



City of  
**Peterborough**

---

**To:** Members of the Planning Committee

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

**Meeting Date:** November 20, 2017

**Subject:** Report PLPD17-055  
Zoning By-law Amendment – 661 Park Street North

---

## **Purpose**

A report to evaluate the planning merits of amending the PS.2,R.1-175 – Residential Zoning District of the subject land by adding Exception 321 to include a 'small scale office (up to 300m<sup>2</sup>)' and a 'personal service establishment' as permitted uses, to be contained within the existing building.

## **Recommendations**

That Council approve the recommendations outlined in Report PLPD17-055 dated November 20, 2017, of the Director, Planning and Development Services, as follows:

- a) That Exception 321 of Section 3.9 of the Comprehensive Zoning By-law be added to permit 'a small scale office (up to 300m<sup>2</sup>)' and 'a personal service establishment' to be contained within the existing building, and added to the list of permitted uses, in accordance with the draft amendment, attached as Exhibit 'C' to Report PLPD17-055; and
- b) That the subject property be rezoned from the PS.2, R.1-175 – Residential District to the PS.2, R.1-175-321 – Residential District in accordance with Exhibit 'C' attached to Report PLPD17-055.

## Budget and Financial Implications

There are no direct budget or financial implications arising from the approval of these applications.

## Background

The subject application was received on August 23, 2017, and deemed to be complete as of September 5, 2017. The **Planning Act** allows 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 January 3, 2018 if Council has not made a decision.

The subject property is located mid-block between Wolsely Street and Parkhill Rd. W. with driveway access from Park Street North. The property is considered a through lot extending west with a narrow strip of land measuring 5.23m (17 ft.) of frontage along Stormont Street to the west. The City sold the subject property to the current owner in 2009, following a rezoning process to permit the use of the land to include a 'clinic' as a permitted use in the existing building.

The existing building on the subject lands is known as 'The Dixon House' and is designated as a heritage building under the **Ontario Heritage Act**. The current use of the building for a clinic commenced in 2009, subject to approval of the zoning amendment and a Site Plan addressing the parking and landscape features, and further to interior building works to address the heritage attributes of the building. There are no changes proposed to the existing building or the site as a result of this application.

The intent of the application is to add two uses to the list of permitted uses by way of modifying the zoning that applies to the property. The expectation is that a portion of the existing floor area within the building may be converted from clinic use to alternative uses including office use or personal service use. Any proposed office use would be limited to a maximum of 300m<sup>2</sup> of floor area.

## Analysis

### a) Official Plan

The lands are designated 'Residential' on Schedule 'A' – Land Use of the City of Peterborough Official Plan. The 'Residential' designation contemplates local commercial facilities, "to provide a range of convenience goods and services, generally required on a daily basis, to the adjacent residential areas" and specifically identifies 'small scale office, studio and clinic uses' as appropriate permitted uses.

Section 4.2.6.3 of the Official Plan requires that new local commercial uses or major expansions of existing facilities proceed by way of an amendment to the Zoning By-law. The property was subject of a zoning amendment in 2009 that had the effect of adding a 'clinic' to the list of permitted public service and residential uses within the existing building.

The proposed amendment to add 'small scale office' and 'personal service establishment' uses to the list of permitted uses, with adequate parking, buffering, landscape treatment, and within the existing building, meets the intent of the types of uses contemplated by the local commercial policies and is serviced by full municipal services. The height and design of the building will remain as constructed and well established within the neighbourhood. A limitation on the amount of floor space dedicated to office use to ensure that it is 'small scale', furthers the policies that support the Central Area.

**b) Zoning By-law**

The current PS.2, R.1-175 Zoning District permits a variety of uses, reflecting the former and existing use of the property, including 'clinic' use. The application proposes to amend the zoning to permit the existing building to be utilized for office and personal service establishment uses in addition to clinic, residential and institutional type uses.

There are no plans to expand the existing building, nor to redevelop the property. The existing zoning limits the use of the building and the current owner wishes to allow it to be used for office and personal service uses in addition to the existing clinic.

Section 1 of the City's Zoning By-Law #1997-123 provides the following definition for "personal service use"

"PERSONAL SERVICE USE means any building or part thereof used for the furnishing of personal services to individual persons, including a barber, hairdresser, beautician, tailor, dressmaker, shoemaker, self-service laundry, self-service dry cleaning establishment, dry cleaning depot -Class 2 or suntanning shop, but specifically excluding a use as a body massage parlour or an adult entertainment parlour. (91-132)"

Exception .175 applying to the existing zoning reads as follows:

".175 In addition, this land may be used for a clinic having a maximum floor area of 475 square metres (01-084)"

Planning Staff recommend that the zoning be amended to add a further exception (Exception .321) to include 'a small scale office (up to a maximum of 300m2) and 'a personal service establishment' within the existing building.

A draft amendment proposing to add the proposed uses to the list of permitted uses, to be located within the existing building, is attached as Exhibit "C" to Report PLPD17-055.

No changes are proposed to the property. A total of 14 parking spaces are provided on site to support the proposed uses.

## **Response to Notice**

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

Agency circulation was issued on September 13<sup>th</sup>, 2017 and Notice of Public Meeting was circulated on October 23<sup>rd</sup>, 2017.

Peterborough Architectural Conservation Advisory Committee (PACAC) has confirmed that they have no concerns with the proposed amendment.

Peterborough Utilities indicate that there is a high voltage overhead line on this property and if any redevelopment of the property occurs, options should be discussed with the property owner to relocate parts of this line.

The City's Affordable Housing Advisory Committee (AHAC) has no objection to the rezoning application. AHAC also notes that it is their opinion that this property would suit a multi-unit residential use, subject to further zoning approval.

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 was issued by newspaper advertisement on September 29<sup>th</sup>, 2017 and Notice of Public Meeting was issued by newspaper advertisement and by direct mail on October 23, 2017. The notice complies with the requirements of the **Planning Act**.

No written comments have been received as of October 26, 2017.

Submitted by,

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

**Contact Names:**

Ken Hetherington  
Manager, Planning Division  
Phone: 705-742-7777, Ext. 1781  
Toll Free: 1-855-738-3755  
Fax: 705-742-5218  
E-mail: [khetherington@peterborough.ca](mailto:khetherington@peterborough.ca)

Caroline Kimble  
Planner, Land Use  
Planning & Development Services  
Phone: 705-742-7777, Ext. 1735  
Toll Free: 1-855-738-3755, Ext. 1735  
Fax: 705-742-5218  
E-Mail: [ckimble@peterborough.ca](mailto:ckimble@peterborough.ca)

**Attachments:**

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

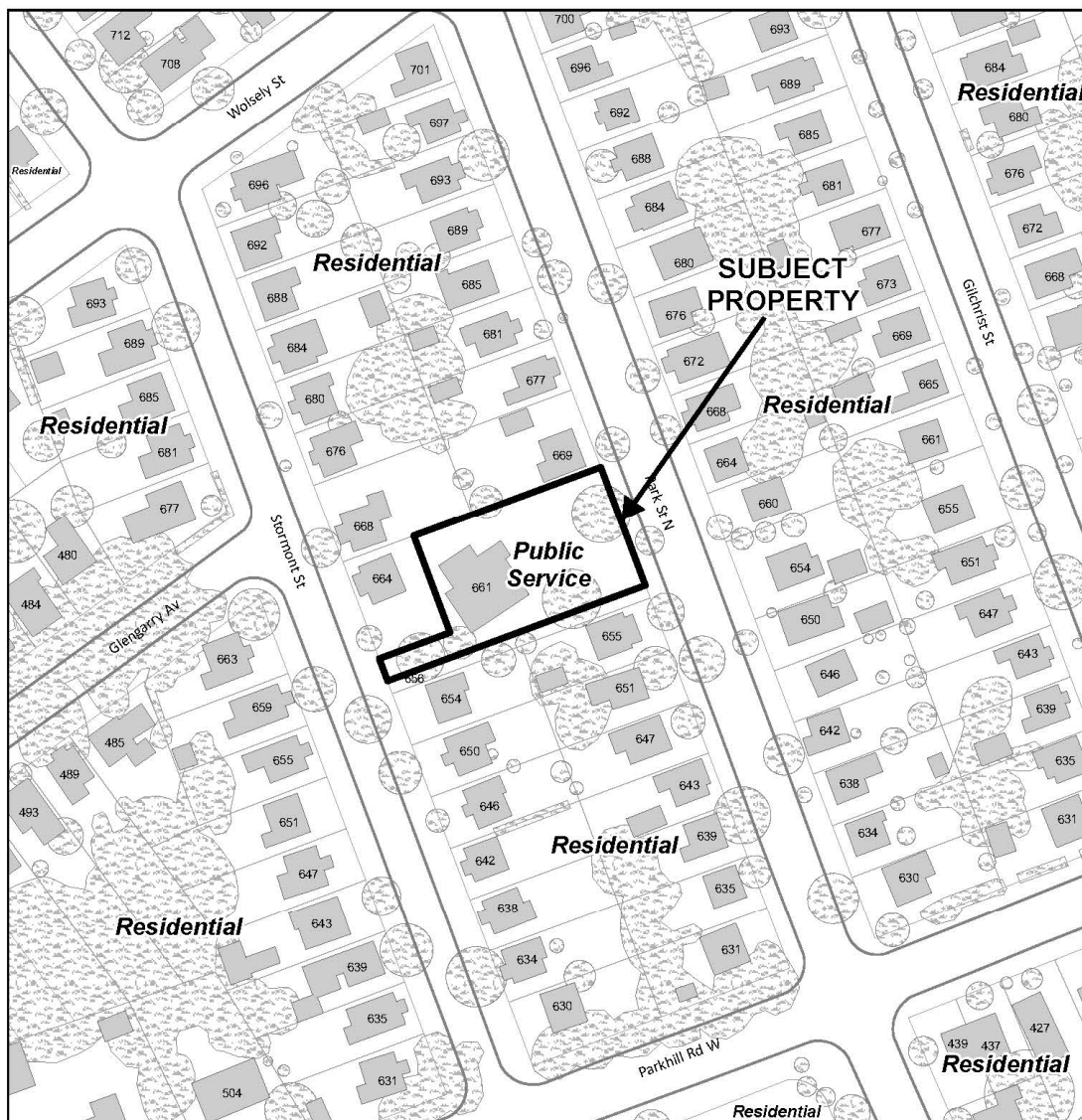
**Exhibit A – Land Use Map – Page 1 of 1**

# Land Use Map

File: Z1715

Property Location: 661 Park St

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.

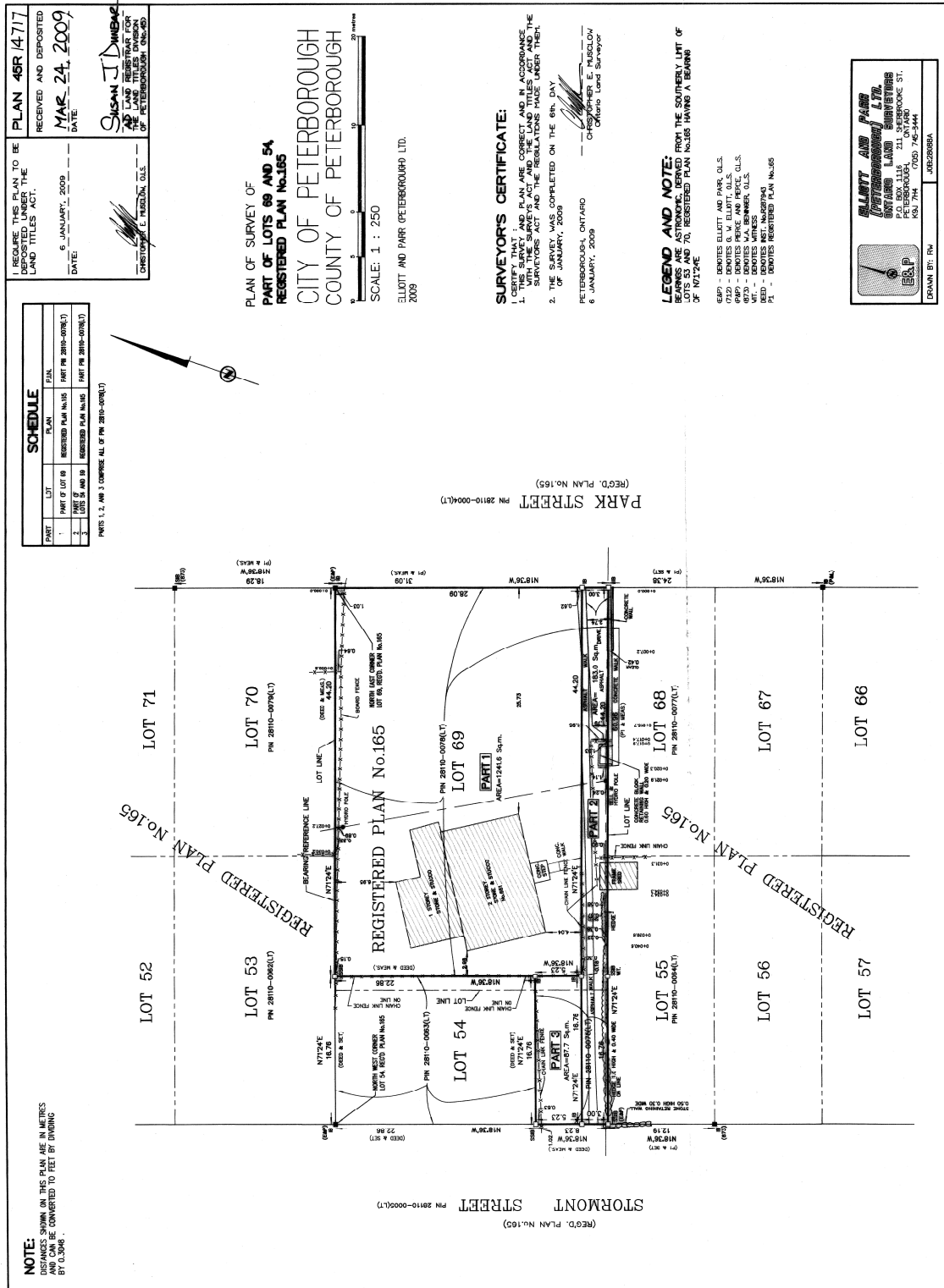


Date: September 5, 2017

Map by: JEllis

0 5 10 20 30 Metres

Exhibit B – Concept Plan - Page 1 of 1



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



---

### 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 661 Park Street North.

---

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:  
  
“**.321** Notwithstanding the provisions of this By-law to the contrary, ‘a small scale office (up to 300m<sup>2</sup>)’ and ‘a personal service establishment’ to be contained within the existing building and added to the list of permitted uses
2. That Map 6, 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 the PS.2, R.1-175 District to the PS.2, R.1-175-321 District.

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

---

Daryl Bennett, Mayor

---

John Kennedy, City Clerk



**Exhibit C – Draft Zoning By-law – Page 2 of 2**

