



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: May 31, 2010

SUBJECT: Report PLPD10-032
861 Lansdowne St. W.

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law from M3.2 – Enhanced Service Industrial District to C.7 – Commercial District (Special Purpose Retail), to implement the Special Purpose Retail policies of the Official Plan, including use of the lands for a retail establishment with a minimum floor area of 700m².

RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD10-032 dated May 31, 2010, of the Manager, Planning Division, as follows:

That the zoning of the subject property be amended from the M3.2 – Enhanced Service Industrial District to the C.7 – Commercial District (Special Purpose Retail), in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD10-032.

BUDGET AND FINANCIAL IMPLICATIONS

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

BACKGROUND

The subject application was received on March 10, 2010, proposing an amendment to the zoning of the lands to permit uses consistent with the Special Purpose Retail policies of the Official Plan, including retail establishments with a minimum floor area of 700 square metres.

The property is currently zoned M3.2 – Enhanced Service Industrial and supports Rural Routes – Peterborough District Cooperative Services. The current use of the property was established under the City's 1972 Comprehensive Zoning By-Law as 'a farm supplies or grain and feed establishment' and has continued for approximately 30 years. The use is considered as legal non-conforming.

The existing M3.2 Zoning District reflects the former 'Industrial' designation in the 1981 Official Plan. The designation of the property was originally amended to 'Commercial' as part of a City-wide amendment to update the Official Plan in 1987 and further amended in 2000 to implement the results of the City's Commercial Policy Review (CPR), however, the zoning does not yet reflect the new Special Purpose Retail policies introduced by the CPR in 2000. The applicant now wishes to implement the Special Purpose Retail policies of the current Official Plan.

The property currently supports a building with a total building area of approximately 1500 m² (16,146 ft.²). Approximately 950m² (10,226 ft.²) of the existing building is proposed to be used for retail purposes and the balance of the building is proposed to be used for storage. The existing Site Plan for the property (approved in 2002) also includes an outdoor display area. The applicant proposes to use the existing building for a retail establishment. The existing M3.2 zoning of the property does not permit retail uses from the property as a primary use, and as such, the applicant has submitted the subject application for approval.

ANALYSIS

a) Official Plan

The lands are currently designated 'Commercial' on Schedule 'A' of the City of Peterborough Official Plan and 'Special Purpose Retail' on Schedule 'I' – 'Commercial Areas'.

The purpose of the 'Special Purpose Commercial' designation of the property, is to provide *"for the development of large retail uses, preferably in a form of development where access, general building configuration and other matters are co-ordinated with those of adjacent properties."*

Permitted uses within the 'Special Purpose Commercial' designation include large retail stores, generally having a gross floor area of not less than 750 square metres, not including a supermarket, a department store or similar mass general merchandiser; personal service shops; eating establishments; gas bar and automotive sales and service uses; commercial recreation and assembly uses; financial services and public and community facilities uses. The designation further includes special provision to recognize existing buildings at smaller sizes with reasonable flexibility.

The existing building located on the subject property would facilitate the intended large format retail use for commercial purposes. The proposed large format use for retail sales of sporting goods is consistent with the Official Plan policies associated with the subject lands.

b) Zoning By-Law

The subject property proposes an amendment to the Zoning By-Law from the M3.2 – Enhanced Service Industrial District to the C.7 – Commercial District (Special Purpose Retail) to permit a full range of Special Purpose Retail uses, including retail establishments with a minimum floor area of 700 m².

The proposed C.7 – Commercial District includes an extensive list of permitted uses, as follows:

- a) a retail establishment, excluding a department store and a food store
- b) a retail establishment for the sale of beer, wine or liquor
- c) a video rental establishment

- d) a bank, financial institution or loan company, including an automated banking machine
- e) a personal service establishment
- f) a retail convenience store
- g) a sub post-office
- h) a dry cleaning depot
- j) a place of assembly
- k) a private club
- l) a place of entertainment, excluding a cinema
- m) an art school, music school, dance school or fine arts school
- n) a gymnasium or health club
- o) a place of amusement
- p) a hotel
- q) a restaurant
- r) a service station or a gas bar
- s) a car wash
- t) a muffler, auto glass or other motor vehicle repair establishment
- u) a repair shop
- v) a nursery or greenhouse
- w) a funeral parlour
- x) a police station
- y) an ambulance station
- z) a fire hall
- aa) a church
- bb) a library, museum or art gallery
- cc) an animal hospital or veterinary office
- dd) a rental establishment
- ee) a printing shop
- ff) a flea market
- gg) an auction hall
- hh) a parking lot or parking garage
- jj) a miniature golf course
- kk) a taxi stand

The C.7 – Commercial District requires that all retail establishments listed in a) above, occupy a minimum floor area of 700m² per commercial purpose.

The draft zoning amendment conforms to the existing Official Plan designation of the property and will permit the use of the lands in compliance with the current policies. The property is currently developed with parking and stormwater management facilities adequate to accommodate the proposed commercial use of the lands. A total of 67 parking spaces, and 2 loading spaces are provided on site. Based on the proposed retail use of approximately 950m² of the total space, a minimum of 60 parking spaces are required.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Utility Services Department:

The City's Utility Services Department has no objection to the rezoning, and recommends cash-in-lieu of parkland where applicable.

City of Peterborough Building Division:

The Building Division requests that the fire route be illustrated on the site plan, together with pertinent information.

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 (Peterborough Examiner) on March 31, 2010. Notice of Public Meeting was issued on April 30, 2010 by direct mail and by newspaper advertisement (Peterborough Examiner). The notice complies with the requirements of the Planning Act.

No public written responses were received as a result of the circulation.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Caroline Kimble,
Land Use Planner

Concurred with,

Malcolm Hunt, Director
Planning and Development Services

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Attachments:

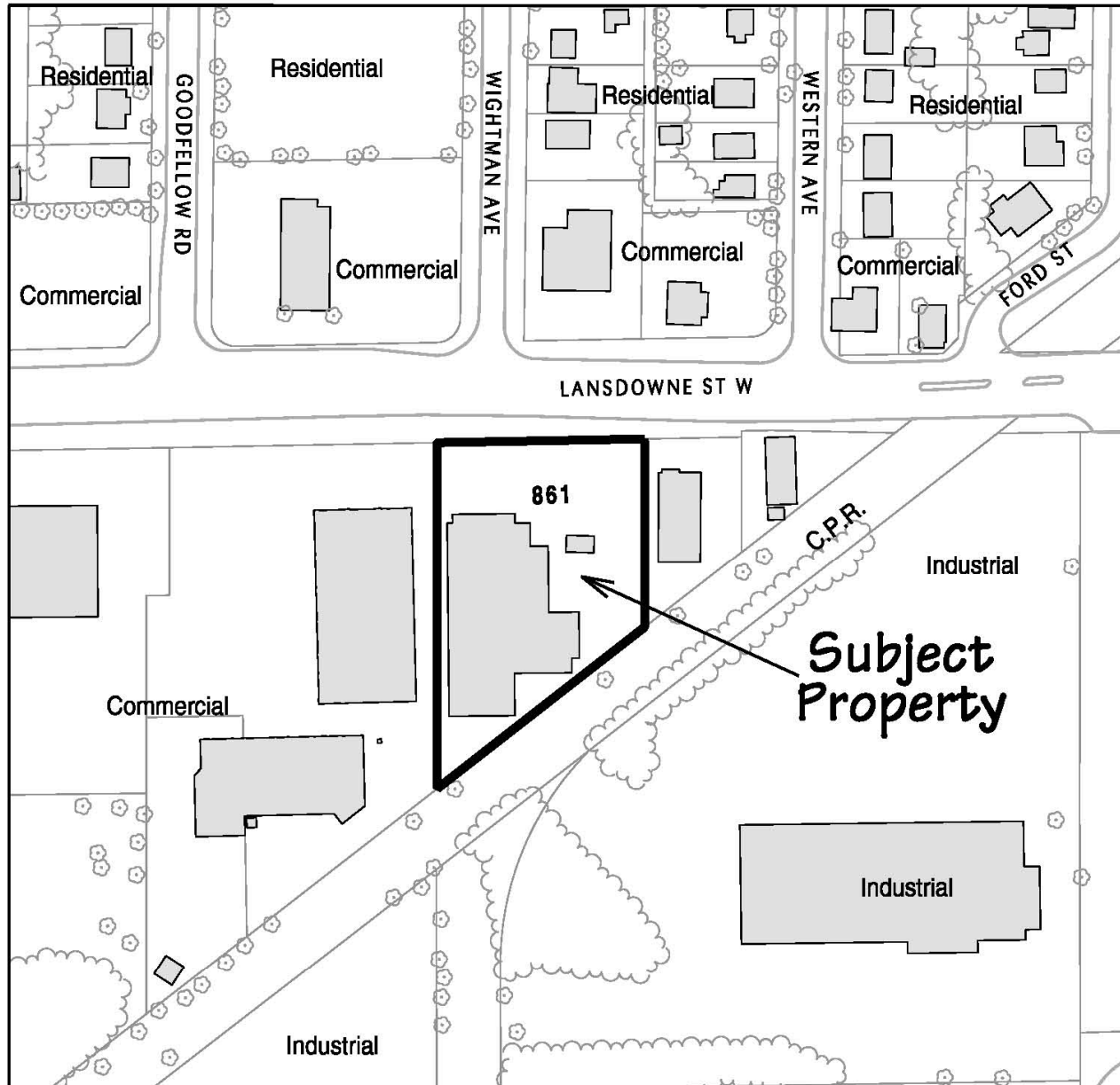
Exhibit A - Land Use Map
Exhibit B - Site Plan
Exhibit C - Draft Zoning By-law Amendment

Land Use Map

Exhibit A
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File # z1009

Property Location: 861 Lansdowne St W



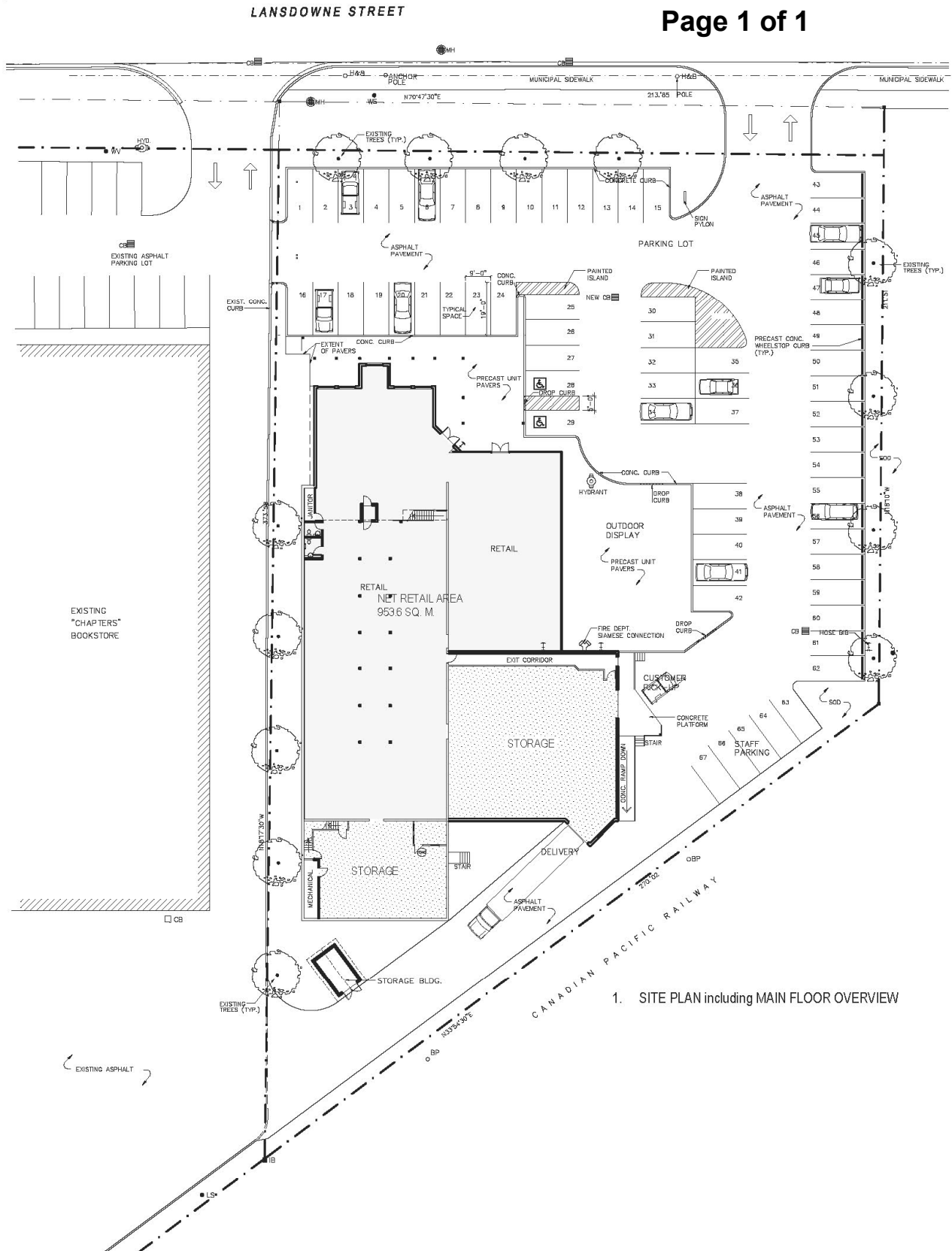
The City of Peterborough Planning Division

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Date - March 2010
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Scale - 1:1800

Exhibit B
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1. SITE PLAN including MAIN FLOOR OVERVIEW

Exhibit C
Page 1 of 2

THE CORPORATION OF THE CITY OF PETERBOROUGH
BY-LAW NUMBER 10-_____

BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR
861 LANSDOWNE ST. W.

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL
THEREOF HEREBY ENACTS AS FOLLOWS:

1. **Map 21** 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 **M3.2 to C.7**.

By-law read a first, second and third time this day of _____, 2010.

D. Paul Ayotte, Mayor

(SEAL)

Nancy Wright-Laking, City Clerk

Exhibit C

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Dimensions are in metric



SCHEMATIC
BYLAW, 2010 -
PASSED THE DAY
OF 2010
MAYOR
CLERK



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