



City of
Peterborough

To: Members of the General Committee

From: Jasbir Raina, Commissioner of Infrastructure and Planning Services

Meeting Date: June 5, 2023

Subject: Official Plan and Zoning By-law Amendment for 550 Braidwood Avenue, Report IPSPL23-017

Purpose

A report to evaluate the planning merits of amending the Official Plan and Zoning By-law for 550 Braidwood Avenue to permit a 77-unit residential development on the vacant portion of the property.

Recommendations

That Council approve the recommendations outlined in Report IPSPL23-017, dated June 5, 2023, of the Commissioner of Infrastructure and Planning Services as follows:

- a) That Schedule 'A' – Urban Structure to the Official Plan, as it relates to the property at 550 Braidwood Avenue, be amended to Neighbourhoods from Employment Districts in accordance with the draft amendment attached as Exhibit D to Report IPSPL23-017;
- b) That Schedule 'B' – Land Use Plan to the Official Plan, as it relates to the property at 550 Braidwood Avenue, be amended to Residential from General Employment in accordance with the draft amendment attached as Exhibit D to Report IPSPL23-017;
- c) That Section 3.9, Exceptions of Zoning By-law 1997-123 be amended to add Exception .358 and which identifies site-specific regulations to the portion of the property to change to a Residential zoning district in accordance with the draft amendment attached as Exhibit E to Report IPSPL23-017;

- d) That Section 3.9, Exceptions of Zoning By-law 1997-123 be amended to add Exception .359 and which identifies site-specific regulations to the portion of the property to remain in an Industrial zoning district in accordance with the draft amendment attached as Exhibit E to Report IPSP23-017; and
- e) That the subject property be rezoned from M3.1 – Industrial District to R.5 – 358 – Residential District and M3.1 – 359 – Industrial District, in accordance with the draft amendment attached as Exhibit ‘E’ to Report IPSP23-017.

Budget and Financial Implications

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

Using the 2023 rate for development charges, the proposed development would generate \$1,856,807 in City Development Charges and \$97,020 in Education Development Charges. In accordance with Section 26.2(1) of the **Development Charges Act**, the amount of development charges for this development will be determined on the day an application for site plan approval is submitted.

If the proposed development is rental, discounts will apply to each unit in accordance with Section 26.2(1.1) of the Act. Since development charge discounts on rental housing are required by legislation, the City is not required to top up the Development Charge reserve to compensate for any reduction.

Background

The subject property is located at the northeast corner of the intersection of Monaghan Road and Braidwood Avenue. The property currently supports a one-storey building containing a range of uses including warehousing, commercial, dry industrial and associated offices. Current tenants include, but is not limited to, the Habitat for Humanity ReStore, GPL Storage, GPL Logistics and Compass Early Learning Centre. The portion of the property subject to the proposed residential development is landscaped open space (soccer field) and has never been developed.

The application proposes to develop the vacant portion of the subject property for a four-storey multi-unit residential development consisting of 71 apartment dwelling units in a building fronting Monaghan Road and six townhouse dwellings with frontage on Braidwood Avenue. Appropriate surface parking, loading areas and landscaped open space is proposed for the site.

The proposal was subject to a Pre-Consultation meeting on April 15, 2021 and the Zoning By-law Amendment application was deemed complete on May 9, 2022.

The application was supported by the following documents:

- Planning Justification Report prepared by EcoVue Consulting Services Inc., dated May 5, 2022;
- Parking Justification Study prepared by Nextrans Consulting Engineers, dated April 19, 2022;
- Conceptual Site Plan, Building Floor Plans and Elevations prepared by Aside Architects, dated March 5, 2021;
- Development Context Plan prepared by Aside Architects, dated April 27, 2021;
- Phase One Environmental Site Assessment prepared by Cambium Inc., dated December 2, 2021;
- Phase Two Environmental Site Assessment prepared by Cambium Inc., dated December 2, 2021;
- Functional Servicing Report prepared by D.M. Wills Associates Limited, dated December 2021;
- Geotechnical Investigation Report prepared by Cambium Inc., dated September 30, 2021.
- Hydrogeological Assessment prepared by Cambium Inc., dated December 2, 2021;
- Land Use Compatibility Assessment prepared by Cambium Inc., dated October 12, 2021;
- Noise Impact Study prepared by Cambium Inc., dated October 12, 2021; and,
- Traffic Impact Study prepared by D.M. Wills Associates Limited, dated September 2021.

Comments from agencies and departments from the first circulation were sent to the applicant on July 25, 2022. A revised Functional Servicing Report, Civil Drawing Set and Concept Site Plan were received on December 8, 2022.

Second submission comments were provided to the applicant on February 23, 2023 and a third and final submission was received on April 11, 2023.

A Neighbourhood Open House was held virtually on February 15, 2023. In addition to the applicant's development team, city staff and a Ward Councillor, four members of the public were in attendance to observe the presentation and ask questions of the consulting team. A summary of the meeting was provided by the applicant as part of their third submission. Comments raised by the public included:

- If the traffic generated by the development would warrant any required improvements at the intersection of Monaghan Road and Braidwood Avenue;

- Concern regarding the height of the building as it relates to backyard privacy; and,
- Concern regarding construction noise and the potential length of the construction timeframe.

The latest concept site plan and elevations are attached as Exhibits B and C to Report IPSPL23-017.

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, livable and safe communities are sustained by, among others, accommodating an appropriate affordable and market-based range and mix of residential unit types, employment, institutional, recreation, parks 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 states “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 1.2.6 of the of the PPS relates to land use compatibility between sensitive land uses and major facilities (including industrial uses) and that these uses shall be developed to minimize and mitigate any potential adverse impacts. A Land Use Compatibility Study and Noise Study were prepared in support of the applications, which examined potential impacts related to noise, air quality and odour on the proposed residential use from the existing industrial use of the property and other uses in proximity to the property that may have an impact. The process for evaluating potential impacts is established through guidelines prepared by the Ministry of Environment, Conservation and Parks. It was concluded that the proposed residential development will be compatible with the function of the existing industrial building on the property. However, mitigative measures will need to be taken in the construction of the proposed residential building to mitigate noise generated from traffic on Monaghan Road.

Section 1.3.2.5 of the PPS states that “... lands within existing employment areas may be converted to a designation that permits non-employment uses provided that area has

not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation ... subject to the following:

- a) There is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) The proposed uses would not adversely affect the overall viability of the employment area; and
- c) Existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.”

The proposed introduction of a medium-density infill residential development will help address the well-established need for more housing options in the community. It is unlikely that the vacant portion of the property could be used for long-term employment uses, as it is an isolated parcel with an employment designation (the only property on the east side of Monaghan Road) and has been surrounded by residential land uses over time. As previously mentioned, the submitted Land Use Compatibility Study and Noise Study concluded that there were no compatibility concerns between the proposed residential development and the existing industrial facility. Lastly, the subject property is well served by existing infrastructure and public service facilities.

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 subject property is located within the City’s settlement area boundary and is serviced with full municipal services and represents an efficient use of an underdeveloped parcel of land that can be utilized without the need for expansion or extension of infrastructure consistent with the directives of the PPS. The property is located outside of areas of flooding and natural hazard.

It is the opinion of staff that the proposed Official Plan and Zoning By-law Amendment is consistent with the policy direction of the PPS.

d) **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 Delineated Built-Up Area as defined in the Growth Plan.

Lands within the Delineated Built-Up Area are expected to accommodate a minimum of 50% of all residential development in the City. 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 the needs of residents throughout a full life cycle.

Lands within existing employment areas may be converted to a non-employment designation outside of a municipal comprehensive review provided that:

- There is a need for the conversion;
- The proposed use would not adversely affect the overall viability of the employment area or the achievement of minimum intensification and density targets;
- There are existing or planned infrastructure and public service facilities that can accommodate the proposed use;
- A significant number of jobs on the lands is maintained, and
- The lands do not include employment areas identified as a provincially significant employment zone.

It is the opinion of staff that the proposed Official Plan and Zoning By-law Amendment meets these criteria and therefore conforms with the policy direction of the Growth Plan.

e) **Official Plan**

The City of Peterborough Official Plan (2021) received approval from the Minister of Municipal Affairs and Housing on April 11, 2023. Section 7.22 of the Official Plan outlines transition policies for applications that were in process prior to Provincial approval of the Official Plan. Applications that were deemed complete prior to the approval of the Plan may continue towards final approval under the policy framework in place at the time a Notice of Complete Application was issued. In the case of this application, the Notice of Complete Application was issued on March 9, 2023. The policies of the former Official Plan will apply to the processing of this application.

The subject property is designated 'Industrial' and 'Residential' on Schedule 'A' – Land Use of the former Official Plan. The Industrial designation applies to the western portion of the property and the Residential designation applies to the eastern portion of the property. Additionally, the subject property is designated Service Industrial on Schedule 'O' – Industrial Land Use to the Official Plan.

The Service Industrial designation permits a range of light and general industrial uses, as well as business service uses and other uses complementary to industrial uses (e.g. day care facilities and places of assembly).

Section 4.4.9 of the former Official Plan outlines evaluation criteria for the conversion of industrial designated lands to a non-industrial designation:

- a) That the City be satisfied that it is not feasible to continue to utilize the existing buildings for an industrial use because of factors such as design and/or deterioration of the buildings, or to demolish the buildings and replace them with a new industrial buildings(s);

The proposed residential development will be located on lands that are currently undeveloped. This application will not result in the removal of any industrial buildings.

- b) That the proposed new use is compatible with surrounding uses, particularly residential, in terms of form and scale, or is deemed to be more compatible than the existing industrial use;

As previously noted, the applicant completed a Land Use Compatibility Study that concluded that the proposed residential development will be compatible with the existing function of the industrial facility. Since the subject property is the lone industrially designated property on the east side of Monaghan Road and is otherwise surrounded by residential development. A residential designation would be more compatible with the surroundings than the existing industrial use.

- c) That the proposal will not have any significant impact with regards to traffic; and

The applicant completed a Traffic Impact Study in support of the proposed development. The study concluded that the traffic generated by the proposal can be accommodated by the existing road network and no road upgrades would be required as a result of this proposal.

- d) That where the proposal is for commercial development on Lansdowne Street West, the City is satisfied after an examination of the structure of the existing commercial area, including the amount of land zoned commercial, that there is a need for additional commercial development which is currently under-represented in the market.

No commercial development is proposed as part of this application.

It is the opinion of staff that the proposed Official Plan amendment satisfies the criteria established in Section 4.4.9 of the former Official Plan to change the land use designation from Industrial to Residential.

Section 4.2.2.1.3 of the former Official Plan provides infill policies for the creation of housing on vacant land in existing residential areas. Infill housing can be in forms ranging from single-detached dwellings to low-rise apartment buildings. Infill housing may be allowed up to a maximum scale permitted under the Medium Density designation (maximum 75 dwelling units per hectare), be sensitive to the existing residential streetscape and provide adequate off-street parking and landscaped open space. The proposed development results in a density of approximately 68 units per

hectare. The proposal contemplates the apartment building to face Monaghan Road, with a townhouse component on the Braidwood Avenue frontage that would act as a transition between the apartment to the single-detached built form on the south side of Braidwood Avenue. Adequate on-site parking and landscaped open space is being provided.

The transition policies established in Section 7.22 of the Official Plan allow for the application to be evaluated under the policies in place at the time a Notice of Complete Application was issued. Although the proposal has been reviewed under and is supported by the policy context of the former Official Plan, amendments will be required to Schedules A and B to the new Official Plan to facilitate the proposed development as the former Official Plan was repealed upon approval by the Minister.

f) **Zoning By-law**

The subject property is currently zoned M3.1 – Industrial District which permits a range of service industrial land uses (e.g. warehouse, self-storage, business service, etc.). An amendment to the Zoning By-law is required to permit the proposed multi-unit residential on the western portion of the property. The applicant is proposing to change zoning to the R.5 – Residential District to permit the four-storey multi-unit residential building with frontage on Monaghan Road and Braidwood Avenue. Exceptions to the R.5 zoning district are proposed to reduce the minimum building setback from a side lot line (6 metres or 3 metres per storey, whichever is greater required is standard), maximum lot coverage by open parking, driveways and vehicle movement areas (25% is standard), and the minimum parking requirement (1.75 spaces per unit is standard) will also be required to facilitate the construction of the residential building. Staff are also including a regulation requiring a minimum width for a landscaped open space area along the north side lot line to provide additional buffering opportunities between the proposed building and the rear of the existing residential area along Edison Avenue that back on to the subject property. The R.5 zoning district does not have a regulation for landscaped open space requirements. This landscaped area is shown on the plan submitted by the applicant. Exception 358 is proposed as follows:

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

- a) Minimum building setback from the east side lot line: 9 metres
- b) Maximum lot coverage by open parking, driveways and vehicle movement areas: 45%
- c) Minimum motor vehicle parking spaces: 1.5 spaces per unit
- d) Minimum width of landscaped open space along the north side lot line: 3 metres”

The current M3.1 – Industrial District, as it relates to the existing service industrial use of the site will require an exception to address new deficiencies created as a result of establishing a residential zoning district on the west side of the subject property. It is not anticipated that there will be any changes to the existing operations of the industrial facility. Exception 359 is proposed as follows:

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

- a) Maximum building coverage: 52%
- b) Minimum building setback from a side lot line or rear lot line abutting a residential district (west side lot line): 5.0 metres
- c) Minimum landscaped open space width abutting a residential district (west side lot line): 0 metres”

Response to Notice

a) Agency Responses

Agency circulation was issued on May 13, 2022.

The following concerns or comments from agencies or departments with respect to the proposed Official Plan and Zoning By-law Amendment for the subject property will be addressed through the Site Plan Approval process:

The City’s Transportation Division identified that the existing access onto Monaghan Road shall only be used as a truck entrance for the industrial development. An effective control mechanism will need to be implemented to prevent unauthorized access to the site. Speed cushions shall be located on the laneway on the east side of the residential development to discourage speeding through the site.

Both the Otonabee Region Conservation Authority and the Asset Management and Capital Planning Division will require a detailed Stormwater Management Report to confirm the capacity of the Braidwood Avenue storm sewer to receive and convey proposed peak discharge flows in a storm event. Some revisions to the Conceptual Site Servicing and Grading Plan will be required to

b) Summary of Public Responses

Notice of Public Meeting was issued by mail to property owners within 120 metres of the subject property and published in the Peterborough Examiner on May 8, 2023.

Since the hosting of the Neighbourhood Open House, no further comments have been received from the public as of the writing of this report.

Submitted by,

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

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Exhibits:

Exhibit A: Land Use Map
Exhibit B: Concept Plan
Exhibit C: Elevations
Exhibit D: Draft Official Plan Amendment
Exhibit E: Draft Zoning By-law Amendment

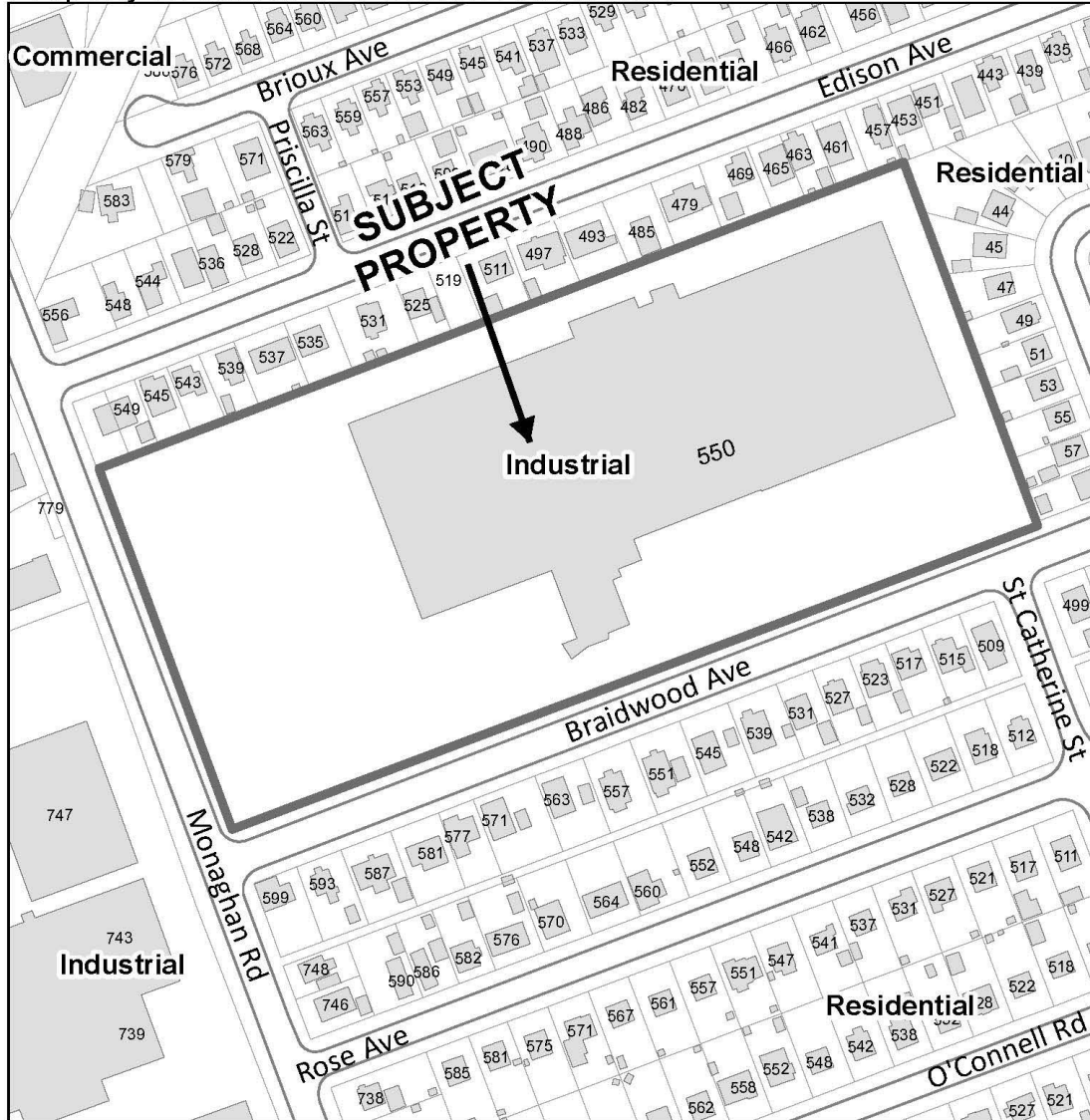
Exhibit A – Land Use Map

Land Use Map

File: Z2202 and O2201

Property Location: 550 Braidwood Avenue

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.

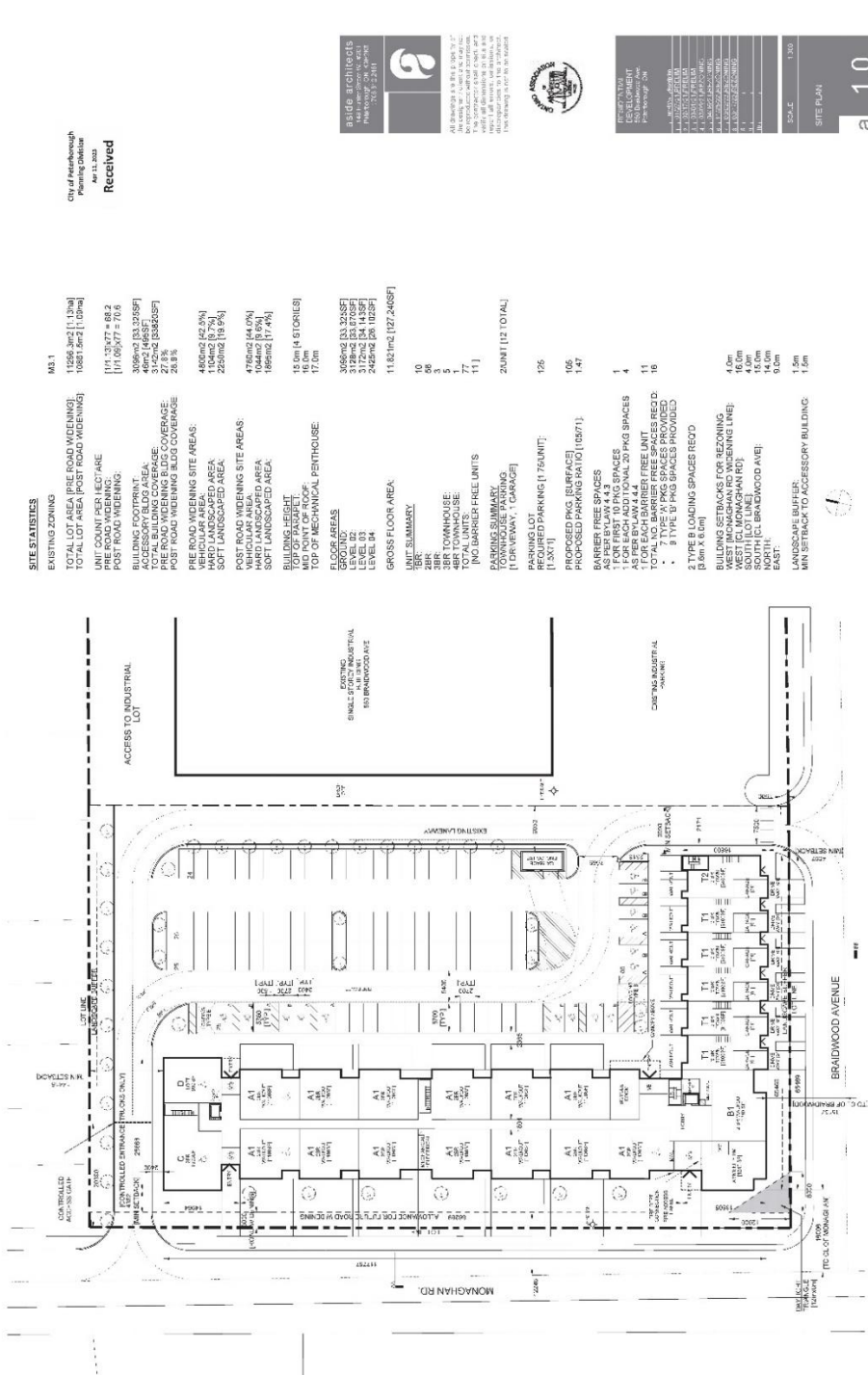


Date: May 11, 2022

Map by: bgautam

0 5 10 20 30 40 50
Metres

Exhibit B – Concept Plan



SITE STATISTICS

EXISTING ZONING
 MS-1

TOTAL LOT AREA (PRE-ROAD WIDENING): 11266.3m² (1.13ha)
TOTAL LOT AREA (POST-ROAD WIDENING): 10851.5m² (1.09ha)

UNIT COUNT PER LOT/AREA
 PRE-ROAD WIDENING: 111 units / 70.6
 POST-ROAD WIDENING: 111 units / 70.6

BUILDING FOOTPRINT
 3066m² (33.23SF)
 48m² (485SF)
 27.8% (53825SF)
 28.8%

ACCESSORY BLDG AREA
 104m² (1121.7m²)
 0.92% (1121.7m²)

PRE-ROAD WIDENING BLDG COVERAGE
 27.8% (53825SF)
 28.8%

PRE-ROAD WIDENING SITE AREAS:
 1104m² (11.9%)
 1104m² (11.9%)
 1104m² (11.9%)

POST-ROAD WIDENING SITE AREAS:
 1104m² (11.9%)
 1104m² (11.9%)
 1104m² (11.9%)

SOFT LANDSCAPED AREA:
 186m² (2.0%)
 186m² (2.0%)

BUILDING HEIGHT
 TOP OF MECHANICAL PENTHOUSE: 15.0m (49'10")
 TOP OF ROOF: 17.0m

FLOOR AREAS
 3066m² (33.23SF)
 48m² (485SF)
 312m² (3363SF)
 2425m² (26.12SF)

GROSS FLOOR AREA: 11,821m² (127,246SF)

UNIT SUMMARY
 10
 30
 3
 1
 1
 11

LANDSCAPE SUMMARY
 20 UNIT (112 TOTAL)
 126
 106
 147

PARKING LOT
 126
 106
 147

PROPOSED PKG. (REFERENCE)
 106
 147

PROPOSED PKG. RATIO (0.5/71)
 106
 147

BARBER FREE SPACES
 AS PER BY-LAW 4.3
 1 FOR EACH ADDITIONAL PKG SPACE
 AS PER BY-LAW 4.3
 1 FOR EACH ADDITIONAL PKG SPACE

TOTAL AC. BARRIER FREE SPACES REQ'D: 11
TOTAL PKG. BARRIER FREE SPACES PROVIDED: 10

TYPE B LOADING SPACES REQ'D
 8 (8m x 6.0m)

BUILDING SETBACKS FOR REZONING
 WEST (MONAGHAN RD WIDENING LINE): 4.0m
 SOUTH (LOT LINE): 4.0m
 NORTH (CL BRADWOOD AVE): 15.0m
 EAST: 9.0m

LANDSCAPE BUFFER: 1.5m
MIN SETBACK TO ACCESSORY BUILDING: 1.5m



PROJECT INFORMATION
 550 Braidwood Ave
 Mississauga, ON
 Project No. 23-017

DATE: 11/15/23
SCALE: 1:500
SHEET NO.: 1/1

SCALE: 1:500
SITE PLAN:
 1.0

City of Northborough
 Planning Division
 Per 23-017
Received

Exhibit C – Elevations



View looking northeast from the intersection of Monaghan Road and Braidwood Avenue.



View looking west along Braidwood Avenue.

Exhibit D – Draft Official Plan Amendment



The Corporation of the City of Peterborough

By-Law Number 23-[Clerk's Office will assign the number]

Being a By-law to adopt Amendment Number 1 to the Official Plan of the City of Peterborough for the lands known as 550 Braidwood Avenue

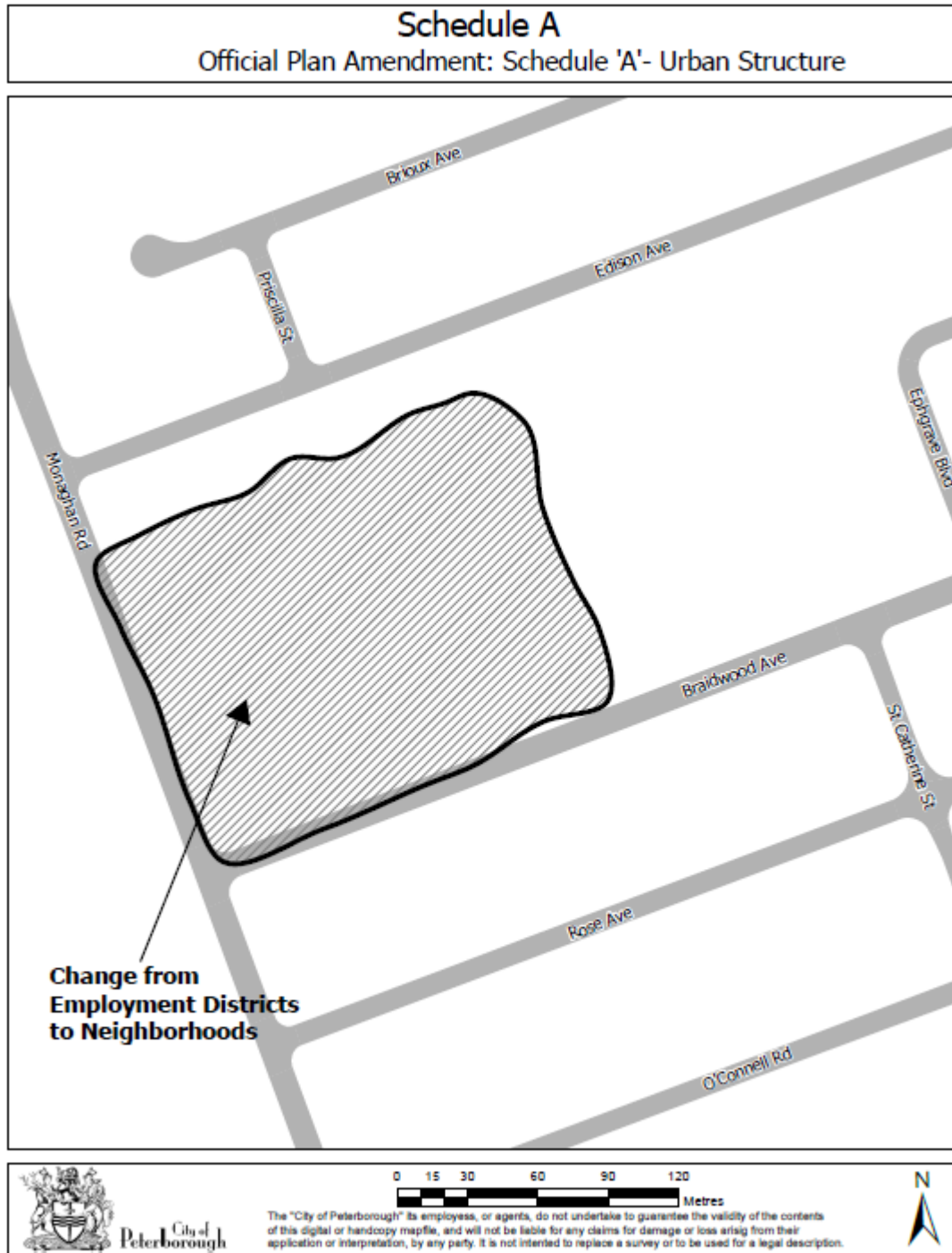
The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. **Schedule 'A' – Urban Structure** of the Official Plan be amended to 'Neighbourhoods' in accordance with Schedule 'A' attached hereto.
2. **Schedule 'B' – Land Use Plan** of the Official Plan be amended to 'Residential' in accordance with Schedule 'B' attached hereto.

By-law passed this 26th day of June, 2023.

Jeff Leal, Mayor

John Kennedy, City Clerk



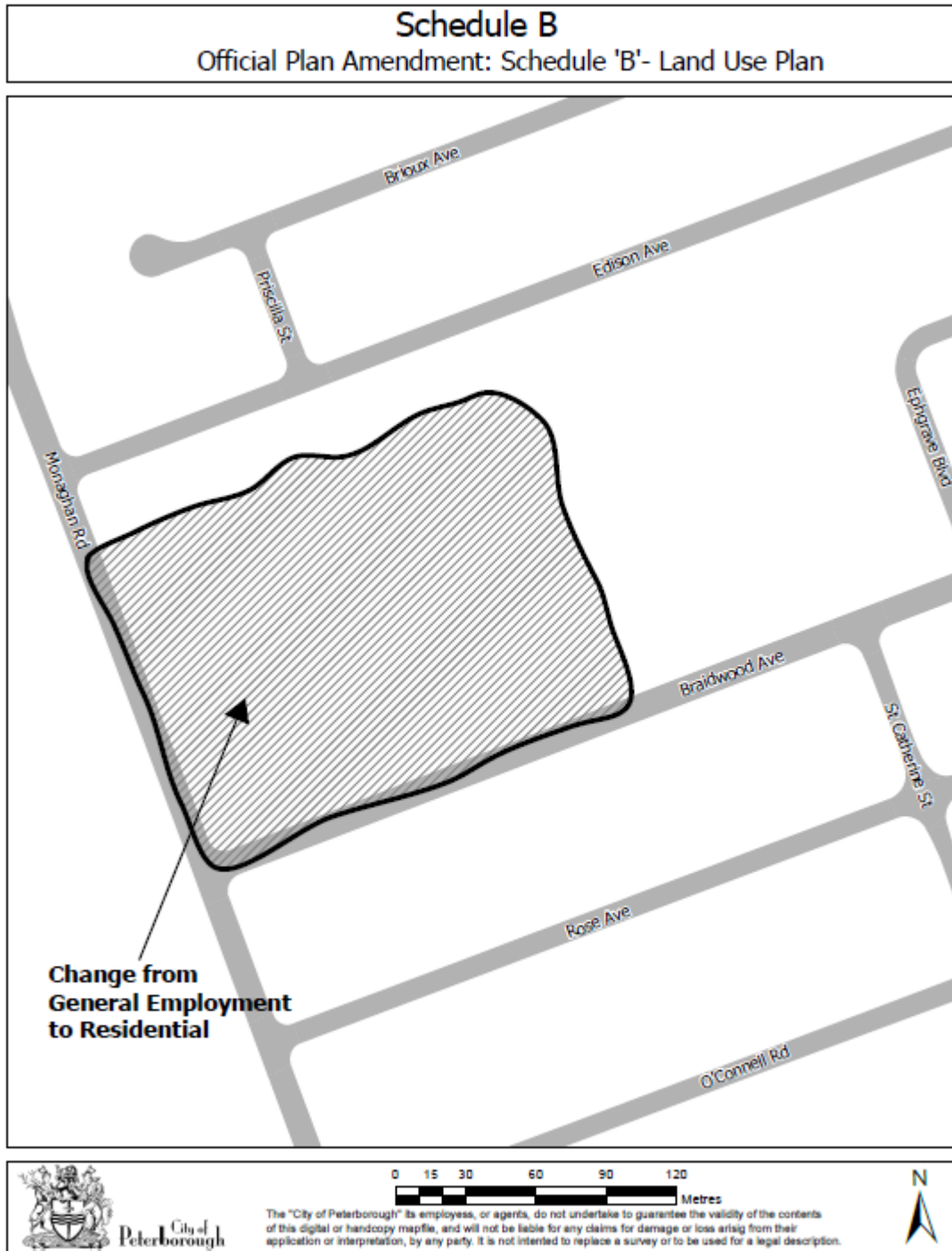


Exhibit E – Draft Zoning By-law Amendment



The Corporation of the City of Peterborough

By-Law Number 23-[Clerk's Office will assign the number]

Being a By-law to amend the Zoning By-law for the lands known as 550 Braidwood Avenue

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:

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

- a) Minimum building setback from the east side lot line: 9 metres
- b) Maximum lot coverage by open parking, driveways and vehicle movement areas: 45%
- c) Minimum motor vehicle parking spaces: 1.5 spaces per unit
- d) Minimum width of landscaped open space along the north side lot line: 3 metres”

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

- a) Maximum building coverage: 52%
- b) Minimum building setback from a side lot line or rear lot line abutting a residential district (west side lot line): 5.0 metres

- c) Minimum landscaped open space width abutting a residential district (west side lot line): 0 metres”
- 2. Map 22b 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 M3.1 to R.5 – 358 and M3.1 – 359.**

By-law passed this 26th day of June, 2023.

Jeff Leal, Mayor

John Kennedy, City Clerk

