may pose to children playing in the neighbourhood. Additionally, a nearby resident has expressed concern with the potential impact that development could have on the quality and quantity of water at his private well. With respect to EMS vehicles, Transportation Division supports the proposal to facilitate access from the site to Fairbairn Street provided EMS vehicles are directed to access Fairbairn Street at Poplar Street or Raymond Street. Such direction could be given through signage placed at the long-term care facility as part of Site Plan Approval.

With respect to impacts on private drinking wells, the Applicant has completed a hydrogeological assessment of the proposed development which concludes that surrounding private supply wells are not anticipated to be adversely impacted by dewatering that will take place on-site during construction. Notwithstanding this, the assessment recommends that initial water level measurements be taken at private supply wells located within the zone of influence of any construction that requires dewatering and that continuous water level monitoring occur at six wells located adjacent to the long-term care facility excavation area. Furthermore, water samples will be taken from the same six wells and analyzed for parameters in comparison to the Ontario Drinking Water Quality Standards. The monitoring results will be used to confirm the presence or absence of impacts and to support mitigation or dewatering alternatives if necessary. The requirement for groundwater monitoring will be secured in an agreement with the City either at the Severance Consent or Site Plan Approval stage.

In accordance with Planning Act requirements, notice of a complete application and Public Meeting for the proposed Official Plan and Zoning By-law Amendment was published in the Peterborough Examiner on August 10, 2020.

## Summary

Staff recommend approval of Official Plan and Zoning By-Law Amendments described herein because:

1. The proposed residential use is consistent with the designation and built form on adjacent lands and will help to complete the land use planning for the immediate neighbourhood;
2. The proposed long-term care facility use conforms to the policies of the Official Plan and is compatible with neighbouring uses, and fulfils a need for specialized care and employment in the community;
3. The proposed land uses are consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe; and,
4. Any outstanding issues related to the proposed development can be addressed through a future Severance Consent or Site Plan approval process.

Submitted by,

Cynthia Fletcher  
Commissioner of Infrastructure and Planning Services

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**Attachments:**

Exhibit A – Land Use Map

Exhibit B – Concept Site Plan and Building Elevation

Exhibit C – Draft Official Plan Amendment

Exhibit D – Draft Zoning By-law Amendment

**Exhibit A, Land Use Map, Page 1 of 1**

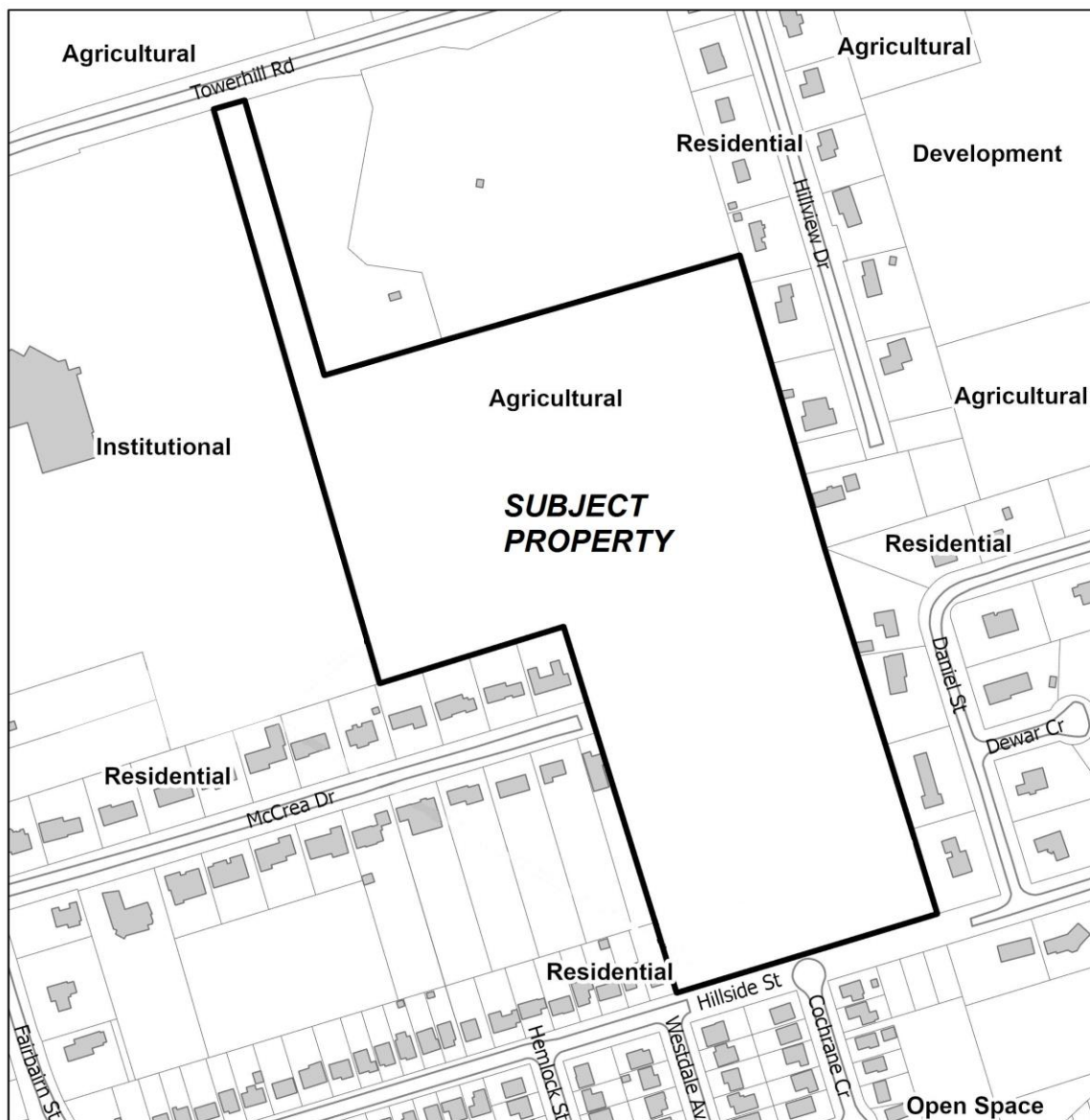
# Land Use Map

File: Z1917 &amp; O1906

Property Location: 689 Towerhill Rd

EXHIBIT

SHEET OF



The City of Peterborough Planning Division

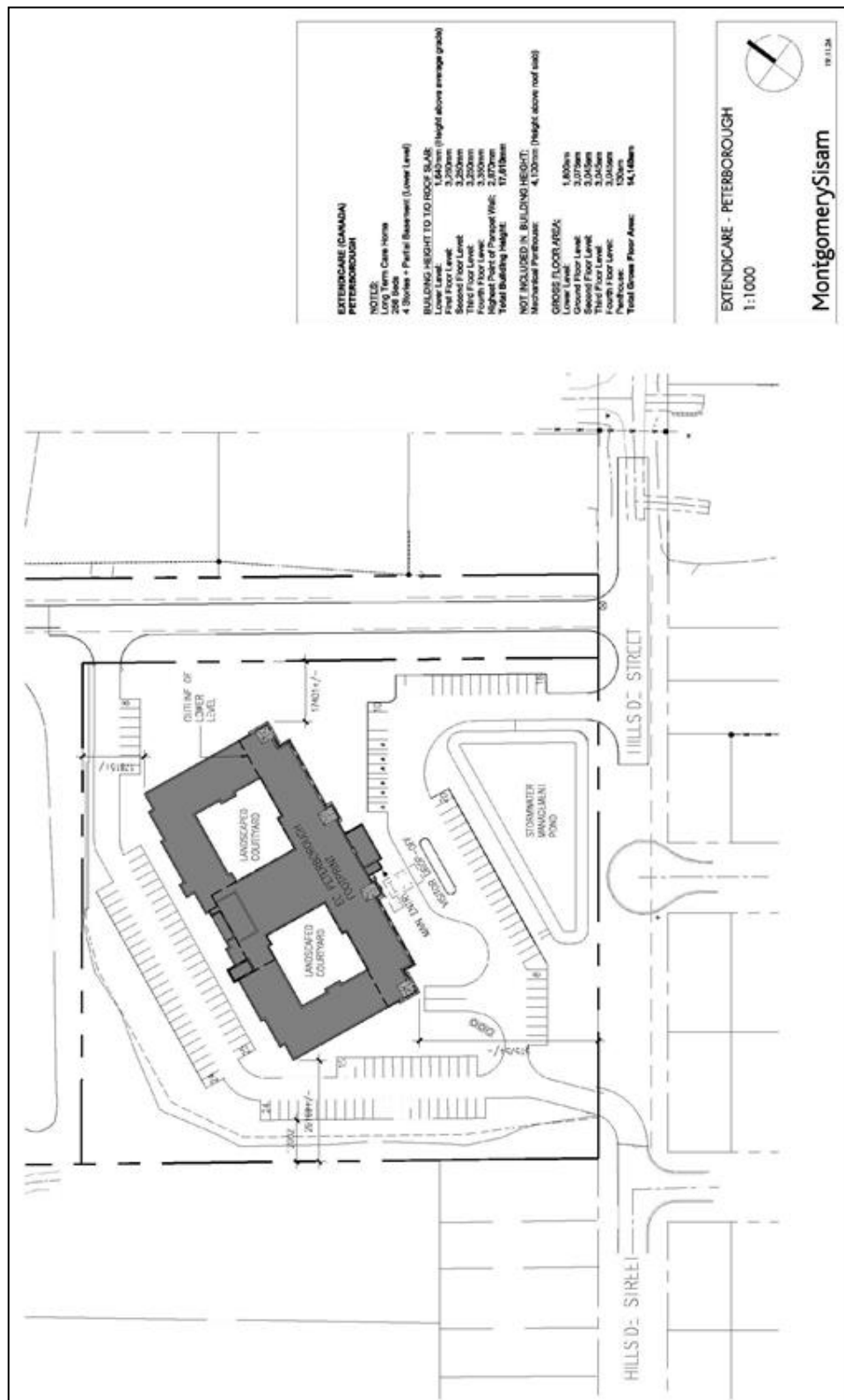
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Date: November 6, 2019

Map by: PZhao

0 12.525 50 75 100 125 Metres

## Exhibit B, Concept Site Plan and Building Elevation, Page 1 of 2



**Exhibit B, Concept Site Plan and Building Elevation, Page 2 of 2**



**Exhibit C – Draft Official Plan Amendment, Page 1 of 3**



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**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 property known as 689 Towerhill Road

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

1. **Schedule 'A' – Land Use** of the Official Plan be amended from 'Urban Fringe Control Area (Smith)' to 'Residential' in accordance with Schedule 'A' attached hereto.
2. **Schedule 'D' – Development Areas** of the Official Plan, be amended to 'Development Stage 2' in accordance with Schedule 'B' attached hereto.

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

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Diane Therrien, Mayor

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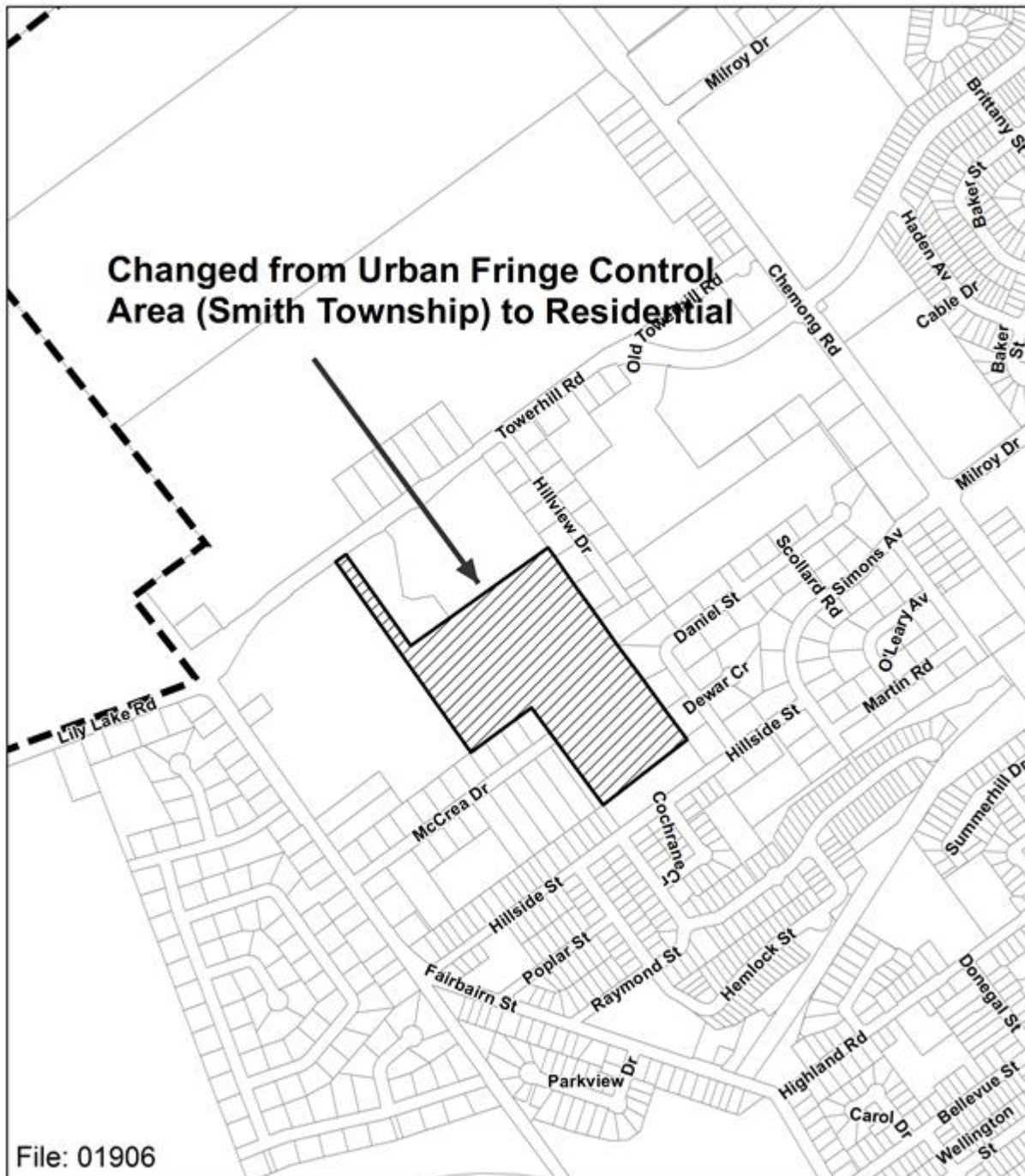
John Kennedy, City Clerk



## Exhibit C – Draft Official Plan Amendment, Page 2 of 3

## Schedule A

## Official Plan Admendment to Schedule A - Land Use



File: 01906



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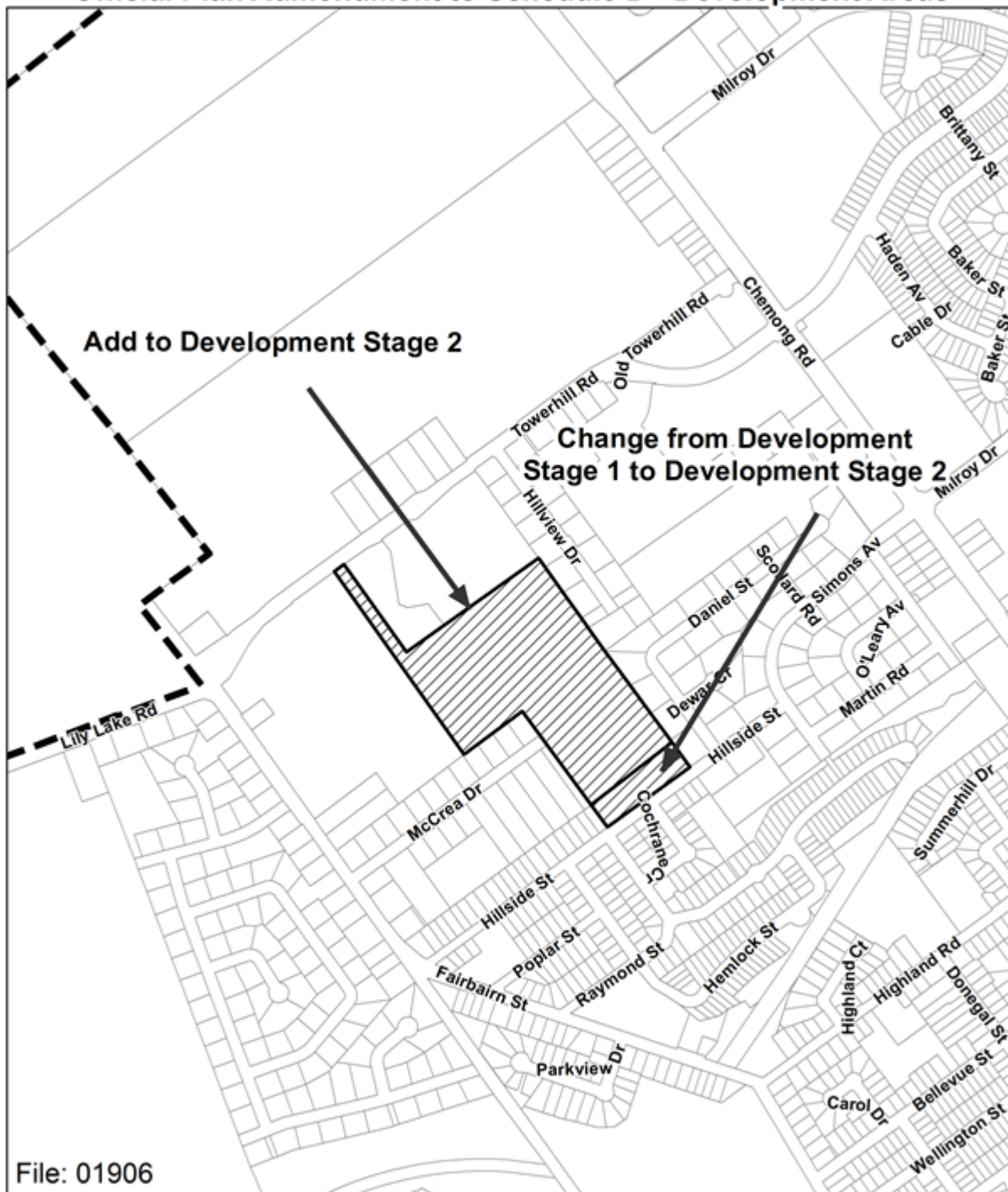
Date Printed: August 13, 2020



## Exhibit C – Draft Official Plan Amendment, Page 3 of 3

## Schedule B

## Official Plan Amendment to Schedule D - Development Areas



File: 01906



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Date Printed: August 13, 2020

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



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**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 689 Towerhill Road

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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:
  - “334 Notwithstanding the provisions of Section 22B.2, the following regulations shall apply:
    - a) minimum lot width: 130m
    - b) minimum lot depth: 130m
    - c) minimum building setback from the east lot line: 15m
    - d) maximum building coverage: 15%
    - e) maximum width of landscaped open space to be established and maintained shall be 3.3m along the north lot line and 4.4m along the east lot line
- Notwithstanding the provisions of Section 4.4, 7 accessible parking spaces and 6 shared accessible parking/guest drop off spaces shall be provided.”
2. That Map 6 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 A1 SM – Rural Zone and R.1,1m,2m – Residential District to PS.2-334-H – Public Service District and D.2-96 – Development District.
3. That the ‘H’ Holding Symbol be removed at such time as:
  - a. Sanitary services are available to the property;

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

- b. The Owner has entered into an agreement with the City with respect to the sharing of costs related to downstream sanitary sewer upgrades and/or sanitary sewer oversizing;
- c. The Owner has entered into an agreement with the City with respect to Natural Heritage protection and mitigation, stormwater management, Low Impact Development and groundwater monitoring on-site and at nearby private drinking water wells; and,
- d. The Owner has paid cash-in-lieu of parkland dedication to the City in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City's Parkland Dedication By-law.

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

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Diane Therrien, Mayor

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John Kennedy, City Clerk

## Exhibit D, Draft Zoning By-law Amendment, Page 3 of 3

