



City of
Peterborough

To: Members of the General Committee

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

Meeting Date: March 1, 2021

**Subject: Report IPSPL21-011
Zoning By-law Amendment for 349 Parkhill Road East**

Purpose

A report to evaluate the planning merits of amending the northerly portion of the lands in the Zoning By-law from the R.1 – Residential District to the R.5-340-H - Residential District to facilitate the use for a medium density, multi unit residential development, consisting of a 55 unit, 3 storey apartment building with associated landscaping and parking areas; and of amending the southerly portion of the lands in the Zoning By-law from the R.1 – Residential District to the OS.1 – Open Space District to prevent development within the hazard lands and to recognize the proposed parkland conveyance and use.

Recommendations

That Council approve the recommendations outlined in Report IPSPL21-011 dated March 1, 2021, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That the Zoning By-law be amended to add Exception 340 to Section 3.9, to reflect the site specific regulations related to minimum parking, minimum setbacks from side and rear lot lines, and minimum distance of driveway/parking areas to windows of habitable rooms, in accordance with the draft amendment attached as Exhibit 'D' to Report IPSPL20-011;
- b) That approximately 0.8 ha. (1.98 ac.) of the northerly portion of the subject property be rezoned from the R.1 – Residential District to the R.5-340-H – Residential District and that approximately 0.7 ha. (1.7 ac.) of the southerly portion of the lands be rezoned from the R.1 – Residential District to the OS.1 – Open Space District 1, in accordance with Exhibit 'D' to Report IPSPL21-011; and

- c) That the 'H' Holding Symbol be removed at such time as:
- I. that portion of the lands zoned OS.1 is dedicated to the City for hazard land and parkland, and any purchase of excess lands is completed, or at such time as the Developer has entered into an agreement with the City with respect to the dedication of that portion of the lands and any additional requirement for payment, or combination thereof, in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City's Parkland Dedication By-law; and
 - II. that Site Plan Approval is granted to facilitate the development of the northerly portion of the lands, and that the associated Site Plan Agreement include the following provisions:
 - i. that the developer extend an asphalt walkway from the subject lands, westerly within the south side of Parkhill Road East portion of the right-of-way, to the sidewalk along Parkhill Road East, to facilitate a pedestrian connection to the nearest transit stop;
 - ii. that a flashing light beacon be installed on the signage on the hidden driveway sign on Parkhill Road East, to address the constrained sight distance subject to the relocation of the sign to the west side of the bridge (in the north boulevard near the Guard House) and that the flashing light only be activated when a vehicle is pulling out from the driveway entrance to the subject lands, with a detection device. All of this to be paid for and installed by the developer, subject to the satisfaction of the City and in coordination with Parks Canada, relative to the existing swing bridge and any infrastructure Parks Canada may have in place related to their operation;
 - iii. that the Conservation Approach detailed in the Heritage Impact Assessment prepared in support of the application, including maintaining mature trees that largely screen views to the building from the canal, providing variation in the building form to break up the perception of the massing and differing roof treatments, including gabled topped bays facing the road and canal, and providing a varied exterior material palette, all be reflected in the approved landscape plan and architectural drawings, to be circulated to Parks Canada for review;
 - iv. that further information on anticipated vibration levels associated with demolition and construction of the development be provided to Parks Canada given the proximity of the development to the canal's earthen dams.
 - v. that a tree canopy compensation payment, as required within Schedule B of the Woodland Conservation By-law 17-121 and based

upon the existing vegetation on the site prior to any notified or permitted removals, be addressed to the satisfaction of the City;

- vi. Road widening along the Parkhill Road East frontage as prescribed by Table 2 of the Official Plan;
- vii. Provisions for payment of a proportionate share of the cost of downstream improvements to the local sanitary system be made.

Budget and Financial Implications

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

Background

The subject property is located on the south side of Parkhill Road East, adjacent to the west bank of the Trent Canal. The portion of the lands proposed for development is located north of Curtis Creek which traverses the property. The balance of the lands are intended to be conveyed to the City for parks purposes.

The applicant purchased the property in 2017 and submitted applications for Official Plan Amendment and Rezoning in July of 2018. The former owner of the property applied for Official Plan and Zoning By-law Amendment in 2007 that proposed two twenty-unit apartment buildings on the northern portion of the lands and 8 townhouse units on the southerly portion of the lands with access to Woodbine Avenue. The 2007 applications were challenged by environmental impacts and the City wide Flood Reduction Studies affecting this area, impacted significantly during the 2004 Flood. As a consequence, the 2007 applications were withdrawn by the former owner in 2011.

The neighbourhood has been engaged with both the current and former applications and has expressed concern regarding the implications of the proposal with respect to stormwater management impacts, traffic, safety of the proximity of the driveway connection to Parkhill Road East, and the limitations for pedestrian connection to Armour Road.

The subject applications propose amendments to both the City's Official Plan and Zoning By-law to support the redevelopment for the construction of a 55 unit, 3 storey apartment building with associated landscaping and parking areas, on the northern portion of the subject lands. The application further proposes to amend the zoning of the southerly portion of the property, including the hazard lands abutting Curtis Creek, to the OS.1 – 0 Open Space District and intends to convey these lands to the City.

The applicant is seeking to create affordable housing units within the proposed development, subject to available funding.

The applications were accompanied by various studies required by the City in order that they be deemed to be complete. These include a Functional Servicing Report, Geotechnical Investigation Report, Traffic Impact Study, Parking Letter, Archaeological Assessment, Environmental Impact Study and a Tree Inventory.

Subsequent to the circulation and review of the application with supporting documents, the applicant was also asked to prepare a Heritage Impact Assessment to assess the proposed building scale, massing and visual impact on the Trent-Severn Waterway. An updated landscape plan and Traffic Impact Study to capture the impact of the development on the adjacent Warsaw swing bridge over the Trent-Severn Waterway during the navigation hours of the operating season was also prepared to address comments from Parks Canada. Additional servicing reports and an updated Environmental Impact Study was also submitted to address comments from agencies and departments.

The application required a robust review and revision to several supporting documents to address the issues/concerns identified by agencies and departments. A revised submission with accompanying studies was recirculated in January of 2020 to address comments received in relation to the original submission.

With regard to transportation, supplementary traffic reports have addressed the concerns regarding the stopping distance required along Parkhill Road East, given the topography of the road at the driveway entrance, relative to the traffic across the swing bridge. Mitigative measures, including the installation of a flashing light beacon on signage along Parkhill Road, with an activation device at the driveway are recommended to address concerns with respect to the limited stopping distance. The applicant has also agreed to extend an asphalt walkway from the site, westerly to connect to the sidewalk along Parkhill Road, to facilitate a connection to the nearest transit stop at Armour Road. This is intended to be a temporary measure until such time as the City proceeds with the urbanization of Parkhill Road East in the future.

Additional information will be required related to the tree inventory at Site Plan Approval stage to assess a suitable tree canopy compensation for the trees that will be removed on the northerly portion of the lands to accommodate the development.

In review of this application, and in keeping with the City's Official Plan policies related to parkland, the applicant has agreed to the requirement for conveyance of parkland to the City. The City's Parkland Dedication By-Law gives the City authority to determine what is most suitable and how the parkland amount is determined. The lands south of the Curtis Creek hazard lands is larger than what is otherwise required via the alternative provision in the City's Parkland and is most appropriately fulfilled via the conveyance of the woodlands for parkland dedication associated with the development of the northerly portion of the lands.

Lands that are identified on Schedule 'C' – Natural Areas and Flood Plains, the southerly portion of the lands form part of the City's Natural Areas and Corridors and are to be considered as part of a Natural Corridor that provides natural ecological connections between Natural Core Areas within the urban landscape. The woodland within this area has been identified as an ecological feature that is worth preserving as part of a system of open space within the urban environment. The area also includes the floodplain for Curtis Creek.

The property is approximately 1.46ha (3.6 ac.) in size and it is proposed that approximately 0.49ha (1.2ac) of land to be conveyed as parkland. This is greater than the 0.18 ha. (0.45 ac.) required via the Planning Act, R.S.O, c.P.13. The value of the difference of the dedication of the woodland is proposed to be purchased by the City. The hazard lands immediately adjacent to Curtis Creek are to be conveyed to the City and are not acceptable as parkland. A portion of the parcel south of the Creek will satisfy the minimum parkland requirement and the additional lands are to be purchased by the City and conveyed to the City.

The revised application (January, 2020) was accompanied by a Heritage Impact Assessment, Revised Functional Servicing Report, a Parking Review and Response to Traffic Study comments, a Revised Environmental Site Assessment, a Revised Traffic Operations and Traffic Impact Study, and a Revised Site Plan.

A Public Open House was hosted by the applicants on January 17, 2019 at the Rugby Club, Nichol's Oval, providing an overview of the original development proposal with the concept site plan. Approximately 30 people attended the Open House and the applicant responded to questions of those in attendance. Comments and questions about the safety of the proposed traffic and driveway due to the proximity of the swing bridge, lack of sidewalks on Parkhill Road East, distance to public transit and lack of proper pedestrian connections, increase in traffic, change in landscape, reduction in tree coverage, capacity of sanitary and stormwater servicing and view of the canal were posed by the neighbours and responded to by the Development Team.

The applicant has worked with Planning Staff and has submitted a revised concept site plan to address the comments received from the circulation of the application, including an agreement to convey the southerly portion of the lands for parkland and amend the zoning of the parkland to a district that would protect the natural heritage of the lands.

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 2.1 of the PPS requires that municipalities protect natural features for the long term by:

- 2.1.2: maintaining, restoring and where possible, improving the long term ecological function and biodiversity of natural heritage systems by recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The proposed introduction of medium-density residential infill development addresses the established need for housing in the community. The property is located along Parkhill Road East, recognized as a Transportation Corridor, in proximity to the Armour Road intensification corridor and is supported by infrastructure and public services. The conveyance of parkland and rezoning to Open Space will protect the natural features of the woodland and Curtis Creek.

Section 2.6 of the PPS requires municipalities to protect significant building heritage resources and significant cultural heritage landscapes via the following policies (among others) :

“2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”

The lands were considered via the completion of a Stage 1 and Stage 2 Archaeological Assessment. The Archaeological Assessment concludes that the subject lands, although containing areas of high archaeological potential, was subject to testing and that the lands are heavily disturbed with no discovery of any material of cultural value.

The application is also supported by a Heritage Impact Assessment regarding the impact of the proposed development on the adjacent Trent-Severn Waterway, National Historic Site of Canada. The building design has developed in response to the relationship between the subject property and the Trent Canal, and the proposed views of the site from both the canal and the swing bridge. Mitigation measures to limit impacts on the cultural heritage are recommended to include the maintenance of the existing treed setting on the property; and providing a building design with varied form (bays, recesses, roof gables) and material variety to add architectural interest and break up the building massing.

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 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 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 principals 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 4.2.7.1 states that ‘Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.’

In staff’s opinion, the proposed development supports the achievement of complete communities and conforms with the policy directions by supporting housing options, including affordable housing in an urban form of development through a more compact built form, on an underdeveloped site with access to amenities including convenience retail and employment opportunities within walking distance, while respecting the cultural heritage and providing needed parkland within the area, and helps to achieve these policy directions and therefore conforms with the Growth Plan.

c) Official Plan

The Residential land use that is currently assigned to the subject property is reflective of the historical use of the lands as a residence with a home-based business (Cullen Plumbing). The subject property is impacted by Curtis Creek and a woodland located south of the creek and within the hazard lands, identified as a natural feature, area or corridor within Schedule C – Natural Areas and Floodplains Schedule in the Official Plan.

The Official Plan encourages infill and intensification on vacant lands in an existing residential area which makes use of existing infrastructure and has a form and scale compatible with the surrounding area. The introduction of a three-storey building within the northerly portion of the lands is consistent with other multi-unit residential development along Parkhill Road East, designated as a Medium Capacity Arterial on Schedule B – Roadway Network of the City's Official Plan. The proposed Medium Density Development will introduce an appropriate infill intensification, served by services and infrastructure and within proximity to public transit via the proposed walkway connection to the sidewalk west of the lands along the south side of Parkhill Road.

The proposed parkland dedication will serve to protect the existing woodland and preserve the natural area connectivity along the Curtis Creek floodplain. It will also serve to maintain the cultural heritage of the Trent- Severn Waterway lands abutting the property.

The lands are located within the Built Boundary as illustrated on Schedule A-1. The policies related to the Intensification Corridors also encourage appropriate intensification within the Built Boundary of the City, in locations where servicing capacity exists or can readily be improved within the infrastructure, and where additional development can be compatibly integrated with existing built form, land use patterns, natural heritage features and natural hazards. Furthermore, lands within the Built Boundary are intended to facilitate a significant portion of growth representing a minimum of 50% of the housing units within Peterborough, approved annually.

The 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 proposed redevelopment of the lands to support up to 55 units is equivalent to a density of approximately 38 units/ha.. This is within the density range contemplated under the Medium Density Residential range of 25 to 50 dwelling units per hectare and contemplated with the City's current Official Plan. A Zoning Amendment with site specific regulations related to height and massing is contemplated by the infill policies, to ensure compatibility with the surrounding neighbourhood. The proposed apartment building form with a maximum height of 3 storeys and gabled roof is compatible with the surrounding neighbourhood.

Development applications, including Zoning By-law Amendment applications must address the provisions of Section 4.2.5.6 and 4.2.5.7 of the Official Plan which includes the requirement for a concept site plan and building perspective, with sufficient details

related to the massing and conceptual design and relationship to the streets and surrounding neighbourhood. The adequacy of municipal servicing, implications of traffic generation, provision of amenities, proximity to schools, parks and recreation areas, adequate buffering, parking and landscaping, and proximity or presence of significant natural / environmental features should all be considered in the evaluation of the proposed amendment.

The introduction of 55 new units is proposed to complement the existing neighbourhood and is in keeping with the infill policies and objectives of the Official Plan.

Adequate sanitary and stormwater services exist to support the proposed development. Some improvements to downstream services will be required within the localized system. The developer will be required to make a financial contribution towards a downstream solution at Site Plan Approval stage based on a proportionate share. Stormwater management details and Low Impact Development techniques will also be refined at Site Plan Approval stage via detailed design.

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

d) Zoning By-law

The property is currently zoned R.1 – Residential District 1 permitting a single detached dwelling with the potential for a secondary suite. The proposed use of the lands to permit up to 55 residential units, requires an amendment to the Zoning By-law.

The submission is accompanied by necessary studies and analysis to ensure conformity with the Official Plan policies. Site specific zoning and regulations are proposed in the draft Zoning Amendment attached as Exhibit ' ' to Report IPSPL21-011 with regard to regulations related to minimum setbacks, maximum height, and minimum number of parking spaces per unit to support the proposed development.

The applicant proposes to amend the zoning of the subject lands from the R.1 – Residential District to the R.5-340 H to permit the development for multi unit residential development and accessory uses.

The application proposes the following exceptions to the standard R.5 – Residential District 5 regulations to support the proposed residential redevelopment of the lands:

Proposed Regulations:

Type	Proposed Requirement
a) minimum building setbacks: i) side lot line ii) rear lot line	i) 6m along the easterly side lot line and 6m or 3 m per storey, whichever is greater for all other side lot lines ii) 7m
b) maximum number of residential units	55
c) maximum number of storeys:	3
Notwithstanding the provisions of Section 4.3.2 c), a motor vehicle parking space or driveway shall be permitted within 6 metres of a window to a habitable room in an apartment dwelling.	
Notwithstanding the provisions of Section 4, a minimum of 1.3 motor vehicle parking spaces shall be provided per dwelling unit.	

Parking for affordable dwelling units has typically been decreased to reflect the reduced car ownership and requirement versus the traditional 1.75 parking spaces per unit for buildings in this area within buildings with more than 3 units. It is therefore, also recommended by Planning Staff, that a site-specific regulation be added to facilitate a ratio of 1.3 parking spaces per unit, together with a requirement for the owner to provide a paved walkway across the south side of Parkhill Road East, to connect to the existing sidewalk west of the subject lands and facilitate a pedestrian connection to public transit services along Armour Road.

The developable portion of the lands is proposed to be zoned R.5-340– H – Residential District 5. It is intended that the southerly portion of the land to be dedicated for parkland be zoned OS.1 – Open Space 1 to prevent development and protect the natural features of the land. The setbacks prescribed by the above regulations will respect the buffering required to preserve the cultural heritage of the adjacent Trent-Severn lands and provide a sufficient setback from the top of bank of Curtis Creek to protect the environmental sensitivity of the hazard lands and floodplain.

Planning Staff is satisfied that the proposed Zoning By-law Amendment conforms to the Infill policies and the Residential designation 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 residential development containing more than four (4) dwelling units is subject to Site Plan Approval. Approval of the Site Plan related to the proposed development of the lands for more than fifty (50) units requires Council Approval. Site Plan Approval will address the details related to the location of parking, driveways, lighting, landscape treatment and buffering.

It is recommended that the following site-specific details be considered as part of the Site Plan Approval process related to traffic safety, pedestrian connectivity, cultural heritage and natural heritage features:

- I. that portion of the lands zoned OS.1 is dedicated to the City for hazard land and parkland, and any purchase of excess lands is completed, or at such time as the Developer has entered into an agreement with the City with respect to the dedication of that portion of the lands and any additional requirement for payment, or combination thereof, in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City's Parkland Dedication By-law; and
- II. that Site Plan Approval is granted to facilitate the development of the northerly portion of the lands, and that the associated Site Plan Agreement include the following provisions:
 - i. that the developer extend an asphalt walkway from the subject lands, westerly within the south side of Parkhill Road E portion of the Right-of-Way, to the sidewalk along Parkhill Road East, to facilitate a pedestrian connection to the nearest transit stop;
 - ii. that a flashing light beacon be installed on the signage on the hidden driveway sign on Parkhill Road East, to address the constrained sight distance subject to the relocation of the sign to the west side of the bridge (in the north boulevard near the Guard House) and that the flashing light only be activated when a vehicle is pulling out from the driveway entrance to the subject lands, with a detection device. All of this to be paid for and installed by the developer, subject to the satisfaction of the City and in coordination with Parks Canada, relative to the existing swing bridge and any infrastructure Parks Canada may have in place related to their operation;
 - iii. that the Conservation Approach detailed in the Heritage Impact Assessment prepared in support of the application, including maintaining mature trees that largely screen views to the building from the canal, providing variation in the building form to break up the perception of the massing and differing roof treatments, including gabled topped bays facing the road and canal, and providing a varied exterior material palette, all be reflected in the

- approved landscape plan and architectural drawings, to be circulated to Parks Canada for review;
- iv. that further information on anticipated vibration levels associated with demolition and construction of the development be provided to Parks Canada given the proximity of the development to the canal's earthen dams.
 - v. road widening along Parkhill Road East as prescribed by Table 2 of the Official Plan.
 - vi. The developer contribute a proportionate share of downstream sewer improvements, as determined by the City.

Response to Notice

1. Significant Agency Responses:

Agency circulation was originally issued on July 6, 2018. Additional supporting documentation and revised plans circulated on January 24, 2020.

The City's Infrastructure Management Division has no objection to the proposed Zoning Amendment and note that a stormwater management report, including Low Impact Development as per City of Peterborough Engineering Design Standards will be required at the Site Plan Approval stage. Low Impact Development is required for this proposal. If the groundwater is high, alternative methodologies will be required. Based on a high level review of the downstream sanitary capacity analysis, it would appear that not all sewers at greater than 80% capacity have been highlighted. It is recommended that the owner pay a proportionate share of required sewer upgrades. The Infrastructure Management Division also note that a minor road widening will be required across the frontage of the site to meet with the City's Official Plan.

The City's Development Engineering Division provided comment on the Functional Servicing Report and request various existing ground elevations with proposed grades to allow for proper comparison. They recommend that the applicant consider examples of LID features that can be implemented with a high-water level, including rain barrels, green roofs, etc. It is also noted that tree removal bin in accordance with the City Tree Conservation Bylaw. Residual pressure and fire flow testing is required to confirm available water flow for the building. Cost sharing is required to upgrade three downstream lengths of sewer that are surcharged under theoretical peak flows. Construction of the stormwater management pond bottom and berms requires site or imported soils with appropriate hydraulic conductivity. Location of the stormwater management pond and the native soils must be reviewed and approved by a geotechnical engineer.

The City's Transportation Division provided comment on the original and revised versions of the traffic impact study. The concern regarding adequate sight distance and travel speed along Parkhill Road East generated much discussion and review from a transportation perspective. The traffic engineer for the applicant has recommended a flashing light beacon to be installed on the hidden driveway sign on Parkhill Road to address the constrained sight distance. To be effective and to ensure the flashing light does not conflict with the existing signal at the swing bridge, the City's Transportation Division recommends that the sign be relocated to the west side of the bridge (in the north boulevard near the Guard House) and that the flashing light only be activated when a vehicle is pulling out from the entrance. This will require the installation of a device in the driveway entrance to the subject lands, and a controller unit for the sign to turn the light on and off, and communication between the detection device and the control unit. The Transportation Division also notes that the developer will need to coordinate with Parks Canada relative to the existing swing bridge and any infrastructure Parks Canada may have in place related to their operations. Details to be addressed at the Site Plan Approval stage. The proposed reduction in the minimum on-site parking can be supported, subject to the owner agreeing to connect the existing sidewalk on the south side of Parkhill Road East to the subject lands with an asphalt walkway, subject to City standards and at the cost of the developer.

The City's Accessibility and Transportation Demand Management Review recommends that the accessible parking space calculations are to be clearly specified by the City at the Site Plan Approval stage with any reduction in minimum parking to have no impact on the minimum number of accessible parking spaces. This should be based on the highest standard required of the City's Zoning By-law or the IASR. It is also recommended that the parking exception be clearly stated at 1.34 spaces/unit versus 1.3 space/unit, to align with the proposed total parking spaces of 71. A concern was raised by the Active Transportation Division regarding the lack of sidewalks in this area.

The City's Urban Forestry Division has confirmed that the property is regulated under the Woodland Conservation Bylaw 17-121 and the Tree Notification Bylaw 19-042. Tree canopy compensation payment, as required within Schedule B of the Woodland Conservation By-law and based upon the existing vegetation on the site prior to any notified or permitted removals, will be required as part of the site plan agreement. A credit will be given for any canopy replaced as part of an approved and implemented landscape plan. The Tree Inventory submitted with the application does not provide enough detail to determine the development area and is required to be completed by an Arborist as per the Woodland Conservation By-law 17-121. Recommendations for additional required details have been shared with the developer regarding additional information to be provided in order to establish recommended action and a compensation plan.

Peterborough Utilities Group indicate that Development Charges are applicable and on-site pad-mounted transformers will be required. The developer will need to contact PDI (Hydro One) for electrical servicing well in advance of construction. There is limited fire flow with water servicing off of Parkhill Road East that needs to be addressed. An alternative plan needs to be finalized.

Otonabee Region Conservation Authority (ORCA) has provided technical comments based on the submitted supporting documentation. There are two natural hazards associated with Curtis Creek and its valley. The floodplain has been delineated and demonstrated to be confined within the lower elevations of the valley. The erosion hazard associated with the valley has also been delineated. All development is located outside of the hazard and as such, the proposed development is consistent with Section 3.1 of the Provincial Policy Statement (PPS). Based on the Environmental Impact Study and ORCA staff observations, the EIS and Site Plan demonstrate that the proposed development is located outside of any key significant natural heritage features and it is the opinion of ORCA staff that the proposed development is consistent with Section 2.1 and Section 2.2 of the PPS. Outstanding ecology comments should be addressed during Site Plan Approval. The flooding hazard, the erosion hazard and their adjacent areas are subject to Ontario Regulation 167/06 and ORCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse regulation. A permit for development or site alteration will be required from ORCA prior to the commencement of any activities on the site. Technical comments have been sent to the applicant.

The Peterborough Architectural Conservation Advisory Committee provided comment on the original submission recommending that the City work closely with Parks Canada and the developer to ensure that the final design for any new construction respects the historical integrity of the canal, part of the Trent Severn Water, National Historic Site of Canada. The applicant had a Heritage Impact Assessment prepared and it was reviewed by the City's Heritage Resources Coordinator. Both the Coordinator and PACAC have reviewed the assessment and concur with the recommendations, to be implemented at Site Plan Approval stage.

Parks Canada has reviewed the Traffic Impact Study and updates, including additional fieldwork to address their previous concerns regarding the impact of the Warsaw bridge. Parks Canada is supportive of the Conservation Approach detailed in the Heritage Impact Assessment (HIA) and appreciate the revised building form presented in the HIA which considers Parks Canada's previous comment to minimize the visual impact of the development and integrate it within the surrounding landscape. Further information is required at Site Plan Approval stage regarding the anticipated vibration levels associated with demolition and construction of the development. Parks Canada looks forward to receipt of the Landscape Plan and updated architectural drawings as they become available.

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:

The applicants held a Neighbourhood Information Meeting related to the proposed amendment on January 17th, 2019. Approximately 30 people attended the Meeting in addition to the applicants' Development Team, City Planning Staff and Ward Councillors. Comments and questions about the safety of the proposed traffic and driveway due to the proximity of the swing bridge, lack of sidewalks on Parkhill Road East, distance to public transit and lack of proper pedestrian connections, increase in traffic, change in landscape, reduction in tree coverage, capacity of sanitary and stormwater servicing and view of the canal were posed by the neighbours and responded to by the Development Team. The owner/developer followed up with a neighbourhood representative to inform the neighbourhood of the revisions and steps taken to address the comments and concerns outlined in the 2019 Neighbourhood Information Meeting and reflected in the revised submission.

No written comments have been received as of February 3, 2021.

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 – Revised Elevations
Exhibit D – Draft Zoning By-law Amendment

Land Use Map

EXHIBIT
SHEET OF

Portion of Subject Lands to be zoned R.5 with Exceptions

Portion of Subject Lands to be zoned OS.1

0 10 20 40 60 Metres

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

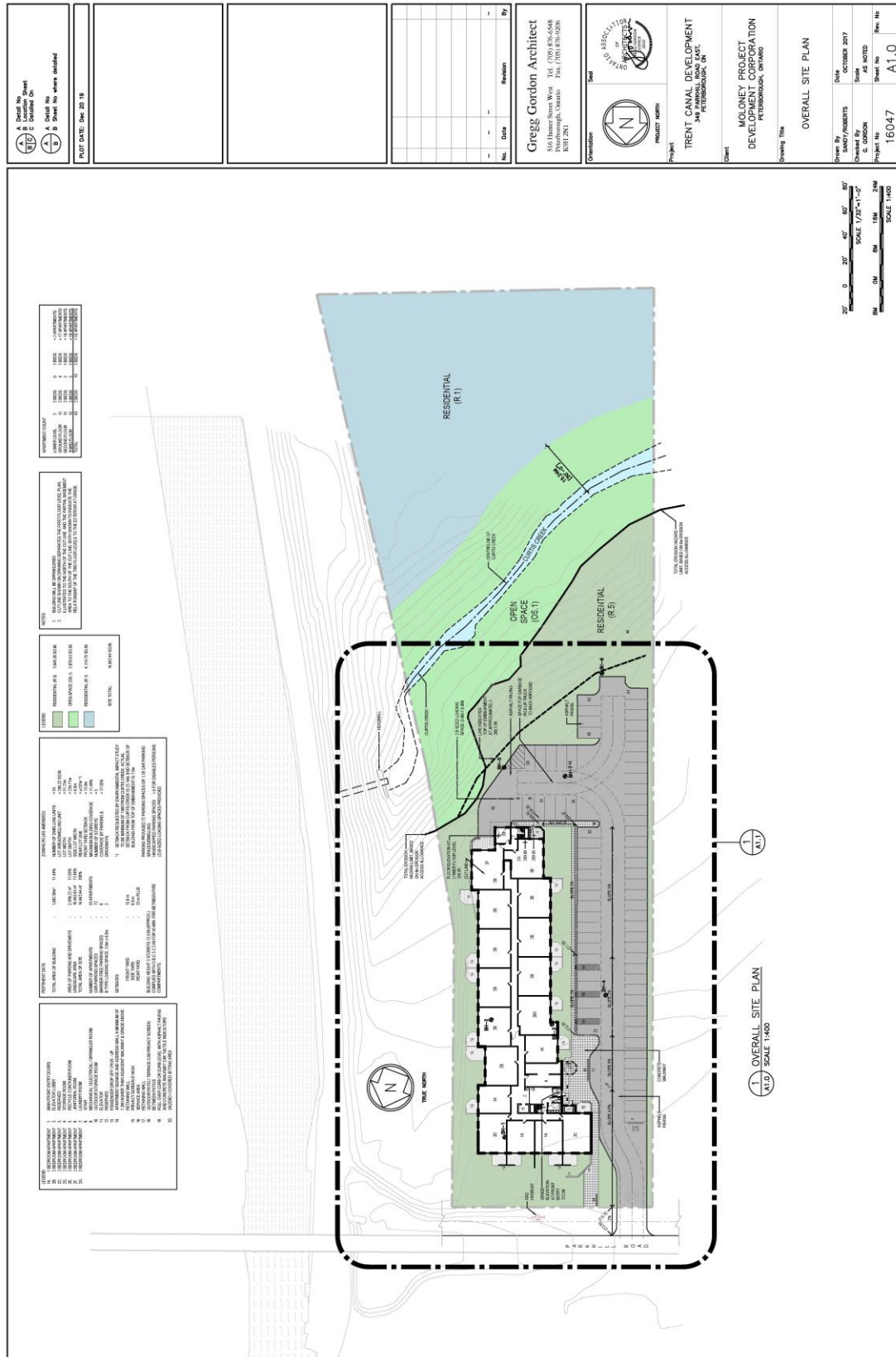


Exhibit C, Revised Elevations, Page 1 of 1

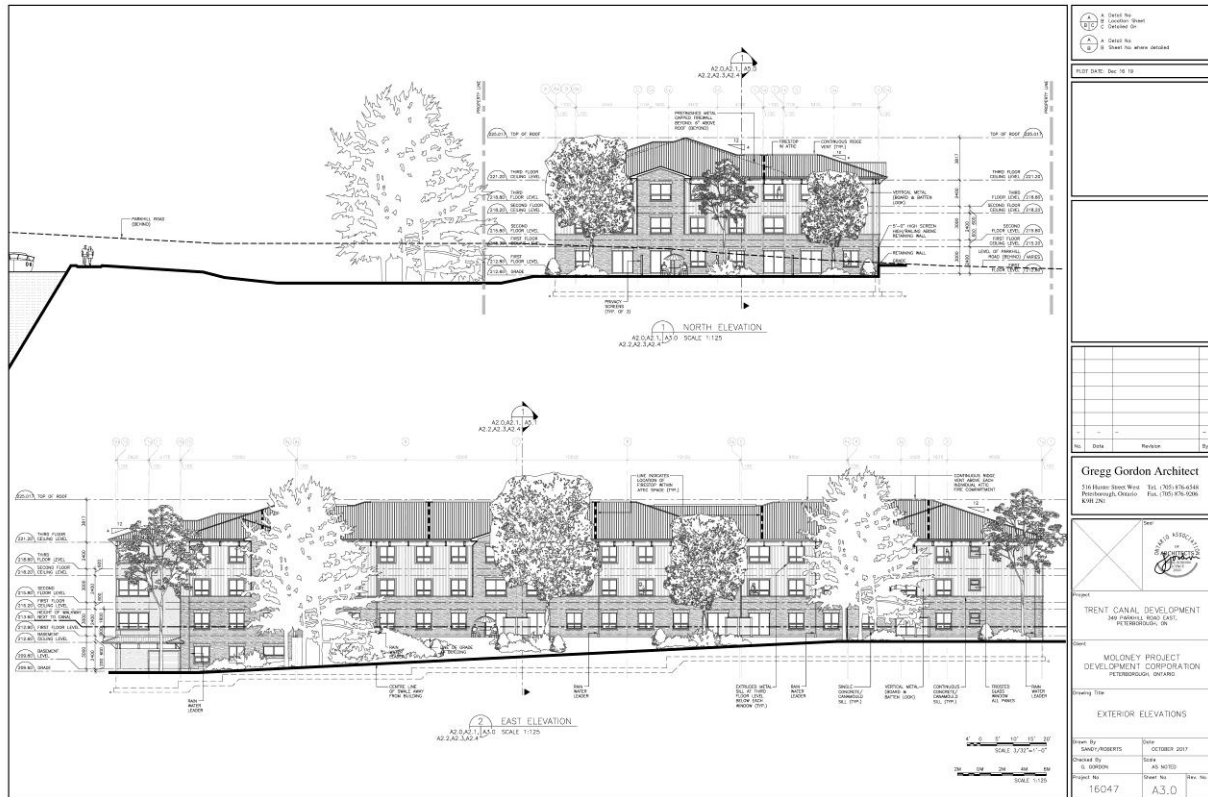


Exhibit D – Draft Zoning Amendment Page 1 of 4



The Corporation of the City of Peterborough

By-Law Number 21-

Being a By-law to amend the Zoning By-law for the lands known as 349 Parkhill Road East

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

Regulation	Provision
b) minimum building setbacks: iii) side lot line iv) rear lot line	iii) 6m along the easterly side lot line and 6m or 3 m per storey, whichever is greater for all other side lot lines iv) 7m
b) maximum number of residential units	55
c) maximum number of storeys:	3
Notwithstanding the provisions of Section 4.3.2 c), a motor vehicle parking space or driveway shall be permitted within 6 metres of a window to a habitable room in an apartment dwelling.	

Notwithstanding the provisions of Section 4, a minimum of 1.3 motor vehicle parking spaces shall be provided per dwelling unit.

“

2. That Map 13 forming part of Schedule “A” to By-law 97-123, is amended by changing the area shown on the sketch attached hereto as Schedule ‘A’ from R.1 – Residential District to R.5-340-H; and from R.1 – Residential District to OS.1 – Open Space District.
3. That the ‘H’ Holding Symbol be removed at such time as:
 - a) that portion of the lands zoned OS.1 is dedicated to the City for hazard land and parkland, and any purchase of excess lands is completed, or at such time as the Developer has entered into an agreement with the City with respect to the dedication of that portion of the lands and any additional requirement for payment, or combination thereof, in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City’s Parkland Dedication By-law; and
 - b) that Site Plan Approval is granted to facilitate the development of the northerly portion of the lands, and that the associated Site Plan Agreement include the following provisions:
 - I. that the developer extend an asphalt walkway from the subject lands, westerly within the south side of Parkhill Road E portion of the Right-of-Way, to the sidewalk along Parkhill Road East, to facilitate a pedestrian connection to the nearest transit stop;
 - II. that a flashing light beacon be installed on the signage on the hidden driveway sign on Parkhill Road East, to address the constrained sight distance subject to the relocation of the sign to the west side of the bridge (in the north boulevard near the Guard House) and that the flashing light only be activated when a vehicle is pulling out from the driveway entrance to the subject lands, with a detection device. All of this to be paid for and installed by the developer, subject to the satisfaction of the City and in coordination with Parks Canada, relative to the existing swing bridge and any infrastructure Parks Canada may have in place related to their operation;
 - III. that the Conservation Approach detailed in the Heritage Impact Assessment prepared in support of the application, including maintaining mature trees that largely screen views to the building from the canal, providing variation in the building form to break up the perception of the massing and differing roof treatments, including gabled topped bays facing the road and canal, and providing a varied exterior material palette, all be reflected in the

approved landscape plan and architectural drawings, to be circulated to Parks Canada for review;

- IV. that further information on anticipated vibration levels associated with demolition and construction of the development be provided to Parks Canada given the proximity of the development to the canal's earthen dams.
- V. that a tree canopy compensation payment, as required within Schedule B of the Woodland Conservation By-law 17-121 and based upon the existing vegetation on the site prior to any notified or permitted removals, be addressed to the satisfaction of the City;
- VI. Road widening along the Parkhill Road East frontage as prescribed by Table 2 of the Official Plan; and
- VII. Provisions for payment of a proportionate share of the cost of downstream improvements to the local sanitary system.

By-law read a first, second and third time this day of , 2021.

Diane Therrien, Mayor

John Kennedy, City Clerk

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

