



City of
Peterborough

To: Members of the General Committee

From: Blair Nelson, Commissioner, Infrastructure, Planning and Growth Management

Meeting Date: August 26, 2024

Report: Temporary Use Zoning By-law Amendment for 385 Lansdowne Street East, Report IPGPL24-026

Subject

A report to evaluate the planning merits of an application for a Temporary Use By-law pursuant to Section 39 of the **Planning Act** to define and permit a sleeping cabin community, containing up to twenty-four one-room sleeping cabins, on the subject property for a period of up to three years.

Recommendations

That Council approve the recommendations outlined in Report IPGPL24-026, dated August 26, 2024, of the Commissioner of Infrastructure, Planning and Growth Management as follows:

- a) That a Temporary Use By-law be passed permitting up to twenty-four one-room sleeping cabins in a sleeping cabin community, containing wrap around services, on the property known as 385 Lansdowne Street East in accordance with the Draft Temporary Use By-law attached as Appendix D of Report IPGPL24-026; and
- b) That the foregoing be approved in accordance with Section 39(2) of the **Planning Act**, R.S.O., 1990, c.P.13 and shall be in effect for a temporary period of up to three years following the passing of the By-law attached hereto as Appendix D of Report IPGPL24-026.

Executive Summary

- Habitat for Humanity Peterborough and Kawartha Region (HHPKR) owns the subject lands and has entered into a Lease Agreement with Peterborough Action for Tiny Homes (PATH). On behalf of PATH, Ecovue Consulting has submitted this application for a Temporary Use By-law on lands municipally known as 385 Lansdowne Street East (Appendix A).
- The proposed by-law would permit the use of the subject lands as a sleeping cabin community for up to twenty-four (24) sleeping cabins for a period of up to three years.
- From a land use planning perspective, Planning Staff can support the applicant's request for a Temporary Use By-law, however, acknowledge the complexities of introducing such a site into the community.
- If the Temporary Use By-law is approved, the development will be subject to Site Plan Control.

Background

The subject property known as 385 Lansdowne Street East is on the south side of Lansdowne Street East at the southwest corner of the intersection of Lansdowne Street East and Consumers Place (Appendix A). The property is directly adjacent to Peterborough Pet Hospital to the West, Living Hope Church to the East, Willowcreek Plaza to the North and Toromont Industries to the south. The property is zoned C.7 – Commercial District and is designated 'Major Mixed-Use Corridor' on Schedule B 'Land Use' of the City's Official Plan.

Peterborough Action for Tiny Homes (PATH) is a non-profit organization based in the City of Peterborough whose mission is to "provide homes to individuals experiencing chronic homelessness". PATH advocates for transitional housing availability and affordability – including the use of non-traditional housing forms to provide as much housing as possible. PATH has for many years sought out different locations within the City for a tiny home community to help alleviate chronic homelessness.

The subject property was previously the home of The Peterborough Humane Society and it is presently under a lease arrangement between the owner – Habitat for Humanity Peterborough and Kawartha Region (HHPKR) with PATH. It is the intention of the owner to engage with the City in consideration of a permanent housing proposal for the site, but they are several years away from bringing a proposal forward. In the interim PATH is seeking the proposed temporary use through this application.

A copy of the preliminary site layout plan is included as Appendix B while a floor plan of a typical cabin is included as Appendix C.

The proposal was subject to a pre-consultation meeting on March 16, 2023 where PATH, their consultant and departmental and agency reviewers were present to provide details pertaining to the minimum technical details and requirements for a submission for a Temporary Use By-law. A Record of Pre-consultation was issued by the City on April 6, 2023.

The applicant submitted an application for Technical Adequacy Review (TAR) on January 5, 2024 and it was circulated to departmental and agency reviewers on January 16, 2024. A consolidated comment letter in response to this first submission was issued to the applicant on March 6, 2024. A second TAR submission was received June 7, 2024 and was circulated to departmental and agency reviewers on June 10th. Some changes that were included and or addressed as part of the second submission included the following:

- Capping the total number of sleeping cabins on site to 24;
- Introducing a separation distance of 2.4 metres between each sleeping cabin; and
- Having their consultant technical team address questions raised at the Applicant-led open house.

A coordinated comment letter was issued to the applicant in response to the second submission on July 3, 2024. A final submission – a letter from the Applicant concurring with slight changes to the proposed temporary use by-law was received July 5, 2024, and a Record of Technical Adequacy Review for the purposes of a Temporary Use By-law was issued by the City on July 9, 2024. The application for a Temporary Use By-law was received and deemed complete on July 17, 2024.

The Application was supported by the following documents:

- Cover Letter, Prepared by Ecovue Consulting Services Inc., Dated: January 5, 2024;
- Planning Memo – Temporary Use By-law, Prepared by Ecovue Consulting Services Inc. Dated: January 5, 2024 ;
- Detailed Response Letter 01. Prepared by Ecovue Consulting Services Dated: June 5, 2024;
- Detailed Response Letter 02. Prepared by Ecovue Consulting Services Dated: July 4, 2024;
- Land Use Compatibility Study (including noise study) – 385 Lansdowne Street East Peterborough, prepared by Cambium. Dated: December 18, 2023;

- Functional Servicing Review, prepared by Engage Engineering Ltd. Dated: August 2023;
- Stormwater Management Brief, Prepared by Engage Engineering Ltd. Last Revised: May 2024;
- Stage 1 Archaeological Assessment, Prepared by WSP. dated September 6, 2023;
- Stage 2 Archaeological Assessment, Prepared by Earthworks Archaeological Services Inc. Dated October 10, 2023;
- Conceptual Site Plan, prepared by Ecovue Consulting Services Inc. Last Revised June 6, 2024;
- Main Building Floor Plan, prepared by Keith Dalton. Dated December 28, 2023;
- Typical Cabin Layout Plan is provided in Addendix to the Planning Justification Report;
- Public Open House Summary, prepared by Ecovue Consulting Services Inc., dated February 28, 2024;
- Tree Inventory, prepared by Keith Dalton and reviewed by Peter Doyle ISA Certified Arborist, submitted as revised on June 7 2024; and
- Email correspondence with Alderville First Nation.

Section 39 of the **Planning Act** enables the City to pass Temporary Use By-laws to permit the temporary use of land, buildings or structures for any purpose that is otherwise prohibited by the Zoning by-law.

A temporary use by-law defines the area to which it applies and specifies the period for which the by-law is in effect, up to a maximum of three years from the day of the passing of the by-law. A temporary use by-law can be extended by Council, subject to following the Planning Act processes including holding of another public meeting. The Planning Act does not limit the number of times Council can extend a Temporary Use By-law, as long as the By-law is passed in increments of 3 years or less.

It is based on the authority granted under Section 39 of the Planning Act that the applicant has sought the proposed temporary use – by requesting that Council pass a by-law to permit the proposed temporary use on the subject lands, for a period of up to three years.

Analysis

City of Peterborough Housing Pledge

On November 27, 2023, Council pledged to support the construction of 4,700 new dwellings by 2031 as requested by the Minister on June 16, 2023. Provincially, municipal housing pledges are a key tool for ensuring the construction of 1.5 million new homes by 2031 to address an ongoing housing supply and affordability crisis. The twenty-four (24) sleeping cabins proposed as part of this temporary use by-law request do not add to the housing pledge numbers. The proposal is a not-for-profit agency's attempt to provide a form of housing for those with limited ability to access the traditional housing market – with the intent of transitioning into a more permanent housing solution. The proposal is intended to provide immediate support to this lowest end of the housing continuum while continuing to leverage significant investments in new infrastructure and permanent housing solutions.

Provincial Policy Statement (PPS)

Decisions under the Planning Act 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.

The subject lands are located within the built boundary of the City of Peterborough, an established settlement area identified for “strategic growth”. As such, the proposed temporary use would be subject to the following PPS policies:

- Section 1.1.3 which states that settlement areas are to be “the focus and growth of development” and shall “(a) efficiently use land and resources; (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; [...] (e) support active transportation; [and] (f) are transit-supportive, where transit is planned, exists or may be developed.”
- Section 1.1.3.6 which states that “[n]ew development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities”.
- Section 1.2.6.1 which states that “Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.”

- Section 1.2.6.2 which states that “Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures, a) there is an identified need for the proposed use; b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; c) adverse effects to the proposed sensitive land use are minimized and mitigated; and d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.”
- Section 1.4 which encourages intensification, redevelopment, and the creation of affordable to low- and moderate-income housing where servicing is available, focusing on housing diversification and mixed densities. Section 1.4.3 specifically requires planning authorities to meet affordable housing needs though housing that meets low-income households and aligns with the applicable housing and homelessness plans.
- Section 1.6.6 which emphasizes municipal servicing as a preferred servicing method and requires stormwater management that prevents impacts to natural features and neighbours.
- Section 2.6.2 which requires no impacts to cultural heritage or archaeological resources.

The proposed development represents a temporary redevelopment within a strategic growth area in the built boundary of the City. The proposal has sufficient servicing from existing road, sidewalk, commercial, and public transit infrastructure. The application demonstrates the proposed temporary use can be supported by the existing municipal water and sewage infrastructure and an infiltration trench for stormwater. The application also demonstrates that the proposal will not impact archaeological resources.

With respect to Land Use Compatibility and Noise, Cambium Inc. on behalf of PATH has characterized the proposal as a noise sensitive use in proximity to Major Facilities as defined in the PPS. The Province has issued “D-Series Guidelines” that assist in assessing land use compatibility where a noise sensitive land use is proposed within the area of influence of an existing facility and where a facility is proposed in the vicinity of an existing sensitive land use. Using the guidelines, the proponent interpreted the proposed temporary use of the site as a “Noise Sensitive Institutional Purpose” which is defined in the D-series guidelines as follows:

"Noise sensitive institutional purpose building"

means a building used for an institutional purpose, including an educational facility, a day nursery, a hospital, a health care facility, a shelter for emergency housing, a community centre, a place of worship and a detention centre. A place of worship located in commercially or industrially zoned lands is not considered a noise sensitive institutional purpose building.

A Noise sensitive institutional purpose building has a different route to compliance than a dwelling per the Provincial Guidelines. Specifically for an institutional purpose, sealed windows may be used to mitigate noise. Also, outdoor living areas are not considered a point of reception for institutional purposes. Cambium's recommendations are based upon the proposal aligning with the definition above and provided recommendations on this basis to be incorporated into the Site Plan Agreement.

The Land Use Compatibility Study and responses from the Consultant (Cambium) sufficiently demonstrates that the proposal can be developed in accordance with provincial guidelines to ensure no impacts to existing industrial operations and to prevent adverse effects on the sensitive use, subject to the implementation of simple mitigative measures at the Site Plan Approval stage.

The PPS provides ample direction with respect to providing all forms of housing along the housing continuum and balances this with the needs to protect for existing industry. The Peterborough 10-Year Housing and Homelessness Plan Progress Report (2021) contains various goals for the City to consider and work towards. First established in 2014 and reviewed in 2019, the goals contained within the 10-year Plan are centred around creating housing, connecting homeless and low-income individuals to existing housing, and supporting those individuals once housing is obtained. Throughout this Plan, the emphasis is placed on creating housing and prioritizing those in need to receive it first.

The City of Peterborough's 10-year housing and homelessness plan progress report (2022) indicates that each month on average, 306 people are experiencing homelessness in the City of Peterborough, the City hovers around a 1.1 % vacancy rate and bachelor apartments average \$873 a month. These factors, among escalating social challenges such as the loss of Single Room Occupancy units, shifting job market, escalating property values, opioid crisis, pressures on publicly available mental health options have compounded the impacts for those at the edge of the housing continuum.

The proposed temporary use is in alignment with the goals and visions of the City of Peterborough 10-Year Housing and Homelessness Plan and therefore is consistent with Section 1.4.3 of the PPS. The evidence presented within the reporting from the Housing and Homelessness Plan document the need. PATH has investigated numerous locations within the City for their proposal over several years. Their search landed on the subject lands. The Land Use Compatibility Study have investigated the proposed use of the property in consideration of the Provincial Guidelines and have determined

that potential adverse impacts to the sensitive institutional purpose and the existing industrial use can be mitigated. Staff are satisfied that the proposal is consistent with Section 1.2.6 of the PPS.

The subject properties are located within the City's settlement area boundary and is serviced with full municipal services. In accordance with the PPS, the development represents an efficient interim use of the property without the need for expansion or extension of existing infrastructure.

In staff's opinion, the proposed Temporary Use By-law is consistent with the policy direction of the PPS.

Growth Plan for the Greater Golden Horseshoe, 2019 and including Amendment 1, 2020 (Growth Plan)

Any decision on Planning Act applications 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 properties are located within the Delineated Built-Up Area as defined in the Growth Plan.

The policies of the Growth Plan encourage cities and towns to develop as complete communities which:

- feature a diverse mix of land uses, including residential and employment 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;
- provide for a more compact built form; and
- integrate green infrastructure and low impact development.

Lands within the Delineated Built-Up Area are expected to accommodate a minimum of 50% of all residential development in the City annually. 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.

Section 2.2.6 of the Growth Plan directs the City to align land use planning with applicable housing and homeless plans required under the **Housing Services Act**,

2011 and address housing needs in accordance with provincial policy statements such as the Policy Statement “Service Manager Housing and Homelessness Plans”.

The City of Peterborough’s 10-year Housing and Homelessness Plan has a goal of preventing and ending homelessness, with a target of “by 2025 Peterborough will achieve functional zero for Chronic Homelessness” with the following vision:

“We will eliminate long-term homelessness and ensure quality housing that all residents can afford by engaging those in need, enhancing community and partner involvement and leveraging resources from the community, private sector and government.”

This application is for a temporary land use change to facilitate the creation of 24 sleeping cabins with wrap around support services to provide an option for those who are in the most financial and social need with shelter while providing access to necessary supports to give residents strategies, tools and abilities to transition into more permanent housing. The proposal will utilize existing infrastructure and will not require an expansion to services. This is a ‘test run’ to assist in alleviating the burden on streets, neighbourhoods and public spaces for up to three years, in which more supportive and transitional housing units may come online.

The proposed application will temporarily create a non-market housing option that will help divert people from emergency shelters, while providing support for stable and successful housing transitions. It is the intention of PATH to work with community partners to successfully implement their work.

As noted previously in the PPS section of this report, the 10-year Housing and Homelessness Plan progress report indicates ongoing need for addressing homelessness in the community noting the escalating social challenges compounding the impacts for those at the edge of the housing continuum.

It is the opinion of staff that the proposed Temporary Use By-law conforms with the policy direction in the Growth Plan.

Official Plan

The subject property is designated ‘Strategic Growth Areas’ on Schedule A ‘Urban Structure’ and ‘Major Mixed Use Corridor’ on Schedule B ‘Land Use’ of the Official Plan. The Official Plan is an overarching land use policy document – in which all land use decisions are to conform to. It provides strategic direction regarding what, where and how development is to occur over the horizon of the plan.

Ultimately, the Official Plan would support intensive redevelopment of this property to achieve the long-term objectives for the City’s Strategic Growth Areas.

However, the Official Plan also enables the consideration of Temporary Use By-laws that can be passed subject to satisfying the criteria laid out in the Official Plan.

This policy direction regarding Temporary Use By-laws can be found in Section 7.4.4. Prior to the approval of a Temporary Use By-law the City shall be satisfied that the temporary use meets the following conditions:

- i. that it is compatible with surrounding land uses

The applicant prepared and submitted a Land Use Compatibility Study which concluded that due to the interpretation of the proposed use as being a “noise sensitive institutional purpose”, the proposal can meet the guidelines set out by the province by implementing simple measures on site through the site plan agreement (requiring sealed windows, specified air filtration system in each cabin and specify the location of intakes on each cabin). With respect to the compatibility of the proposed use within the context of the neighbourhood – the applicant has demonstrated compatibility in the material submitted to date, particularly in their response to questions raised in the neighbourhood meeting. The applicant denoted the effort and time that went into site selection by seeking a site that was at least 180 metres from the nearest residential use (and separated by a four lane arterial road) and is surrounded by other commercial and institutional uses. The operator will implement site fencing and screening, and all the cabins will be located behind the existing building, at a lower elevation from the traveling public line of site which significantly limits visual impact from Lansdowne Street and neighbouring properties. The proposal, as a temporary use, with Site Plan Control being implemented will be compatible with the surrounding area.

- ii. that adequate on-site parking can be provided

Transportation staff have reviewed the request in light of the parking that is provided on site (both the formally recognized 5 parking spaces as well as the additional longstanding spaces in the road allowance). Transportation staff have also noted the provision of a secure permanent indoor bike parking area along with direct access to the Transit System. Staff are satisfied that the parking needs for the proposed use can be accommodated on site.

- iii. that sufficient services such as water, sewage disposal and roads can be provided without the extension or expansion of existing municipal services

The subject property is connected to the municipal water and sewer system and the Functional Servicing Brief concluded that there are no upgrades required to the system needed for the temporary use. The existing site access points can continue to serve the property. Staff are satisfied that existing services can sufficiently support the proposed temporary use.

- iv. that an adverse impact on traffic will not be created

Transportation Staff has no concerns with the proposal. The subject property is located along Lansdowne Street East, which is a high-capacity arterial road and has sidewalks on both sides. It is not anticipated that the proposed use will have any different traffic impact from the previous use – being the location of the Peterborough Humane Society from a vehicle movement perspective. From a pedestrian perspective, there are signalized crossings to the east and west of the site (at Willowcreek Boulevard and Ashburnham Drive), along with existing sidewalk infrastructure. Staff are satisfied the proposal will not have an adverse impact on traffic.

- v. that the construction of a permanent building or structure is not required

The proposed temporary use will utilize the existing building which was previously used by the Peterborough Humane Society. The proposed sleeping cabins will be placed on concrete pads at the request of the City but will be placed in such a way that they can be moved upon the expiry of the temporary use by-law. No new permanent buildings or structures are required. Staff are satisfied that the proposal will not result in the construction of permanent structures.

- vi. that the use is in general conformity with the intent and policies of this plan.

The proposed temporary use of the site is a model of development that has emerged following sweeping changes to socioeconomic conditions which have abruptly impacted the most vulnerable members of our society resulting in levels of homelessness beyond what has been seen in the past.

The Official Plan defines “Special Needs Housing” as follows:

“Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.”

Section 4.2.2(m) of the Official Plan outlines policies for Special Needs Housing that states the City recognizes the need for special needs housing in the community and supports the integration of these housing types at appropriate locations, subject to the policies in the plan and that they be permitted in any land use designation which permits residential uses, subject to Zoning By-law regulations and special needs housing shall be on a site of a suitable size for the proposed development and provide adequate landscaping, amenity features, parking and buffering.

The Major Mixed Use Corridor policies outline a list of permitted use which includes communal or special needs housing, a diverse mix of uses including affordable and accessible housing to support existing and planned transit service levels and provide necessary social, community and municipal infrastructure.

Staff are of the opinion, that the Temporary Use By-law conforms with the criteria outlined in Section 7.4.4 of the Official Plan.

Temporary Use By-law

The applicant is requesting a Temporary Use By-law that would define and permit the requested uses, and establish appropriate regulations to permit the requested uses for a period of up to three years. As such, the draft Temporary Use By-law (Appendix D) is drafted as follows:

- defining “sleeping cabin” and “sleeping cabin community”;
- permitting up to twenty-four (24) sleeping cabins together within a sleeping cabin community (accessory service and office uses) and operating within the main building;
- establishing a minimum side yard setback of 4.3 metres;
- establishing a minimum rear yard setback of 3.6 metres;
- requiring a total of 5 parking spaces on site;
- requiring one barrier free parking space;
- requiring one ‘Type B’ loading space;
- requiring a 6 metre wide drive aisle;
- establishing a minimum separation distance between sleeping cabins of 2.4 metres;
- reducing the minimum building setback from the Consumers Place streetline to 4 metres for the placement of a sleeping cabin; and
- reference to Section 39(2) of the Planning Act denoting the expiry date of the temporary use by-law.

The site-specific regulations are proposed within the Temporary Use By-law attached as Appendix D to Report IPGPL24-026.

Staff have no objection to the requested regulations as it will permit the placement of the sleeping cabins on site – subject to further review as part of the Site Plan Approval process.

Site Plan

There is a site plan registered on title (SPC450 from 1995). Should the Temporary Use By-law be approved, an amendment to the Site Plan drawings and agreement will be required to reflect the proposed changes to the site. The full scope of the site plan application will be identified at the pre-consultation stage and it is noted that an expanded site plan process may be necessary to include staff and agencies that would have direct impacts and comments given the nature of the proposed use.

At time of Site Plan Approval, the plans must illustrate implementation of mitigation measures as proposed in the Land Use Compatibility and Noise Study, if applicable. Staff note that the technical details of several of the studies will be finalized at the Site Plan approval stage.

Strategic Plan

Strategic Pillar: Community & Wellbeing

Strategic Priority: Work proactively with local community partners to find an amicable workable solution towards reducing homelessness, mental health and addiction issues within our community.

The proposed Temporary Use Bylaw is a community-led approach to temporarily help address the homelessness crisis until more stable housing options are available.

Engagement and Consultation

Agency and Departmental Responses

The subject application went through Technical Adequacy Review (TAR) with the initial circulation in January 2024, and follow-up Circulation in June 2024 following a second submission.

Peterborough Fire Services (PFS) has provided extensive input on the placement of the sleeping cabins in relation to the location and dimensions of the fire route on site. PFS also provided commentary regarding the placement of the route in relation to the location of the existing fire hydrant. Detailed design of the fire route and access to the fire hydrant will be finalized at Site Plan. The applicant has demonstrated that an interconnected smoke and carbon monoxide detector that will have a visual prompt on the exterior of the building will be integrated in the final design of the buildings. The

Chief Fire Prevention Officer worked with planning staff on the introduction of a regulation to ensure a minimum physical separation distance between sleeping cabins

Peterborough Police Services reviewed the revised proposal of 24 sleeping cabins and was supportive provided that security cameras be integrated into the final site plan and that PATH work with the police service regarding best setup.

The Urban Design Planner advised previous comments relating to the proposed temporary use have been satisfied and provided additional comments for the Applicant to consider in advance of the eventual Site Plan application.

Urban Forestry will review an updated Tree Inventory and Preservation Report, along with a Landscape Plan through the site plan application.

The Senior Transportation Project Manager advised that the parking reduction is supported, considering the location of the site access to transit, active transportation infrastructure and other amenities, and the inclusion of on-site bike parking.

The City's Development Engineering provided some recommendations for consideration, and provided technical comments that will need to be addressed at the Site Plan Approval stage.

The Asset Management & Capital Planning Division had completed its review of the initial Technical Adequacy submission and had no actionable comments for the purposes of the Temporary Use By-law. They provided comments to be taken into consideration with the detailed design stage facilitated through the Site Plan Approval process.

The Heritage Programs Coordinator reviewed the Stage 2 Archaeological assessment and the recommendation that no additional assessments are required. They had no further comments.

Hydro One provided information pertaining to the location of their utilities on site. Hydro One will be involved at the Site Plan approval stage.

Otonabee Region Conservation Authority has reviewed the application and supplementary materials in accordance with their current reduced scope of review with a focus on natural hazards. They advised the application is consistent with Section 3.1 of the Provincial Policy Statement; that a permit is not required from them under Ontario Regulation 167/06; and that the subject properties are not located in a vulnerable area as per the Trent Source Water Protection Plan.

The following agencies or departments had no comments on the Technical Adequacy review circulation:

- Peterborough Utilities Services

- Peterborough Public Health
- Enbridge Gas
- Ministry of Transportation

Summary of Public Responses

In accordance with **Planning Act** requirements, a Notice of Public Meeting for the proposed Temporary Use By-law was published in the Peterborough Examiner on July 29, 2024 and was mailed to property owners within 120 metres of the site on July 29, 2024. As of the writing of this report, no written or verbal public comments have been received in response to the Notice.

On February 8th, 2024 the applicant hosted a public Open House. The open house was hosted by PATH and their Consultant team, led by Ecovue Consulting, along with Engage Engineering, Habitat for Humanity, Elizabeth Fry Society and Better Streets at Living Hope Church. The City Planning Division provided mailing labels to Ecovue for property owners within 120 metres of the subject property. The applicant hand delivered notices to neighbouring property occupants (residential and commercial) and advertised their Open House on social media.

The Open House was drop in table/station-based format whereby attendees could circulate through to room to the different topics. The proponents had stations set up regarding different topic areas including: Land Use Approvals, Engineering, Security, Programs and Operations. The Open House was attended by members of City Planning Staff, Fire Services, Police Services, members of the public, nearby business owners and members of Council.

Comments received at the Open House were summarized in their 'Public Open House Summary', prepared by Ecovue Consulting. Comments received ranged in topic included pedestrian related concerns, whether technical studies supported the application, neighbourhood safety, operations of the site, immediate neighbouring property concern regarding stormwater management, privacy fencing, road safety, security and impacts on existing industrial operations within the vicinity of the property.

The full summary of the response to comments is provided in the 'Public Open House Summary Document' however the following is a high-level summary that PATH provided in response:

- Regarding concerns of increased jaywalking across Lansdowne Street – PATH noted that the property is served by public sidewalks and is in proximity to signalized intersections;
- In response to concerns regarding safety of adjacent neighbourhoods – PATH noted the site will be staffed by trained professionals and that operation plans will

be in place between PATH and Elizabeth Fry. PATH will manage security on site through controlled and monitored access. All residents of the site will need to sign an agreement of condition of occupancy requiring them to keep the peace and act lawfully both on and off the property. Breach of these conditions will result in removal from the program. Case management staff will be working directly with residents to adopt goal setting regarding income generation and managing addictions;

- Curfews will be considered as part of the rules for the site;
- Adequate Parking is provided on site as it is presumed the residents will not have passenger vehicles and that the existing parking can address the volunteer and support staff's needs;
- A very gradual and thoughtful intake of residents will be undertaken;
- Details pertaining to site fencing will be discussed with the owner of the adjacent property, stormwater management implementation will occur through site plan approval; and,
- In response to nearby existing industrial use that inoperable (sealed) windows will be permanent for as long as the stationary source continues to operate, the ability of the stationary source to maintain compliance with MOECC requirements and approvals will not be compromised by the use of inoperable windows.

Notice from the applicant was also sent to local First Nations in January, 2024 and at the time of submitting the application, the applicant noted that comments were received back from one First Nation noting no concerns or questions at the time of circulation.

Budget and Financial Implications

There are no direct budget or financial implications arising from the approval of this application however the introduction of a Sleeping Cabin community, as with any new development, will likely create additional demand for a variety of municipal services such as Police, Fire, Social Services, By-law Enforcement and Transit and therefore result in additional costs to the City.

Conclusion

The applicant is proposing a Temporary Use By-law to permit a Sleeping Cabin Community consisting of up to twenty-four (24) sleeping cabins and wrap around services at the subject property. From a land use planning perspective, the proposal conforms with the Growth Plan, is consistent with the PPS, and conforms with the Official Plan direction for Temporary Uses. While planning policy appears to facilitate

the proposed temporary use by-law, Planning Staff acknowledges that innovative, long-term sustainable housing solutions are required to address homelessness.

Attachments

- Appendix A: Land Use Map
- Appendix B: Concept Site Plan
- Appendix C: Conceptual Cabin Layout
- Appendix D: Draft Temporary Use By-law

Submitted by,

Blair Nelson, P.Eng.
Commissioner, Infrastructure, Planning and Growth Management

Contact Name:

Brad Appleby, RPP, MCIP
Director, Planning, Development and Urban Design
Phone: 705-742-7777 Ext. 1886
Toll Free: 1-855-738-3755
Email: bappleby@peterborough.ca

Anne Taylor Scott, RPP, MCIP
Manager, Development Planning
Phone: 705-742-7777 Ext. 1869
Toll Free: 1-855-738-3755
Email: ataylorsscott@peterborough.ca

Christie Gilbertson RPP, MCIP
Land Use Planner
Phone: 705-742-7777 Ext. 1776
Toll Free: 1-855-738-3755
Email: cgilbertson@peterborough.ca

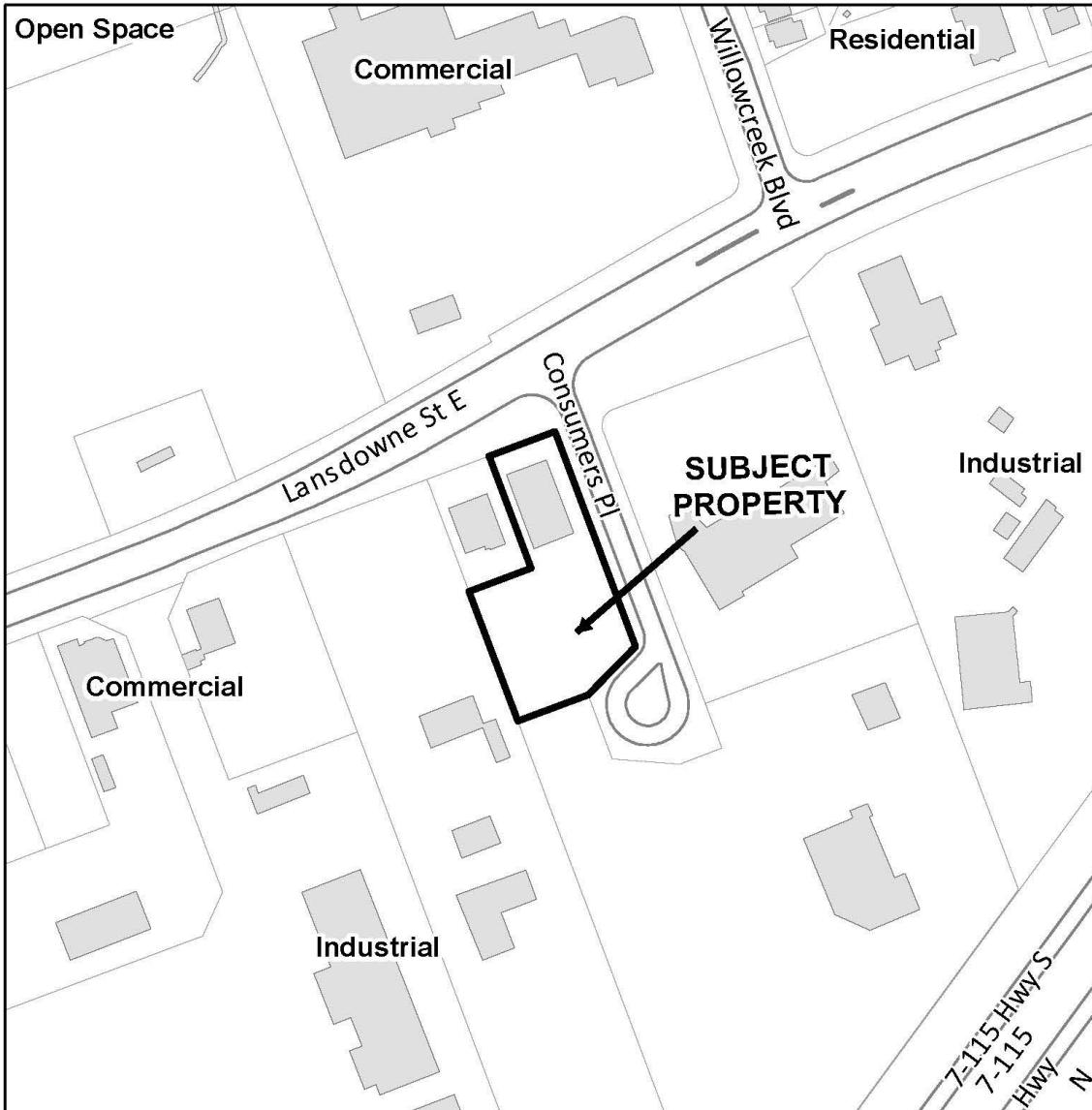
Appendix A: Land Use Map

Land Use Map

File: Z2408

Property Location: 385 Lansdowne St East

EXHIBIT	
SHEET	OF



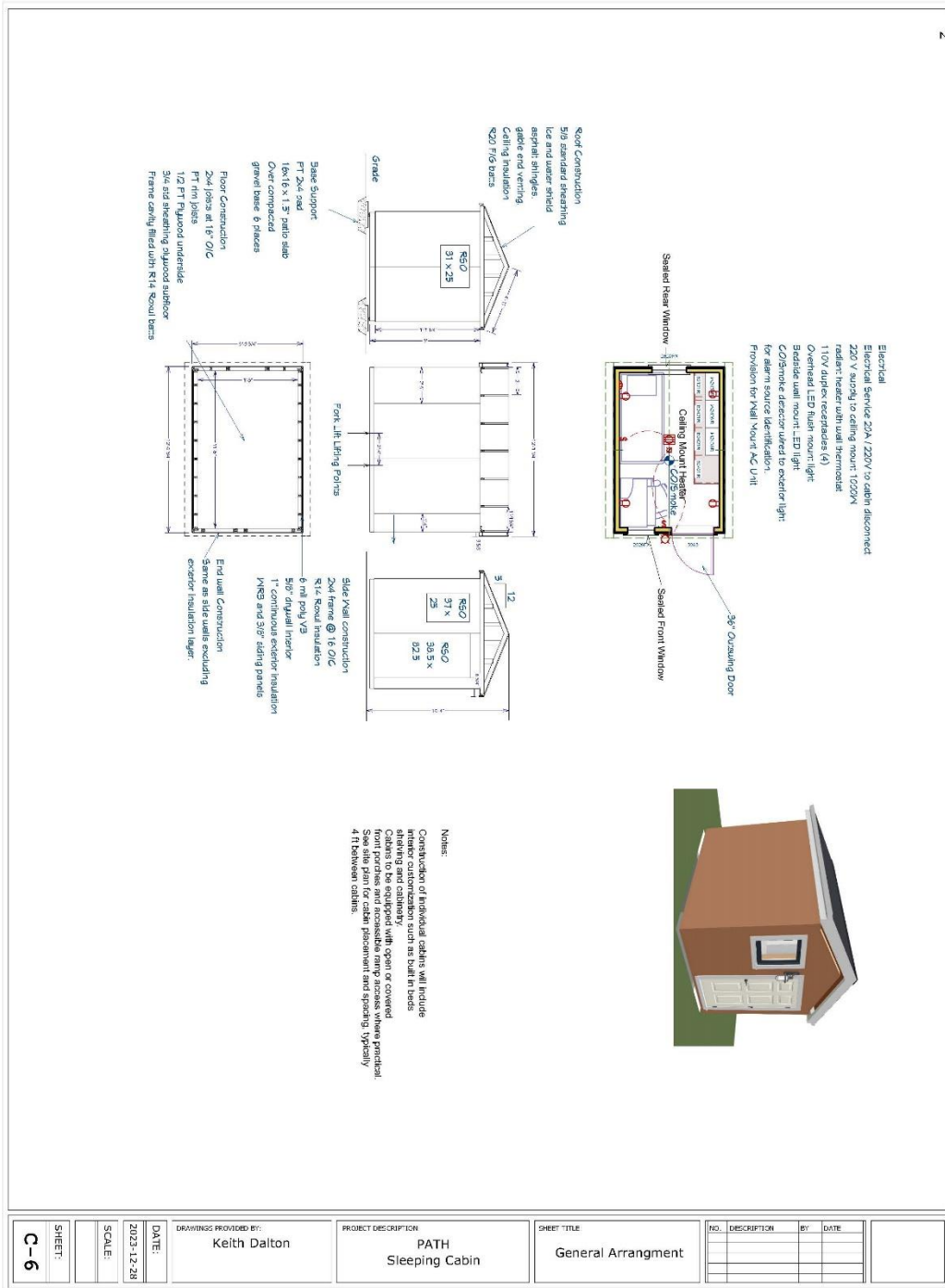
The City of Peterborough Planning Division

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: July 8, 2024
Map by: AReveler
0 10 20 40 60 80 100 Metres

Appendix C: Conceptual Cabin Layout



Appendix D: Draft Temporary Use By-law, Page 1 of 3



The Corporation of the City of Peterborough

By-Law Number 20-[Clerk's Office will assign the number]

Being a Temporary Use By-law for lands known as 385 Lansdowne Street East

Whereas pursuant to Section 39 of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Council of a Local Municipality may authorize the temporary use of land, buildings or structures for a purpose otherwise prohibited by the Zoning By-law;

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

1. Notwithstanding any provisions of Comprehensive Zoning By-law 1997-123, as amended, up to twenty-four (24) Sleeping Cabins within a Sleeping Cabin Community shall be permitted on the property at 385 Lansdowne Street East and identified in the sketch attached hereto as Scheule A, subject to the following regulations:

Regulation	Proposed
Side Yard Setback :	4.3 metres
Rear Yard Setback :	3.6 metres
Parking Requirements:	A total of 5 parking spaces will be provided on site
Barrier Free Parking:	1 space
Loading Space:	1 B-Type Space
Minimum drive Aisle Width:	6 metres
Minimum separation between Sleeping Cabins:	2.4 metres
Minimum setback of a Sleeping Cabin from the Consumers Place Streetline:	4 metres

Appendix D: Draft Temporary Use By-law, Page 2 of 3

Outside storage:	Not permitted
Definitions: Sleeping Cabin: means a temporary residential building having a floor area of less than 15 square metres, which contains no cooking or sanitary facilities and shall form part of a sleeping cabin community. Sleeping Cabin Community: means ancillary office space, support services, sanitary, kitchen and laundry facilities, and other similar uses, all for the purposes of supporting occupants of on-site sleeping cabins.	

2. The permission granted by this By-law shall remain in effect for a period of three years from the date of passage of the By-law.

By-law passed this 3rd day of September, 2024.

Jeff Leal, Mayor

John Kennedy, City Clerk

Appendix D: Draft Temporary Use By-law, Page 3 of 3

