



City of  
**Peterborough**

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**To:** **Members of the Planning Committee**

**From:** **Ken Hetherington, Manager, Planning Division**

**Meeting Date:** **October 11, 2016**

**Subject:** **Report PLPD16-075  
112 Aylmer Street North**

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## **Purpose**

A report to evaluate the planning merits of amending the zoning of the property known as 112 Aylmer Street North from the C.4 – Commercial District to the SP.241 – Commercial District to permit the use of the property for two dwelling units and/or small scale office or clinic use within the existing building.

## **Recommendation**

That Council approve the recommendation outlined in Report PLPD16-075 dated October 11, 2016, of the Manager, Planning Division, as follows:

That the zoning of 112 Aylmer Street be amended from the C.4 – Commercial District to the SP.241 – Commercial District in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD16-075.

## **Budget and Financial Implications**

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

## Background

The subject application was received on July 13, 2016, deemed to be complete on July 16, 2016, and was processed in accordance with department procedures. The *Planning Act* permits applicants to appeal Zoning By-law Amendment Applications after the expiry of 120 days of the application being deemed complete. The applicant is in a position to file an appeal to the Ontario Municipal Board any time after November 10, 2016 if Council has not made a decision.

The subject property is approximately 364m<sup>2</sup> (3920ft<sup>2</sup>) in size, located on the east side of Aylmer Street North, between Rink Street and Townsend Street and across from a public garage (Krown Rust Control). The neighbourhood is characterized by a mix of residential and commercial uses, including converted two storey brick dwellings. The property supports a two storey brick dwelling with parking in the rear, formerly a legal non conforming residential duplex and more recently as a mixed use building with commercial at grade (computer repair) with a residential unit above.

The applicants intend to convert the lower unit of the existing building into an independent dwelling unit to re-establish the duplex.

## Analysis

### a) Official Plan

The lands are currently designated “Commercial” on Schedule ‘A’ – Land Use, and subject to the ‘Industrial Conversion Area’ policies of the Central Area in the City of Peterborough Official Plan. The proposed use of the existing building for a mixed use commercial/residential will comply with the intent and purpose of the Transitional Uses Area policies of the Central Area.

The planned function of the Central Area is to serve the City and surrounding region with business and professional offices in addition to retail, entertainment, culture and recreation facilities, tourism and hospitality, some service commercial uses and government, institutions, residential and community uses.

The Central Area is further subdivided into sub-areas with varied ranges of residential densities and alternate uses with special policy approaches for each area. The property at 112 Aylmer Street North is subject to the Transitional Uses Policies included in Sub-Area 5 (Section 4.3.2.2.6) of the Official Plan. These lands are intended to provide a transition between the Commercial Core and Waterfront Area. The diversity of uses contemplated include special care homes, medium and high density residential uses, institutional uses, small scale office uses, convenience retail and service commercial uses. The proposed use of the property for business and professional office and/or clinic

use are the type of uses contemplated under relaxed zoning regulations, compatible with low density residential uses and the surrounding neighbourhood.

The neighbourhood is characterized by a combination of service commercial, industrial and residential dwellings. The location of the property within proximity to the core provides an opportunity to integrate alternate uses through zoning amendment.

#### **b) Zoning By-law**

The subject property is currently zoned C.4 - Commercial District, permitting service commercial types of uses typically located along arterial roads. The existing dwelling is considered to be legal non conforming residential unit and limited to a single unit.

The SP.241 Commercial District was developed for the transitional areas of the Central Area, to permit office and clinic uses within existing residential buildings. The SP.241 zoning has been assigned to several properties within the planning area, designated as Transitional Uses Area on the Central Area Land Use Plan (Schedule J of the Official Plan).

It is appropriate to assign the SP.241 Special District Commercial to the subject property. While the immediate plans are for the property to be used as a two unit residential dwelling, the proposed SP.241 Commercial District would permit a future office use and clinic and/or dwelling unit(s), in accordance with the regulations as included in the SP.241 Zoning District.

Vehicular access to the rear of the property is accommodated over the existing driveway on the south side of the property or via the public laneway along the rear lot line of the property. The concept site plan demonstrates the ability of the property to accommodate three parking spaces in the rear yard, exceeding the minimum number of required parking spaces from 2 to 3 for a duplex.

Should the owner wish to convert the ground floor space to an office and/or clinic in the future, an assessment of parking will be required to ensure adequate on site parking. Site Plan Approval will automatically be required for the conversion of any portion of the building to office use, in accordance with the City's current Site Plan Control By-Law.

The proposed Zoning Amendment complies with the intent and purpose of the Industrial Conversion Area policies of the Central Area.

## **Response to Notice**

#### **a) Significant Agency Responses:**

Agency circulation was issued on August 26, 2016.

The City's Utility Services Department indicated no objection to the rezoning request subject to the applicant paying cash-in-lieu of parkland where required.

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

**b) Summary of Public Responses:**

Notice of Complete Application and Public Meeting was issued on September 12, 2016 by newspaper advertisement (Peterborough Examiner) and by direct mail. The notice complies with the requirements of the Planning Act.

No written comments have been received as of September 19, 2016.

Submitted by,

Ken Hetherington  
Manager, Planning Division

Prepared by,

Caroline Kimble  
Land Use Planner

Concurred with,

Allan Seabrooke, Acting Director  
Planning and Development Services

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**Attachments:**

Exhibit A - Land Use Map  
Exhibit B - Concept Plan  
Exhibit C - Draft Zoning By-law

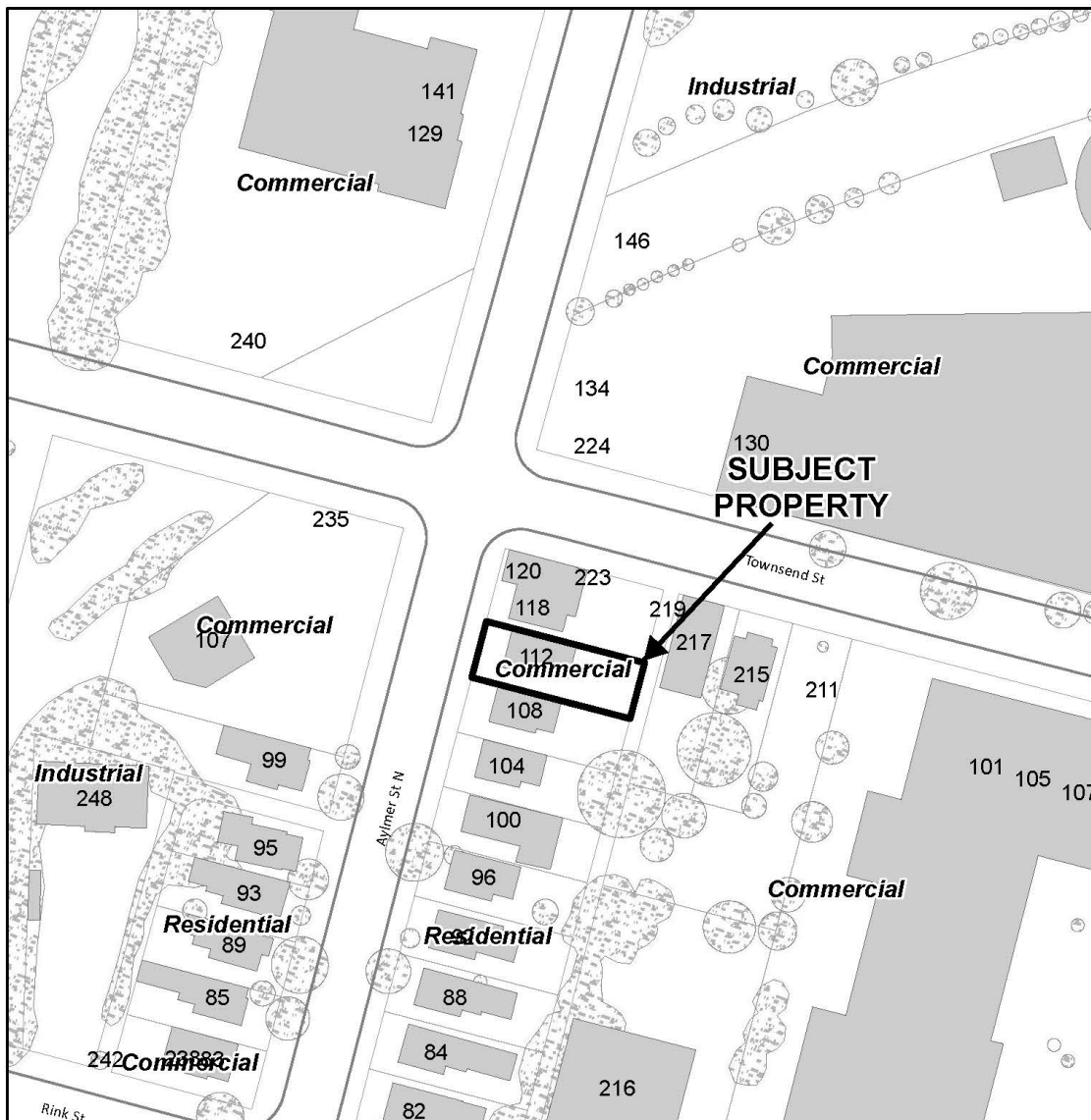
Exhibit A, Page 1 of 1

# Land Use Map

File: Z1616

Property Location: 112 Aylmer St N

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: August 22, 2016

Map by: JEllis

0 4.258.5 17 25.5 34 42.5 Metres

Exhibit B, Page 1 of 1

Roll No. 1514 040 040 17800 0000  
PROPERTY LOCATION AND DESCRIPTION 112 Aylmer St. N. Plan 105 Lot 9

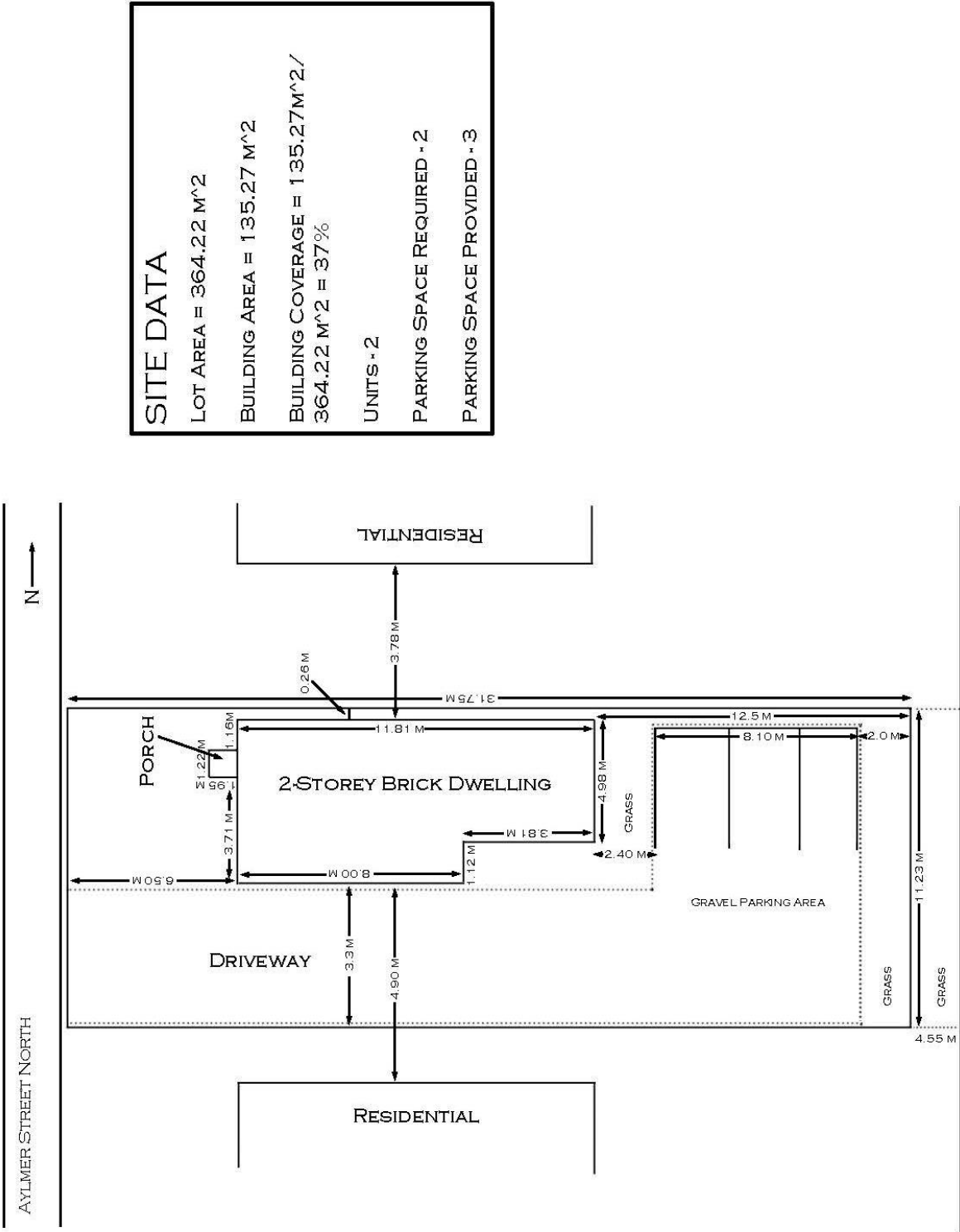


Exhibit C, Page 1 of 2



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## **The Corporation of the City of Peterborough**

### **By-Law Number 16-**

Being a By-law to amend the Zoning By-law for the property known as 112 Aylmer Street North

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

That Map 18 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 C.4 to SP.241.

By-law read a first, second and third time this      day of      , 2016.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

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