



City of
Peterborough

To: **Members of the Planning Committee**

From: **Jeffrey Humble, Director, Planning and Development Services**

Meeting Date: **October 10, 2017**

Subject: **Report PLPD17-046**
1600 Lansdowne Street West

Purpose

A report to evaluate the planning merits of amending the zoning of the property known as 1600 Lansdowne Street West to add 'a veterinary office (excluding boarding, cremation or kennel use)' to the list of permitted uses in the SP.215 – Commercial District.

Recommendation

That Council approve the recommendation outlined in Report PLPD17-046 dated October 10, 2017, of the Director, Planning and Development Services, as follows:

That the SP.215 – Commercial District be amended to add 'a veterinary office (excluding boarding or kennel use)', to the list of permitted uses in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD17-046.

Budget and Financial Implications

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

Background

The subject application was received on July 4, 2017, deemed to be complete on July 17, 2017, 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 14, 2017 if Council has not made a decision.

The subject lands support an existing commercial plaza known as Kawartha Heights Business and Professional Centre, constructed in 1986 and oriented toward Kawartha Heights Boulevard. Surface parking is provided on site with a driveway entrance from Kawartha Heights Boulevard. The existing plaza has a total leasable floor area of 1827m² (19,665 ft²) and supports a combination of clinic, office and retail space.

The owner is seeking an amendment to permit a veterinary office (excluding boarding, cremation or kennel use) as a permitted use, to support a tentative lease arrangement.

The property was zoned SP.215 by By-law #1985-177 in October, 1985. The SP.215 – Commercial District implemented the 1985 Major Commercial Designation policies of the Official Plan and reflects a list of permitted uses as contemplated in the Neighbourhood Commercial provisions of the 1985 Official Plan.

The applicant intends to add a veterinary clinic to the list of permitted uses within the existing building. The property is subject to a Site Plan Agreement that was entered into in 1986 and no changes are proposed to the Site Plan as a result of this amendment.

Analysis

a) Official Plan

Schedule 'A' – Land Use of the Official Plan, designates the subject property as 'Residential'. The 'Residential' designation anticipates the majority of the lands to be used for a variety of housing types, together with other land uses that are integral to, and supportive of a residential environment. The commercial uses listed in the SP.215 – Commercial District were introduced in 1985 and are largely consistent with the local commercial policies of the current Official Plan and considered to be compatible with residential land uses.

The introduction of a veterinary clinic (excluding boarding, cremation or kennel use), is consistent with the existing list of permitted uses, established to support the planned residential development within the area. Local commercial uses are considered acceptable within the Residential Designation to provide a range of convenience goods and services, generally required on a daily basis, to the adjacent residential areas.

Permitted local commercial uses include personal services, small scale studio and clinic uses, in addition to convenience retail stores, small scale restaurants, small scale food stores and small scale service commercial uses such as video rental and gasoline sales outlets. The proposed zoning is therefore consistent with the intent and purpose of the Residential Designation of the Official Plan.

b) Zoning By-Law

The property is currently zoned SP.215 – Commercial District and permits the use of the lands for local commercial purposes. The existing zoning was assigned to the property in 1985 and permits the following:

- (a) a bank, financial institution or loan company
- (b) an office, excluding a veterinary office
- (c) a clinic
- (d) a barber shop
- (e) a beauty shop
- (f) a dressmaker or tailor shop
- (g) a shoe shine parlour or a shoe repair shop
- (h) a dry-cleaning establishment - Class 2
- (i) a beer, wine or liquor store
- (j) a studio or craft workshop
- (k) a library, museum or art gallery
- (l) a restaurant
- (m) a service station
- (n) a retail establishment including a convenience retail store, drug store or bakeshop for the sale of:
 - i) food
 - ii) optical supplies
 - iii) books, magazines and stationery
 - iv) smoking supplies
 - v) art supplies
 - vi) floral and horticultural products
 - vii) photographic supplies
 - viii) paint, wallpaper and decorating supplies
 - ix) sporting goods (excluding boats, snowmobiles, motorcycles, motors)
 - x) pharmaceuticals
 - xi) jewellery
 - xii) radio, television, electrical and home appliances
 - xiii) clothing, office supplies, home furnishings
 - xiv) hardware
- (o) an establishment wherein any of the foregoing merchandise of Section (n) is rented or repaired.
- (p) a sub-post office
- (q) a gymnasium or health club

The proposed amendment adds 'veterinary office (excluding boarding, cremation or kennel use)' to the list of permitted uses, and deletes the exclusion in Section 254.2 (b) above. The proposed exclusion of boarding, cremation or kennel use is proposed by Planning Staff to ensure compatibility with the adjacent school use.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on July 29, 2017.

The City's Utility Services Department indicated no objection to the rezoning request and recommend cash-in-lieu of parkland where required. The applicant is also advised that in the event that site plan approval is required in the future, a daylighting triangle will be required at the southeast corner of the property.

Peterborough Fire Services request that the Building Division follow a change of use for the building space for the proposed use. This will ensure that the Fire Code requirements are achieved.

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 11, 2017 by newspaper advertisement (Peterborough Examiner) and by direct mail. The notice complies with the requirements of the **Planning Act**.

No further written comments have been received as of September 14, 2017.

Submitted by,

Jeffrey Humble, MCIP, RPP
Director, Planning and Development Services

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Attachments:

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

Exhibit A, Land Use Map, Page 1 of 1

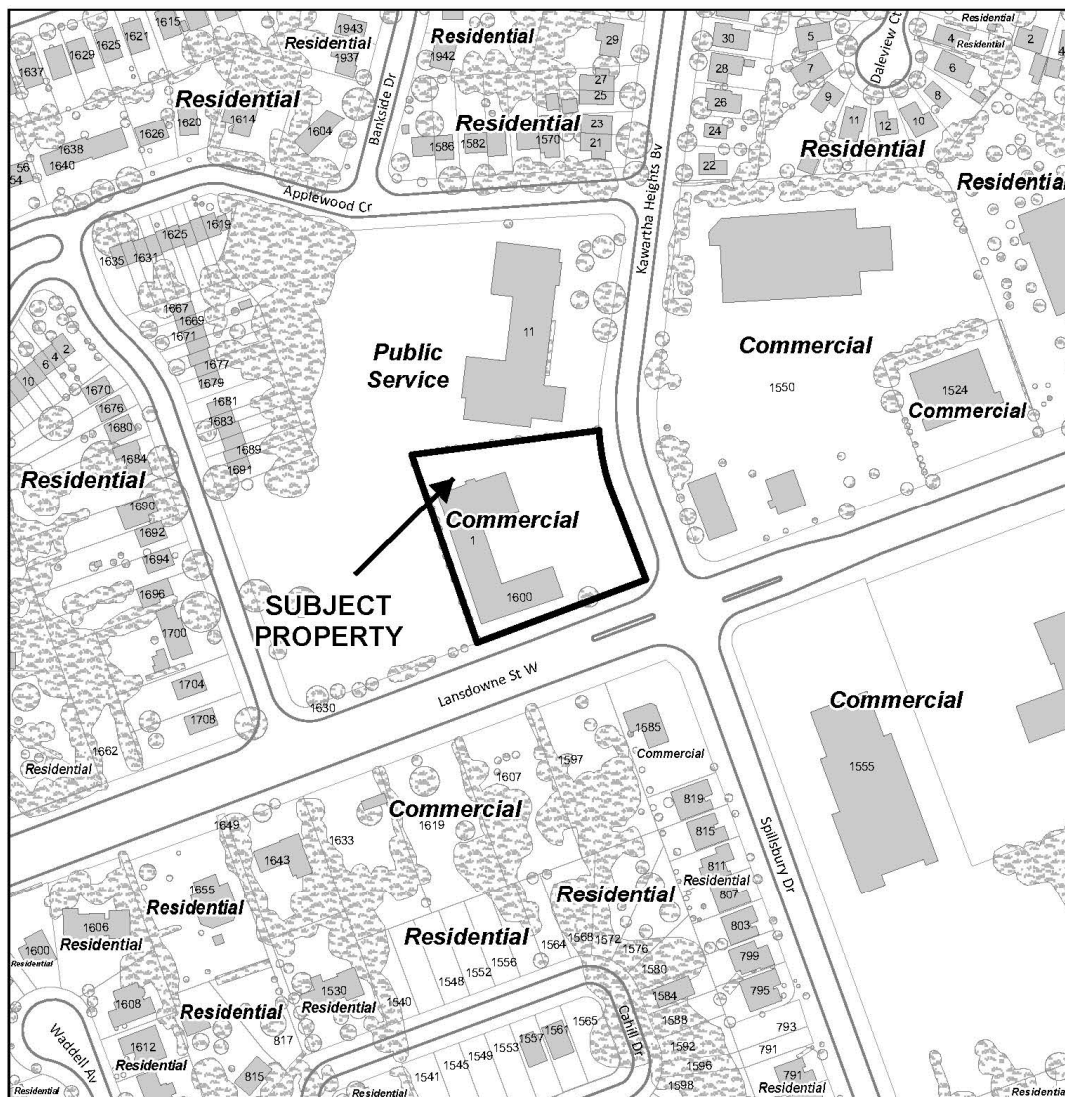
Land Use Map

File: Z1710

Property Location: 1600 Lansdowne St W

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 19, 2017

Map by: JEllis

0 15 30 60 90 Metres

Exhibit B, Concept Plan, Page 1 of 1

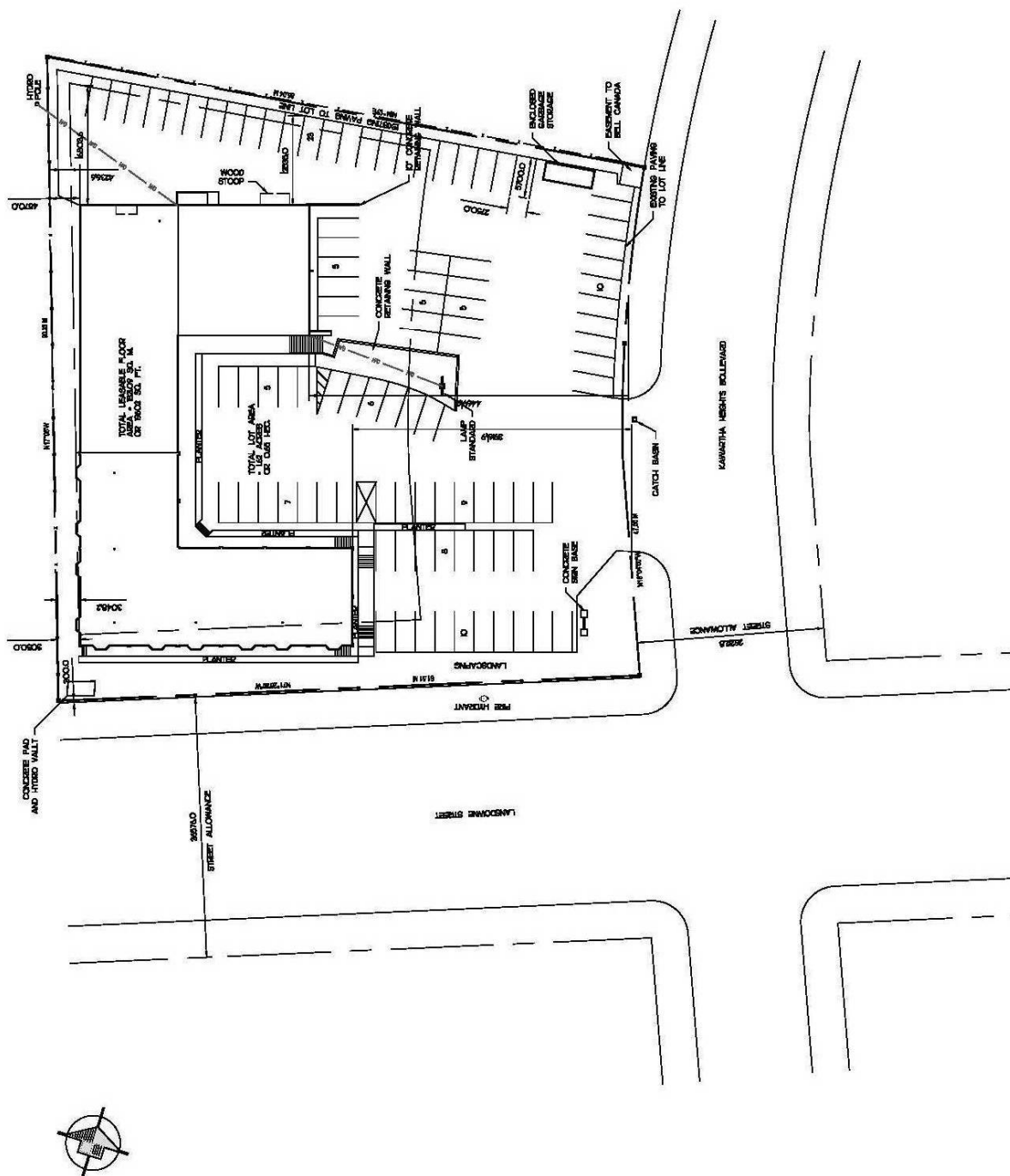


Exhibit C, Draft Zoning By-law, Page 1 of 1



The Corporation of the City of Peterborough

By-Law Number 17-

Being a By-law to amend the Zoning By-law for the property known as 1600 Lansdowne Street West

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

1. That Section 245 – Special District 215 (SP.215) be amended as follows:
 - a. Delete ‘, excluding a veterinary office’ in Section 245.2 (b); and
 - b. Add ‘(r) a veterinary office (excluding boarding, cremation or kennel use)’ to Section 245.2.

By-law read a first, second and third time this day of _____, 2017.

Daryl Bennett, Mayor

John Kennedy, City Clerk