



City of
Peterborough

To: **Members of the General Committee**

From: **Jasbir Raina**
Commissioner, Infrastructure and Planning Services

Meeting Date: **September 6, 2022**

Subject: **Zoning By-law Amendment for 735 Woodland Street, Report IPSPL22-016**

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 735 Woodland Street from PS.2 – Public Service District to R.1 – Residential District, to recognize the use of the lands for a single-detached dwelling.

Recommendations

That Council approve the recommendations outlined in Report IPSPL22-016, dated September 6, 2022, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That the subject property be rezoned from PS.2 – Public Service District to R.1-H - Residential District in accordance with the draft amendment attached as Exhibit 'C' to Report IPSPL22-016; and
- b) That the 'H' – Holding Symbol be removed at such time as a road allowance widening measuring 5m in width along the Woodland Street frontage is conveyed to the City.

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 Woodland Street, west of Gordon Avenue. The property originally formed part of the Mount St. Joseph lands at 1545 Monaghan Road and was created as a separate parcel when the original landholdings were severed. A portion of the Mount St. Joseph land was conveyed to the Separate School Board to support the construction of St. Peter Catholic Secondary School to the west. The Mount Community Centre now occupies the central portion of the former lands as a non-profit corporation for a limited list of permitted uses, including residential units. The extension of Woodland Street to create access to the subject lands was created as a condition of the severance and conveyed to the City in 1988, deemed to be part of Woodland Street.

It appears that at the time of the creation of the subject property in 1988, sanitary servicing was also extended along the south side of the Woodland Street Right of Way from Gordon Avenue to service the property. Based on mapping, a portion of the City's sanitary sewer dissects the northeast corner of the subject lands.

The use of the subject property was established in 1989 as a clergy residence for the Sisters of Saint Joseph (Sisters) associated with Mount Saint Joseph (Mount) – described as a convent or religious establishment use. As such, the use was appropriate in the PS.2 – Public Service District in the City's Zoning By-law. The subject property was sold by the Sisters of Passion in 2021 to the current owners and is no longer functioning as a clergy residence, nor is it associated with a convent or religious establishment. It currently functions as a single-detached residential dwelling which because it is no longer associated with a convent or religious establishment or place of worship, is not permitted by the PS.2 zoning of the lands. A zoning by-law amendment is required to legalize the use.

The proposal was subject to a pre-consultation meeting on January 13, 2022, and the zoning by-law amendment application was deemed complete on April 13, 2022. The application was submitted together with a Planning Justification Report, Concept Site Plan, and site area photographs prepared by Kevin M. Duguay, RPP, MCIP.

The applicant seeks to amend the current zoning of the lands to an R.1 – Residential District to recognize the use of the property as a single-detached dwelling. No changes to the built form of the property are proposed as part of this application.

Analysis

a) Provincial Policy Statement, 2020 (PPS)

Any decision on the proposed Zoning By-law Amendment must be consistent with the 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 others, accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long term needs.

Section 1.1.3 states that “settlement areas shall be the focus of growth and development” and Section 1.1.3.2 state “land use patterns within settlement areas shall be based on densities and a mix of land uses which: b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion.”

Section 1.4.3 of the PPS requires municipalities to provide for an appropriate range and mix of housing including all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3.

The property is located within the City’s boundary (settlement area) and is serviced with full municipal services and represents an efficient use of existing building stock without the need for expansion or extension of infrastructure, consistent with the directives of the PPS. Allowing the property to be used for a single-detached dwelling will provide additional housing opportunity for the private market in the neighbourhood while maximizing the use of existing infrastructure. The dwelling is located outside of areas of flooding and natural hazard. There are no changes proposed to the existing building, maintaining the existing character of the neighbourhood.

b) A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

Any decision on the proposed Zoning By-law Amendment must conform with the policies of 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. The subject property is located within the City’s Delineated Built Boundary 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 Boundary.

Lands within the City’s Delineated Built-Up Area are expected to accommodate significant population and employment growth. Growth within the Delineated Built-Up Area is expected to occur on full municipal services and contribute to a complete community, designed to support healthy and active living, and meet people’s needs for daily living throughout an entire lifetime.

It is the opinion of staff that the proposed amendment conforms with the policy direction of the Growth Plan.

c) City of Peterborough Official Plan

The subject property is designated 'Residential' on Schedule 'A' – Land Use of the Official Plan. The property is designated as Low Density Residential on Schedule 'E' – Residential Density.

Section 4.2.5.7 establishes criteria to be considered when reviewing an application for residential development:

- i) The type of housing form proposed for a site;
- ii) The nature and extent of existing land uses within an area or in proximity to a site to be developed;
- iii) The adequacy of municipal services available to an area or to the site;
- iv) The implications of traffic generation and proposed measures to lessen the impact on the surrounding environment;
- v) The provision of amenities to serve the residents of a development and the adequacy of amenities in the area to serve the residents;
- vi) The proximity of the site to municipal park and recreation areas and school sites in order to serve the residents of the development;
- vii) Adequate standards for parking, buffering, and landscaping in the zoning by-law; and
- viii) The proximity of the site to, or presence of significant natural / environmental features and how the development is sensitive to these features.

The property is located within an established mid-town neighbourhood in proximity to adequate amenities to support the residential use of the property. No physical changes are proposed to the exterior of the building and adequate site parking can be accommodated on site, with close access to trails, schools, and parks.

At this location, Woodland Street currently has a road allowance width of 10.346m and lacks a vehicular turn around facility at its terminus. In accordance with Section 5.4 of the Official Plan, local streets are expected to have a minimum road allowance width of 18.5m to 20m. Ideally, there would be a turning circle provided at the end of a road that does not continue, to accommodate turn around movements. In accordance with Section 5.4.2 of the Official Plan which speaks to the intent of ensuring road widenings are obtained as a condition of applications for planning approval, staff is recommending that the Applicant be required to provide a 5m road widening along the Woodland Street frontage to the City in conjunction with the proposed Zoning By-law amendment at the Applicant's expense. In staff's opinion, the proposed 5m widening along Woodland Street is considered a compromise to the land that would otherwise be typically required

for a turning circle and therefore alternative turn around facilities will need to be designed.

Staff is satisfied that the proposed use conforms with the location criteria of the Official Plan, with a density in keeping with the Low-Density Residential designation.

d) City of Peterborough Zoning By-law

The current PS.2 – Public Service Zoning District restricts the use of the lands to public service or institutional type uses including uses such as government administration offices, hospitals, nursing homes, schools, parks, museum or art gallery, arena, recreation centre, church, etc. Although many of these are compatible with residential land uses, a residential dwelling is not a permitted use in this zoning district. The applicant has applied to amend the zoning, therefore, to facilitate the use of the property for a single-detached dwelling.

It is recommended that the zoning of the subject property be amended to reflect the use of the property as a single-detached dwelling, in conformity with the policies of the Official Plan. This amendment will allow the owners to use the property for residential uses, not accessory to a use permitted in the PS.2 zoning district.

An 'H' Holding symbol is recommended to require the conveyance of a 5m road allowance widening along the frontage of the property, in accordance Official Plan policy.

Response to Notice

a) Significant Agency Responses

Agency circulation was issued on April 14, 2022.

The City's Infrastructure Management Division has requested the conveyance of a 5.0-metre road widening be provided along the full frontage of the property. The existing Woodland Street is only half the width of a typical local road and does not currently facilitate garbage collection and snow clearing operations. Furthermore, a municipal sanitary sewer currently traverses a portion of the subject property approximately 1.5m south of the Woodland Street allowance. Given the limitations posed by Woodland Street in its current configuration, Infrastructure Management is not supportive of the rezoning of the property on a significantly undersized and encumbered right of way.

Staff has recommended that a 5m road widening be required in accordance with Official Plan policy. Such a road widening would not only allow the City to control the land containing the existing sanitary sewer on the property, but it would also facilitate the potential future upgrade of Woodland Street at this location to better accommodate snow clearing, garbage pick-up and vehicle turn around movements. The requested conveyance of 5m is a compromise request and reduced from the land than would typically be required for a turning circle.

Otonabee Conservation note that the proposed redevelopment is outside any known natural hazards and is not within proximity to a natural heritage feature of significance and is consistent with Provincial Policy Statements 2.1, 2.2 and 3.1. The proposed redevelopment falls outside of ORCA regulated area and are not located in a vulnerable area as per the Trent Source Water Protection Plan.

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

b) Summary of Public Responses

No written comments have been received as of August 6, 2022.

Submitted by,

Jasbir Raina, CEng., M.Tech, MBA, PMP, MIAM
Commissioner, Infrastructure and Planning Services

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Attachments:

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

Exhibit A – Land Use Map

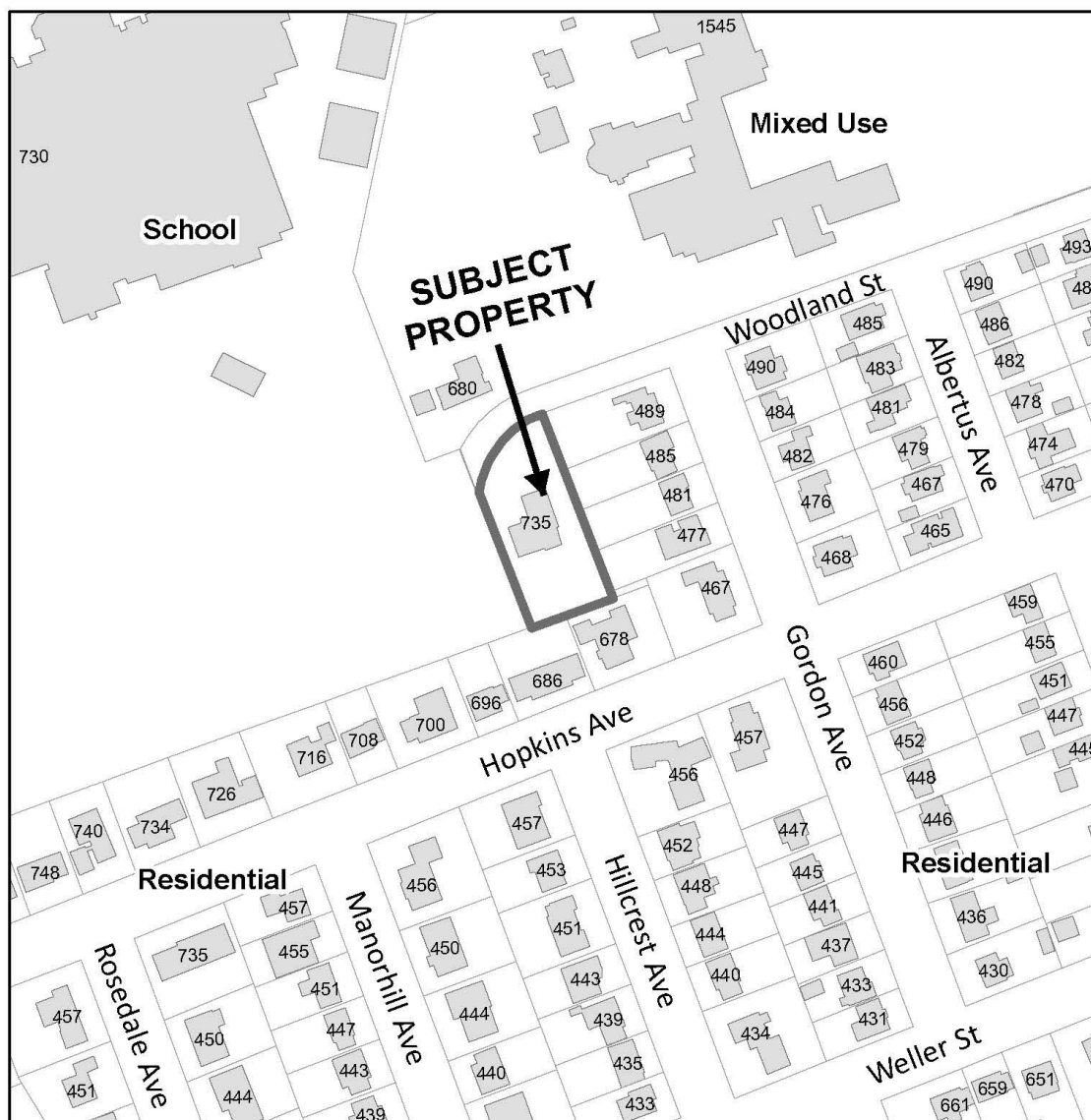
Land Use Map

File: Z2205

Property Location: 735 Woodland Street

EXHIBIT

SHEET OF



The City of Peterborough Planning Division

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.

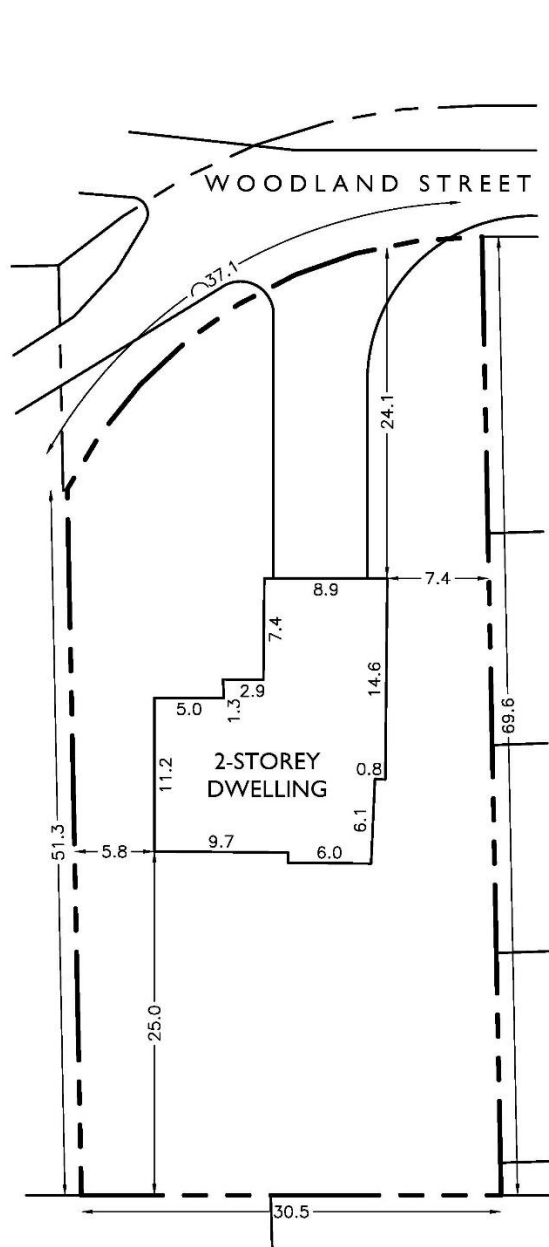


Date: April 13, 2022

Map by: bgautam

0 5 10 20 30 40 50
Metres

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



SCALE 1:400
ALL DIMENSIONS IN METRES

EXISTING CONDITIONS
735 WOODLAND STREET
PETERBOROUGH, ONTARIO
2021-05-14

NAME	AREA m ²	%
SITE	1 960.14	100.0
BUILDING	269.51	13.7
PARKING	170.86	8.7

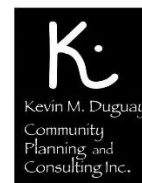


Exhibit C – Draft Zoning By-law Amendment- Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 22-

Being a By-law to amend the Zoning By-law for the lands known as 735 Woodland Street

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

1. That Map 11 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 PS.2 to R.1-H.**
2. That the ‘H’ – Holding Symbol be removed at such time as a road allowance widening measuring 5m in width along the Woodland Street frontage is conveyed to the City.

By-law read a first, second and third time this 26th day of September, 2022.

Diane Therrien, Mayor

John Kennedy, City Clerk

Exhibit C – Draft Zoning Amendment - Page 2 of 2

