



City of
Peterborough

To: **Members of the General Committee**

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

Meeting Date: **November 9, 2020**

Subject: **Report IPSPL20-025**
Zoning By-law Amendment for 109-127 Hunter Street East,
367 Rogers Street and Part of 124 Robinson Street

Purpose

A report to evaluate the planning merits of amending the Zoning By-law to facilitate the redevelopment and use of the subject lands for a mix of commercial and multi-unit residential units with a total of up to 97 residential units together with approximately 1213m² (13,057 ft²) of ground floor commercial uses.

Recommendations

That Council approve the recommendations outlined in Report IPSPL20-025 dated November 9, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That the Zoning By-law be amended to add Exception 338, to introduce site specific regulations for the lands known as 109, 115 and 127 Hunter Street East related to minimum setbacks, landscaped open space, parking, building floor area and building coverage in accordance with the draft amendment attached as Exhibit 'D' to Report IPSPL20-025;
- b) That the Zoning By-law be amended to repeal and replace the permitted uses and regulations of the SP.187 – Special Commercial District in accordance with the draft amendment attached as Exhibit 'D' to Report IPSPL20-025;
- c) That the subject lands be rezoned from the C.6 to the C.6-338; from C.6 to OS.2; from R.1,R.2,R.3,SP.187-H to SP.187-H; from R.1,R.2,R.3,SP.187 to SP.187-H;

from R.1,R.2,R.3 to SP.187 and from R.1,R.2,R.3 to OS.2 in accordance with Schedule 'A' of Exhibit D attached to Report IPSPL20-025;

- d) That the Commissioner of Infrastructure and Planning Services approve the application to remove the 'H' Holding Symbol at such time as Site Plan Approval is granted, including the following provisions:
- i. Two-way access to Rogers Street via the mid-block driveway located at 367 Rogers Street, with elimination of the driveway currently servicing the property known as 373 Rogers Street; a relocation plan for the existing utilities within the proposed entrance location; sidewalk reconstruction across the driveway and property frontage along Rogers St.; and any modifications to the parking restrictions on Rogers Street required to ensure adequate visibility to the proposed entrance;
 - ii. Two-way access to Robinson Street, from the lands known as 367 Rogers Street, in Phase 1 of the Site Plan and reconstruction of Robinson Street, including a sidewalk across the frontage of the development in the future Phase 2 of the Site Plan Approval;
 - iii. Two-way access to Robinson Street, from the lands known as 124 Robinson Street and the parking lot construction with base asphalt on the west side of the trail in Phase 1 of the Site Plan Approval;
 - iv. Improvements to enhance the safety of the Rotary Trail crossing of Hunter St. E. during site development and construction;
 - v. City monitoring of the operation of the Hunter Street entrance, after Phase 1 Site Plan construction, and the incorporation of any modifications necessary to address traffic flows on Hunter Street East in the Site Plan Agreement related to Phase 2;
 - vi. The relocation and reconstruction of the Rotary Trail to City standards;
 - vii. The removal of the existing driveway entrance relative to 109-113 Hunter Street East as part of the Phase 1 Site Plan Approval;
 - viii. Establishment of necessary easements for pedestrian and vehicular access and to support required motor vehicle parking over the lands known as 367 Rogers St., 125 Hunter St. E. and 124 Robinson St., for the development of Phase 1; and
 - ix. Provisions requiring the developer to have an archaeologist on site during the excavation stage for Phase 1 and 2, and if archaeological resources are

found, the developer is required to follow the requirements of the Ontario Heritage Act.

- e) Cash-in-lieu be paid 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

The City's Development Charges By-laws (19-095 and 19-096) encourage the creation of new multi-unit residential developments in the Central Area. A portion of the subject lands is located within the Central Area and meets the minimum 15 apartment dwelling unit provision (approximately 52 of the total 97 dwelling units). As such, the proposal is eligible for an exemption from payment of the Development Charges at the Building Permit stage, related to those dwelling units located within the Central Area boundary. In addition, the applicant has applied for funding through the City's Community Improvement Program for the Central Area. The developer will be required to relocate and reconstruct a portion of the Rotary Trail to be re-aligned to City standards and contribute financially to the reconstruction of Robinson Street, including a sidewalk across the frontage of the development in the future Phase 2 of the Site Plan Approval.

Background

The subject properties are located on the south side of Hunter Street East, adjacent to the Rotary Trail lands, mid block between Hunter Street East, Mark Street, Rogers Street and Robinson Street in East City.

The applicant recently purchased portions of the subject lands (Part of 124 Robinson Street and Part of 115 Hunter Street East) from the City and proposes to construct a new mixed use building at 127 Hunter Street East as the first phase of a larger development on the collective lands. Part of 124 Robinson Street will be developed with driveway, parking, landscaping and stormwater management facilities to serve that building. Access to the proposed parking on the west side of the trail will be via a driveway connection to Robinson Street to the south.

The lands known as 125 Hunter St. E. and 367 Rogers Street are also intended to support parking related to Phase 1 and ultimately the future construction of two multi-unit residential buildings and associated parking (Phase 2).

The City has retained a strip of land adjacent to the existing Rotary Trail, and it is intended that the Rotary Trail be re-aligned by the applicants to a location slightly east of the existing corridor as a condition of approval related to the redevelopment of Phase 1 of

the development. The trail will be realigned and reconstructed in accordance with City standards.

The proposed redevelopment also includes land on the west side of the Rotary Trail at Hunter Street East, known as 109-113 Hunter Street East that will support a mix of commercial and residential uses as well. A total of 245m² of commercial space and 12 residential units are proposed for this component of the development to be constructed in a future phase of the overall development.

The application proposes amendments to the City's Zoning By-law to support the redevelopment of the subject lands for a total of up to 97 residential units, together with approximately 1213m² (13,057 ft²) of ground floor commercial uses along Hunter Street East.

The Concept Site Plan (Exhibit B) illustrates a total of 4 buildings ranging in height from 3 to 6 storeys. It is anticipated that the tallest buildings be situated along Hunter Street East and transitioning to lower heights to the south along the Rotary Trail, adjacent to the established residential dwellings along Rogers Street.

The lands adjacent to the trail formerly supported parking associated with the St. Joseph's Hospital property on the east side of Rogers Street. Parking associated with the conversion of the former hospital buildings and redevelopment of that site to a mix of residential and commercial uses is being accommodated on the former hospital lands. As such, this remote parking area has been transferred to the applicants, now forming a part of the proposed development. The lands on the west side of the Rotary Trail, south of Hunter Street and extending to Robinson Street, accommodate underground trunk sewers (water and sanitary) and have been declared surplus by the City and transferred to the applicants in 2019, subject to necessary easements for the existing services while accommodating a limited re-use of the lands.

The total area of the subject properties is approximately 1.5ha (3.7 ac.). The introduction of 97 units will result in an overall proposed residential density of approximately 62 units/ha (25 units/ac) with a higher density and building height proposed along Hunter Street East.

Hunter Street East is designated as a transportation corridor on Schedule A-1 of the City's Official Plan and is included in the Central Area. Hunter Street East is identified as a medium capacity arterial street; Rogers Street is identified as low capacity collector; and Robinson Street is identified as a local street on Schedule B – Roadway Network, of the Official Plan. East City is serviced by public transit and the lands are accessible to two bus routes, accessed by stops along Hunter Street East and Rogers Street, in proximity to the subject lands. The local bus also provides connections to GO Transit via the Peterborough Bus Terminal, connecting the lands to other regional rail and bus service.

The current application was accompanied by a Planning Justification Report, a Functional Servicing Report and a Stormwater Management Report. Subsequent to the circulation of the application, the applicant also provided a Downstream Sanitary Sewer Capacity Assessment, a Traffic Impact Study and a revised Traffic Impact Study, as well as a Certificate of Property Use – Risk Assessment, a revised site plan, and additional technical memos.

A Public Open House was hosted by the applicants on October 24, 2019 at Mark Street United Church, providing an overview of the development proposal with the concept site plan and submission documents. Approximately 40 people attended the Open House in addition to the development team on behalf of the applicant, City Staff and Ward Councillors.

The applicants have worked with Planning Staff and have submitted a Traffic Impact Study, engineering technical memos to address servicing capacity, and have subsequently revised the proposal to eliminate their initial request for proposed commercial uses for the lands south of Hunter St East, situated behind the residential dwellings along Rogers Street, due to concerns related to parking supply. Additional discussions related to the traffic impacts of the proposed development have also resulted in agreement regarding upgrades to Robinson Street via Phase 2 of the redevelopment as well as driveway connection improvements at Rogers Street and safety measures for the trail crossing at Hunter Street East.

Discussions with Curve Lake First Nation have resulted in an agreement to incorporate provisions in the related Site Plan Approval Agreement to ensure that an archaeologist is present during excavation and grading work.

The Site Plan Approval application for Phase 1 has been reviewed concurrently with the Zoning Amendment application and staff have worked cooperatively with the applicant to ensure that sufficient parking and improvements to traffic connections are addressed at the initial phase of development, while addressing further long term improvements for Robinson Street and an assessment of the function of the Hunter Street driveway via Phase 2 of the development.

Analysis

a) Provincial Policy Statement, 2020

Any decision on the proposed 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):

- “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.”

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.”

Section 1.7.1 also addresses long term economic prosperity by maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets. The province seeks to encourage a sense of place, by promoting well designed built form and cultural planning.

It is the opinion of Staff that the proposed amendment furthers the policy intent of the Province. The proposal will result in a strengthened downtown with efficient use of

services and an increase in housing supply for the residents of Peterborough. The proposed introduction of residential development within the City's Central Area addresses the established need for housing in the community. It contributes to the mix and range of housing available within the City, in an area established as the easterly leg of the City's downtown.

The neighbourhood is well served with commercial and employment opportunities within a walkable distance and the proposal intends to maintain the continuity of the ground floor commercial within the mixed-use buildings along Hunter Street East. The building locations, parking, stormwater management facilities and trail realignment respects the municipal infrastructure located within the former rail corridor and will improve the important trail connection and crossing at Hunter Street East. The proposed intensification is supported by infrastructure, public services and public and active transportation corridors. The realignment and widening of the trail adjacent to the subject lands will improve pedestrian connectivity and provide an improved active transportation corridor.

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

b) A Place to Grow, Office Consolidation 2020

Similar to the PPS, any decision on the proposed Zoning By-law amendment must conform with the policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (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 Delineated Built-up 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 Delineated Built-up Area.

Generally, the Growth Plan requires municipalities to focus growth within Delineated Built-up Areas and to support the achievement of communities that:

- feature a diverse mix of land uses and convenient access to local stores, services, transportation options and public service facilities;
- 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 establishment of complete communities, a thriving economy, a clean and healthy environment, and social equity are goals of the Plan based on core guiding principles including 'prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability'.

Section 2.2.1.4 of the Plan supports complete communities that:

- “e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.”

Section 2.2.2 of the Plan sets targets for intensification and growth within the Delineated Built-up Areas, in part, by the following:

- “c) encourage intensification generally throughout the delineated built-up area; and d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities.”

In staff’s opinion, the proposed development supports the achievement of complete communities and conforms with the policy directions by supporting housing options, including apartment style housing in an urban form of development along a transportation route. The proposed development is considered an infill opportunity of vacant lands within a built-up area and encompasses both commercial and residential land uses, through a more compact built form. The lands are considered underdeveloped with access to amenities including commercial shopping and employment opportunities within walking distance. The proposed development will contribute towards a complete community both within East City and the City as a whole, provide needed residential intensification within the Central Area, and help to achieve the policy directions of the Growth Plan.

c) Official Plan

The northerly portion of the subject lands are located within the City’s Central Area and are subject to the Hunter Street East Business District policies of Section 4 of the Official Plan. The southerly portion of the subject lands are situated outside and adjacent to the current Central Area Boundary as identified on Schedule J – Central Area of the Official Plan and are designated Commercial/Residential on Schedule A – Land Use, and High Density Residential on Schedule E – Residential Density.

The Official Plan encourages the proposed mixed use of commercial at grade and residential above and residential intensification within the Central Area. The Hunter Street East Business District is a sub-district of the Central Area that supports the same uses as the Commercial Core, however, is distinguished by the built form with generally small-scale commercial activities operating from less intensively developed sites.

The High Density Residential Designation of the lands adjacent to the Rotary Trail in this area will be implemented with the proposed zoning amendment and will support appropriate infill intensification, served by on-site parking, public transit, services and infrastructure. Planned transit service levels and access to the Rotary Trail and the City’s

linked park system along the trail will serve to provide access to neighbourhood parks in the area and serve the future residents of the proposed development.

The lands are located within the Built Boundary as illustrated on Schedule A-1. The policies direct a significant portion of future growth to areas within the Built Boundary through infill or appropriate intensification. Infrastructure capacity and compatibility with existing built form, land use patterns, natural heritage features and natural hazards are determinants of the appropriateness of infill or intensification.

The Hunter Street East Business District and the High Density 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 City agreed to sell a portion of the lands known as 124 Robinson Street to the applicant to facilitate the necessary parking and stormwater management facilities for the proposed development, while maintaining sufficient easements for the existing infrastructure, in order to support an infill/intensification opportunity on an underutilized parcel within the block.

The proposed redevelopment of the lands to support 97 units will result in a density of approximately 62 units/ha., within the range of 50 to 110 dwelling units per hectare contemplated under the Medium or High Density Residential areas and within the Central Area as encouraged in the City’s current Official Plan. The proposed building form, ranging from 3 to 5 storeys is a form contemplated by the Hunter Street East Business District policies as well as the Medium and High-Density Residential policies of the Official Plan.

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 including 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 applicants have provided elevations to demonstrate the compatibility with the streetscape and the surrounding lands (attached as Exhibit C to Report IPSPL20-025). 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.

The introduction of a mix of commercial and residential units will complement the existing main street function within the neighbourhood and is in keeping with the infill and intensification objectives of the Official Plan for the Central Area and within the High Density Residential designated lands. The commercial function of the properties fronting Hunter Street East will continue as prescribed by the Official Plan to encourage and foster the pedestrian activity at grade. Residential uses will be directed to the second and

higher storeys along Hunter Street East and will be the principal use of the units proposed on the lands to the south (mid-block).

The Transportation Division has worked with the applicants in response to the Traffic Impact Studies and has provided recommendations related to improvements and their timing to support the proposed development. Since the application is subject of a concurrent Site Plan Approval application, the City's Urban Design staff have also weighed in with comments regarding the functionality of the concept site plan as well as the details related to the relocation of the Rotary Trail lands affected by the proposal.

Adequate sanitary and stormwater services exist to support the proposed development. Some further review is necessary related to the sizing of new building sanitary service connections, to be confirmed at building permit stage, however, it has been demonstrated that the capacity and sizing of the external sanitary and stormwater systems is sufficient to support the proposed development. Low Impact Development (LID) Standards will be implemented at the Site Plan Approval stage via detailed design.

The proposed residential development will facilitate the realignment of the section of the Rotary Trail between Hunter Street East and Robinson Street. The lands will support adequate parking and will be serviced by municipal servicing, in close proximity to schools and public transit. The proposal conforms to the policies of the Official Plan and is compatible with the neighbouring uses.

d) Zoning By-law

The properties are subject to C.6 – Commercial District where they front along Hunter Street East. The lands located mid block are currently zoned R.1,R.2,R.3 – Residential District and SP.187 – Public Service District. The existing Rotary Trail lands are zoned OS.2 – Open Space District, permitting a limited list of land uses including parks, conservation areas, an outdoor pool, golf course and botanical garden. The uses contemplated in the existing zoning are consistent with the proposed uses for the lands, however, revised regulations are required to facilitate the level of the development proposed.

The proposed redevelopment includes the relocation of the Rotary Trail to the east and an increase in residential density to permit up to 97 residential units, together with approximately 1213m² (13,057 ft²) of ground floor commercial uses, with site specific parking and development regulations. The increased density and reconfiguration of the lands, and the transfer of lands to facilitate the development and relocation of the Rotary Trail requires amendments to the Zoning By-law. City Staff further recommend the use of an 'H' Holding Symbol to ensure that impacts of the redevelopment, such as traffic, driveway improvements and roadwork are addressed via a phased approach to Site Plan Approval.

The submission is accompanied by necessary studies and analysis to ensure conformity with the Official Plan policies. Site specific zoning and regulations are proposed in the draft Zoning Amendment attached as Exhibit 'E' to Report IPSPL20-025 with regard to minimum setbacks, maximum height, maximum building coverage and the minimum number of parking spaces and the location of the parking spaces in relation to windows of habitable rooms to support the proposed development.

The application seeks to amend the existing zoning with modified zoning districts as noted on the Land Use Map attached (Exhibit A) and summarized below:

- 1) **Lands fronting along Hunter Street East** (109 Hunter Street East, Part of 115 Hunter Street East and 127 Hunter Street East) from C.6 to Modified C.6 to include the following regulations via a new Exception, No. 338:
 - a) minimum building setback of 14m from the centre line of Hunter Street East (1m from the street line);
 - b) minimum 1.5m wide landscaped open space, including a planting strip along a lot line abutting a residential district;
 - c) up to 18 of the minimum required parking spaces for lands known as 109 Hunter Street East be provided and maintained on lands known as 115 Hunter Street East, 125 Hunter Street East and 367 Rogers Street, in accordance with an approved Site Plan;
 - d) up to 47 of the minimum required parking spaces for lands known as 127 Hunter Street East be provided and maintained on lands known as 115 Hunter Street East, 125 Hunter Street East and 367 Rogers Street, in accordance with an approved Site Plan;
 - e) Maximum building floor area ratio for a building containing 21 dwelling units or more shall be 2.5; and
 - f) Maximum building coverage for a building containing 21 dwelling units or more shall be 52%.
- 2) **City Owned Trail Lands** (Part of 115 Hunter Street East) from C.6 and R.1,R.2,R.3 to OS.2 – Open Space District
- 3) **Lands Along the Trail, south of Hunter Street East** (125 Hunter Street East, 367 Rogers Street, Part of 115 Hunter Street East and Part of 124 Robinson Street) from R.1,R.2,R.3 to Modified SP.187; from R.1,R.2,R.3,SP.187-H to Modified SP.187; and from R.1, R.2, R.3,SP.187 to Modified SP.187 to include the following:

- a) List of permitted uses to include a dwelling;
- b) Minimum lot area of 175m² per dwelling unit;
- c) Maximum building coverage of 35% of lot area;
- d) Minimum building setbacks of 6.2m from a side lot line;
- e) Maximum building height of 3 storeys; and
- f) Dwelling units to be permitted on all floors of a building

The application further proposes to reduce the minimum number of required parking associated with the proposed uses. A total of 136 parking spaces are illustrated on the concept site plan. The residential parking is proposed to be reduced from 1.5 spaces per unit to 1 space per unit (for proposed Buildings A and D) and from 1.75 spaces per unit to 1 space per unit (for proposed Buildings B and C). The minimum required commercial parking is proposed to be reduced to 1 space per 38 square metres of gross leasable area from 1 per 28 square metres of gross leasable area for proposed Buildings A and D.

Planning Staff is satisfied that the proposed Zoning By-law Amendment conforms to the Hunter Street East Business District and the High Density Residential designation of the subject lands in the Official Plan.

e) 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 development containing more than four (4) dwelling units and/or 100m² or more of commercial space is subject to Site Plan Approval. Site Plan Approval will address the details related to the location of parking, driveways, lighting, landscape treatment and buffering.

In accordance with the comments from the Transportation Division, the proposed impact of the overall development of the lands will require some local improvements to Robinson Street, as well as the driveway connections to Hunter Street East and Rogers Street. Reconstruction of the re-aligned Rotary Trail, the crossing at Hunter Street East, required easements for traffic and parking circulation will also be required and have been identified.

It is recommended that a 'H' Holding Symbol be imposed in the Zoning By-law to ensure the following site-specific details be considered as part of the Site Plan Approval process related to the proposed phasing of the development, transportation, improvements of City lands and to address cultural heritage:

1. Two-way access to Rogers Street via the mid-block driveway located at 367 Rogers Street, with elimination of the driveway currently servicing the property

- known as 373 Rogers Street; a relocation plan for the existing utilities within the proposed entrance location; sidewalk reconstruction across the driveway and property frontage along Rogers Street; and any modifications to the parking restrictions on Rogers Street required to ensure adequate visibility to the proposed entrance;
2. Two-way access to Robinson Street, from the lands known as 367 Rogers Street, in Phase 1 of the Site Plan and reconstruction of Robinson Street, including a sidewalk across the frontage of the development in the future Phase 2 of the Site Plan Approval;
 3. Two-way access to Robinson Street, from the lands known as 124 Robinson Street and the parking lot construction with base asphalt on the west side of the trail in Phase 1 of the Site Plan Approval;
 4. Improvements to enhance the safety of the Rotary Trail crossing of Hunter Street East during site development and construction;
 5. City monitoring of the operation of the Hunter Street entrance, after Phase 1 Site Plan construction, and the incorporation of any modifications necessary to address traffic flows on Hunter Street East in the Site Plan Agreement related to Phase 2;
 6. The relocation and reconstruction of the Rotary Trail to City standards;
 7. The removal of the existing driveway entrance relative to 109-113 Hunter Street East as part of the Phase 1 Site Plan Approval;
 8. The requirement of necessary easements for pedestrian and vehicular access and to support required motor vehicle parking over the lands known as 367 Rogers Street, 125 Hunter Street East and 124 Robinson Street, for the development of Phase 1; and
 9. Provisions requiring the developer to have an archaeologist on site during the excavation stage for Phase 1 and 2, and if archaeological resources are found, the developer is required to follow the requirements of the Ontario Heritage Act.

Response to Notice

1. Significant Agency Responses:

Agency circulation was originally issued on October 29, 2019. Additional supporting documentation was circulated on January 13, 2020, March 6, 2020 and July 23, 2020.

The City's Infrastructure Management Division has no objection to the proposed Zoning Amendment and has reviewed the downstream sanitary capacity study, indicating that individual building servicing requires confirmation at building permit stage. The City's Water Resources and Development Engineer notes that the development will require the completion of an approved stormwater management report to meet the City of Peterborough Engineering Design Standards as part of the Site Plan Approval Process including detailed stormwater quantity control, stormwater quality control, low impact development features and sediment and erosion controls. The comments confirm that the preliminary stormwater management report is acceptable and a list of items has been shared with the applicant to be addressed as part of the future detailed design via the Site Plan Approval process.

The City's Development Engineer provided comment on the Functional Servicing Report and confirms that the use of LID as part of the stormwater management design is required at Site Plan Approval stage. Further details were required regarding the Record of Site Condition and Phase 1 and 2 Environmental Site Assessment. Subsequent to the review of the Downstream Sewer Assessment in February 2020, it was confirmed that the design requirements provided by the City were reflected and that there were no comments.

The City's Transportation Division provided comment on the original submission, requiring the completion of a Traffic Impact Statement to assess the impact of the proposed development on the local transportation network. A review of the December, 2019 traffic study resulted in several recommendations, including relocation of the Hunter Street East driveway connection at 127 Hunter Street East and ensuring a connection is made to Robinson Street to provide sufficient outlet for anticipated traffic and parking overall. In addition, improvements to the Rogers Street entrance and financial contribution towards the signalization of the Mark Street and Hunter Street intersection. Further to the submission of a revised Traffic Impact Study and an updated draft site concept plan in July, 2020, it is the opinion of the Transportation Division that trip generation from the site will be higher than reported in the traffic study and therefore a list of conditions has been provided and reflected in the draft conditions for removal of the 'H' Holding Symbol. Improvements are recommended to the Rogers Street driveway connection and the sidewalk and accommodation of the existing driveway connections to abutting lands. Transportation Staff have recommended a full movement driveway connection to Robinson Street in Phase 1 of the development which includes the construction of Building 'D' and associated parking (see Exhibit C). Transportation Staff have agreed that the existing background traffic warrants signalization of the Mark Street and Hunter Street intersection without developer financial contribution. As a condition of approval, Transportation Staff recommend that the applicant be required to agree to improve Robinson Street, including sidewalk along the frontage of the subject lands, all at Phase 2 of the development of the lands. With regard to parking, the revised study addressed previous staff concerns regarding the analysis. The revision to the application

to remove commercial uses from proposed buildings B and C on the Concept Site Plan, results in a proposed parking ratio that can be supported.

The City's Transportation Division also provided comment related to adequate, secure, weather-protected long-term bike storage/scooter storage with short-term bike parking by the entrances to each building. Contracting with a carshare would also assist with the parking reduction. These were shared with the applicant for consideration at Site Plan Approval stage.

The City's Accessibility and Transportation Demand Management Review provides specific recommendations to be considered in the design and construction of the site at Site Plan Approval stage. The comments also reflect the Accessibility for Ontarians with Disabilities Act (AODA) requirements for accessible parking spaces, parking types, parking signs, tactile attention indicators at the trail and road intersection, accessible rest areas, accessible tables. The comments also speak to the required number of accessible parking spaces and landscaping recommendations.

Peterborough Utilities Group confirm that the electrical service will be from Rogers Street and an easement is required for the high voltage underground cable and transformer. A trunk watermain is currently installed in the proposed project area along with an associated easement. Continued access to the infrastructure for maintenance will be required. The accurate alignment of the trunk watermain should be indicated on the proposed drawings to avoid any potential conflicts. Development Charges for water service will be applicable.

Otonabee Region Conservation Authority (ORCA) has provided technical comments based on the submitted supporting documentation and have made recommendations for additional information and requirement at the Site Plan Approval stage for Phase 1 of the development.

Curve Lake First Nation has requested that an archaeologist be present during excavation to address cultural heritage concerns, due to the proximity to the Otonabee River and Aboriginal Knowledge of past land use in the area.

Peterborough Public Health (PPH) has requested consideration for a barrier between the property line and the adjacent trail lands as well as pedestrian access to the Rotary Trail lands from the proposed development areas. PPH also raised concerns with pedestrians crossing the trail to access parking related to proposed residential uses on the east side of the trail. Recommendations were also provided to the applicant regarding lower income family accommodations, accessible units, incentives for those not requiring a parking space, adequate storage for power chairs and scooters, and secure, covered bicycle parking.

No further agency has expressed any significant concerns or requests with respect to the proposed rezoning of the subject property.

2. Summary of Public Responses:

A Public Open House was hosted by the applicants on October 24, 2019 at Mark Street United Church, providing an overview of the development proposal with the concept site plan and submission documents. Approximately 40 people attended the Open House in addition to the development team on behalf of the applicant, City Staff and Ward Councillors. Comments and questions about the impacts of the proposed development on the local traffic in the area, impacts on the Rotary Trail lands, landscaping and buffering relative to the rear yards of the residential uses along Rogers Street, parking supply and configuration, access to parking, potential upgrades and improvements to Robinson Street, the nature of the proposed residential and commercial uses, sight lighting, affordable housing opportunities, private property connections to the trail lands from Mark Street and the process and procedure related to the disposal of City owned lands at 124 Robinson Street were brought forward by the area residents.

No written comments have been received as of October 13, 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 Elevations for 127 Hunter St. E.
Exhibit D – Draft Zoning By-law Amendment

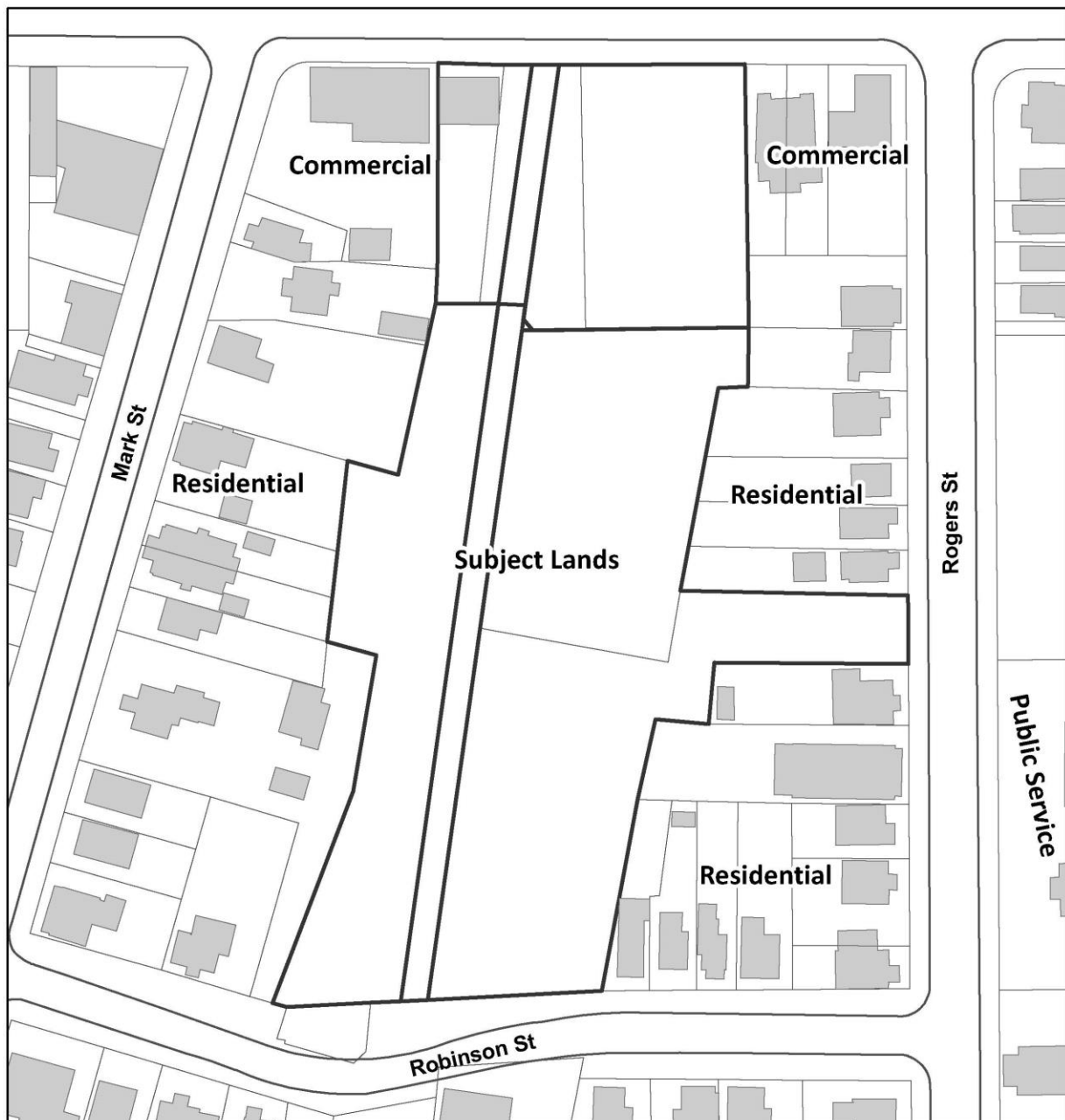
Exhibit A, Land Use Map, Page 1 of 1



City of
Peterborough

Land Use - Schedule A

**Property Location: 109-127 Hunter St E,
367 Rogers St and Pt. of 124 Robinson**



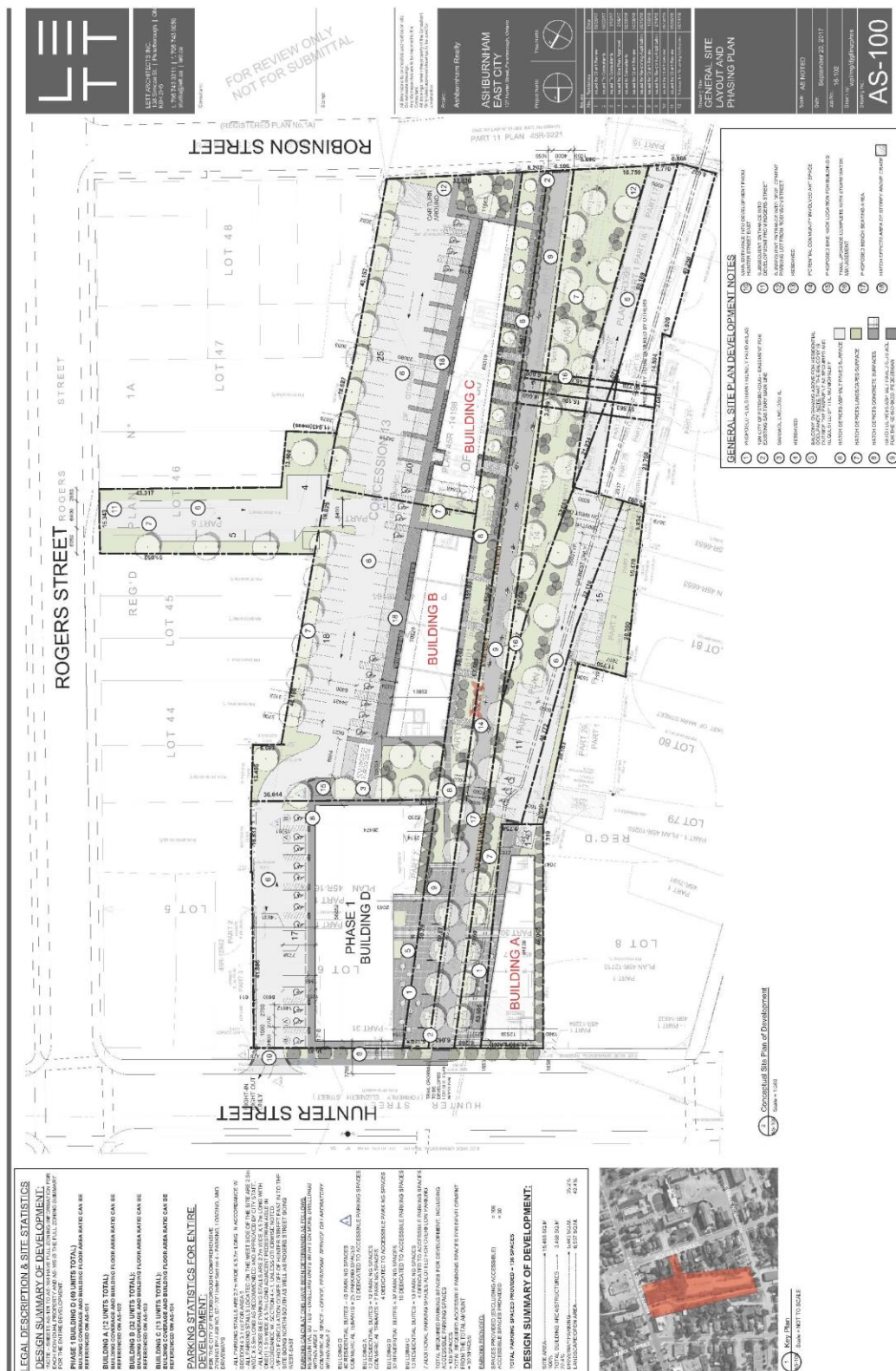
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File: Z1916

Map by: A. Nichols

0 5 10 20 30
Meters

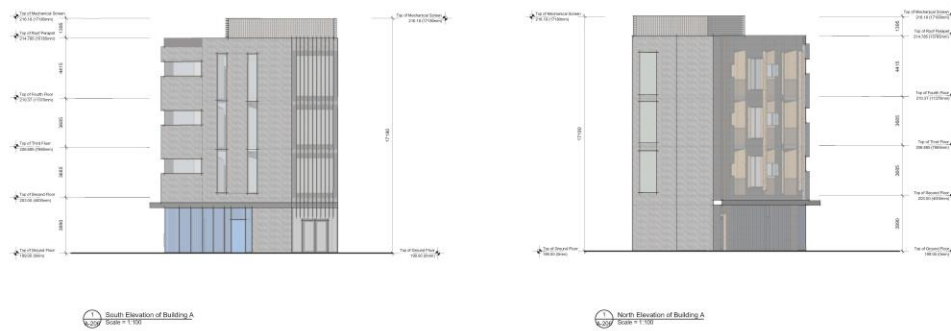
Exhibit B, Revised Concept Site Plan, Page 1 of 1



An architectural rendering of a modern, multi-story building at dusk. The building features a prominent wooden facade with vertical slats and large glass windows. The ground floor is labeled "RESTAURANT" and has large glass doors. The upper floors have balconies with glass railings. The building is illuminated from within, and the sky is a deep blue. In the foreground, there is a paved area with a few people walking and a small playground with trees and a slide. A white car is visible on the right side of the frame.

[illegible]

Exhibit C, Concept Rendering and Elevations, Page 2 of 3



Project:	
Ashburnham Realty	
ASHBURNHAM EAST CITY	
109-127 Hunter Street, Scarborough, ON	
Project Name:	East North
Site:	
Phase:	
Client:	
Architect:	
Engineer:	
Interior Designer:	
Landscaper:	
Other:	
Drawing Title:	
NORTH ELEVATION SOUTH ELEVATION BUILDING A	



Project:	
Ashburnham Realty	
ASHBURNHAM EAST CITY	
109-127 Hunter Street, Scarborough, ON	
Project Name:	East North
Site:	
Phase:	
Client:	
Architect:	
Engineer:	
Interior Designer:	
Landscaper:	
Other:	
Drawing Title:	
EAST ELEVATION WEST ELEVATION BUILDING B	
Scale:	1:100
Date:	May 17, 2018
Drawn by:	J. J. J.
Checked by:	J. J. J.
Reviewed by:	J. J. J.
A-204	

Exhibit C, Concept Rendering and Elevations, Page 3 of 3



Exhibit D, Draft Zoning By-law Amendment, Page 1 of 5



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 109-127 Hunter Street East, 367 Rogers Street and Part of 124 Robinson Street

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

1. That Section 3.9 be amended to add Exception 338 as follows:

“Notwithstanding any other regulations, the following shall apply:

- a) minimum building setback of 14m from the centre line of Hunter Street East (1m from the street line);
- b) minimum 1.5m wide landscaped open space, including a planting strip along a lot line abutting a residential district;
- c) up to 18 of the minimum required parking spaces for lands known as 109 Hunter Street East be provided and maintained on lands known as 115 Hunter Street East, 125 Hunter Street East and 367 Rogers Street, in accordance with an approved Site Plan;
- d) up to 47 of the minimum required parking spaces for lands known as 127 Hunter Street East be provided and maintained on lands known as 115 Hunter Street East, 125 Hunter Street East and 367 Rogers Street, in accordance with an approved Site Plan;
- e) Maximum building floor area ratio for a building containing 21 dwelling units or more shall be 2.5; and
- f) Maximum building coverage for a building containing 21 dwelling units or more shall be 52%.
- g) Notwithstanding the provisions of Section 4, a minimum of 1 parking space

Exhibit D, Draft Zoning By-law Amendment, Page 2 of 5

per dwelling unit and a minimum of 1 parking space per 38m² of gross leasable floor area is required for all other permitted uses shall be provided.”

2. That Section 217 – Special District 187 (SP.187) be repealed in its entirety and replaced as follows:

“Section 217
Special District 187 (SP.187)

217.1 For the purpose of this by-law, land use district “Special District 187” is hereby established and may be referred to by the symbol “SP.187”

Permitted Uses:

217.2 No person shall within a SP.187 District use any land or erect, alter or use any building or part thereof for any purpose other than:

- a. a parking lot
- b. a dwelling

Regulations:

217.3 No person shall within a SP.187 District use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

- a. Minimum lot area of 175m² per dwelling unit;
- b. Maximum building coverage of 35% of lot area;
- c. Minimum building setbacks of 6.2m from a side lot line;
- d. Maximum building height of 3 storeys; and
- e. Dwelling units to be permitted on all floors of a building

Regulation	Requirement
a) minimum lot area	175m ² per dwelling unit
b) maximum building coverage	35% of lot area

Exhibit D, Draft Zoning By-law Amendment, Page 3 of 5

c) Minimum building setbacks from a side lot line	6.2m
d) Maximum building height	3 storeys
e) Notwithstanding the provisions of Section 4, a minimum of 1 parking space per dwelling unit and a minimum of 1 parking space per 38m ² of gross leasable floor area is required for all other permitted uses shall be provided	
217.4 SP.187 District is hereby designated as a Residential District”	

3. That Map 13 forming part of Schedule “A” to By-law 97-123, is amended by changing the areas shown on the sketch attached hereto as Schedule ‘A’ from C.6 to C.6-338 – Commercial District; from R.1,R.2,R.3 to C.6-338; from C.6 to OS.2 – Open Space District; from R.1,R.2,R.3 to modified SP.187 – Special Residential District; from R.1,R.2,R.3 to OS.2 – Open Space District; from R.1,R.2,R.3,SP.187-H to modified SP.187 – Special Residential District; and from R.1,R.2,R.3,SP.187 to SP.187-H – Special Residential District.
4. That the ‘H’ Holding Symbol be removed at such time as Site Plan Approval is granted, including the following provisions:
 - a. Two-way access to Rogers Street via the mid-block driveway located at 367 Rogers Street, with elimination of the driveway currently servicing the property known as 373 Rogers Street; a relocation plan for the existing utilities within the proposed entrance location; sidewalk reconstruction across the driveway and property frontage along Rogers Street; and any modifications to the parking restrictions on Rogers Street required to ensure adequate visibility to the proposed entrance;
 - b. Two-way access to Robinson Street, from the lands known as 367 Rogers Street, in Phase 1 of the Site Plan and reconstruction of Robinson Street, including a sidewalk across the frontage of the development in the future Phase 2 of the Site Plan Approval;
 - c. Two-way access to Robinson Street, from the lands known as 124 Robinson Street and the parking lot construction with base asphalt on the west side of the trail in Phase 1 of the Site Plan Approval;

Exhibit D, Draft Zoning By-law Amendment, Page 4 of 5

- d. Improvements to enhance the safety of the Rotary Trail crossing of Hunter Street East during site development and construction;
- e. City monitoring of the operation of the Hunter Street entrance, after Phase 1 Site Plan construction, and the incorporation of any modifications necessary to address traffic flows on Hunter Street East in the Site Plan Agreement related to Phase 2;
- f. The relocation and reconstruction of the Rotary Trail to City standards;
- g. The removal of the existing driveway entrance relative to 109-113 Hunter Street East as part of the Phase 1 Site Plan Approval;
- h. The requirement of necessary easements for pedestrian and vehicular access and to support required motor vehicle parking over the lands known as 367 Rogers Street, 125 Hunter Street East and 124 Robinson Street, for the development of Phase 1; and
- i. Provisions requiring the developer to have an archaeologist on site during the excavation stage for Phase 1 and 2, and if archaeological resources are found, the developer is required to follow the requirements of the Ontario Heritage Act.

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

Diane Therrien, Mayor

John Kennedy, City Clerk

Exhibit D, Draft Zoning By-law Amendment, Page 5 of 5

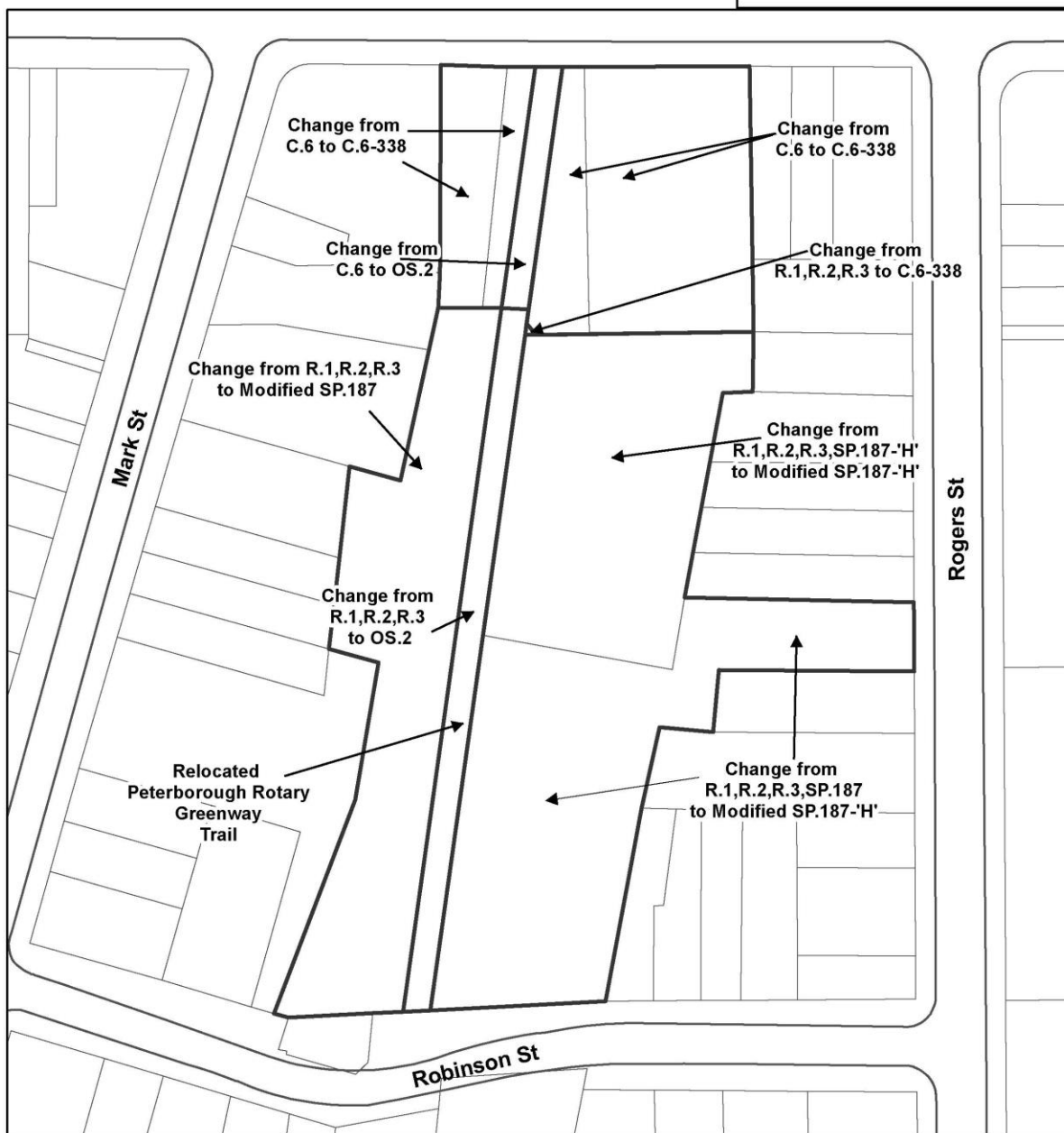


City of
Peterborough

Dimensions are in metric

Schedule 'A' to
Bylaw 20-
Passed the
of
Mayor
Clerk

Day
2020



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