



City of
Peterborough

TO: Members of the Planning Committee

FROM: Malcolm Hunt, Director of Planning and Development Services

MEETING DATE: March 9, 2009

SUBJECT: Report PLPD09-011
661 Park St. N.

PURPOSE

A report to evaluate the planning merits of amending the Zoning By-Law for the property known as 661 Park Street North to include 'clinic' as a permitted use within the existing building.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD09-011 dated March 9, 2009, of the Director of Planning and Development Services, as follows:

- a) That the zoning of the subject property, be amended from the PS.2 – Public Service District 2 and R.1 – Residential District to the PS.2, R.1 - 175 - H, in accordance with the draft amendment attached as Exhibit 'D' to Report PLPD09-011.
- b) That the 'H' Holding Symbol be removed once Site Plan Approval is granted for the subject property.

RATIONALE

Approval of this Zoning By-Law Amendment is based upon the following:

The subject property is designated 'Residential' on Schedule 'A' – Land Use of the City of Peterborough Official Plan and zoned 'PS.2 – Public Service District and R.1-Residential District' in the Comprehensive Zoning By-Law. The policies related to the 'Residential' designation contemplate predominantly residential uses, however, also support uses which are complementary to or serve basic residential uses including local commercial uses, such as clinics, home occupations, public and institutional uses, parks and recreation areas, churches and special care facilities.

The reuse of the existing building and redevelopment of the property to support a clinic, particularly given its past use, is compatible with the residential character of the neighbourhood and will afford the financial opportunity to restore the building in accordance with its historical significance in the community. The proposed medical clinic is intended to support Dr. Hamilton's current neuropsychology practice, specializing in the treatment and rehabilitation of brain injury victims. The clinic is to be relocated from its location at 351 Reid Street. Dr. Hamilton states that she sees a maximum of seven patients per day and has approximately six support staff working with her.

The site can accommodate the 14 required parking spaces and required improvements to the land for parking purposes are proposed to be subject to site plan approval.

BUDGET AND FINANCIAL IMPLICATIONS

The City of Peterborough has entered into an agreement of purchase and sale for the property. Up to \$60,000.00 of the proceeds from the sale are to be held to improve the City-owned walkway on the edge of the property.

BACKGROUND

The subject application was initiated by the City on December 16, 2008. Council passed a resolution at its meeting of December 15, 2008 to proceed with the rezoning application as a condition of the sale of the property to Dr. Joanna Hamilton.

The property supports a historically designated building known as 'Dixon House'. The main building has been used for various purposes over the past 172 years since its

construction in 1837, replacing the original 1829 building. Under the City's ownership since 1975, the building has been rented to numerous tenants and has most recently been used for storage of City articles. The building is designated under the Ontario Heritage Act, and the City declared the property as surplus to its needs in July, 2008. A Request For Proposals was issued by the City and in December, 2008 Council approved the sale of the property to Dr. Joanna Hamilton, subject to her submission which was based on price, proposed use, and the neighbourhood impact of the proposed use, all weighing equally in the process. Dr. Hamilton has put forward a restoration plan for the building, and is agreeable to working with the City's Heritage Conservation Coordinator to respect the heritage features of the building.

ANALYSIS

a) Official Plan

The lands are currently designated "Residential" on Schedule 'A' of the City of Peterborough Official Plan. The lands are situated just north of the Central Area as identified on the Central Area Land Use Plan – Schedule 'J' of the Official Plan.

The 'Residential' policies of the Official Plan recognize the introduction of local commercial uses within the Residential designation, subject to a rezoning application, and in accordance with criteria set out in Section 4.2.6 of the Official Plan.

The proposed use of the property for a 'small scale clinic' with sufficient parking to meet the standards of the Comprehensive Zoning By-Law, and adequate buffering and landscape treatment, together with the reuse of an existing historical building, meets the intent of the local commercial policies.

The site is serviced by full municipal services.

b) Zoning By-law

The subject property is currently zoned PS.2, R.1 – Public Service and Residential Districts, permitting institutional and residential uses. The proposed clinic use of the property is not currently permitted.

The proposed exception #175, implements the local commercial policies related to 'small scale clinic uses' within the Residential Designation of the Official Plan. The exception reads: *"In addition, this land may be used for a clinic having a maximum floor area of 475 square metres."* The subject application seeks approval for the reuse of the existing building for clinic use. The existing building form will be maintained and thus, reduces the impact for the surrounding residential neighbourhood. A 'clinic' is considered as a reasonable use of the property in keeping with the Residential designation.

Based on the floor area calculations, the clinic use would require a maximum of 14 parking spaces on site to satisfy the minimum requirements as set out in the City's Comprehensive Zoning By-Law #1997-123. The concept site plan for the property demonstrates its ability to support 14 parking spaces within a slightly modified parking area, existing to the east of the building, with access from Park Street North. It is intended that the existing asphalt walkway crossing through the southerly portion of the property between Stormont Street and Park Street North, remain in City ownership, with replacement of the existing chain link fence and improvements to an existing retaining wall on the southerly portion of the property, to be funded through the proceeds of the sale.

Imposing Site Plan Approval to the property will also ensure the lands are maintained by the proposed and any future owners of the property, in accordance with an agreement to registered on the title to the land.

RESPONSE TO NOTICE

a) Significant Agency Responses:

Agency circulation was issued on January 19, 2009.

Peterborough Utilities has indicated that development charges for the change in use for the water service will apply. An unregistered easement crosses the property from north to south on the east side of the existing building. Any proposed construction should be confirmed to not interfere with the utilities within that easement.

Utility Services Department indicates that site plan approval will require grading/servicing plans and requests cash-in-lieu of parkland where applicable. The reuse of the existing building in this instance, does not entitle the City to collect cash-in-lieu of parkland, under the provisions of the Planning Act, R.S.O. 1990, c.P.13.

The City's Community Accessibility Advisory Committee recommends making this building accessible by installing a ramp and adding accessible parking and washroom facilities.

b) Summary of Public Responses:

Notice of Complete Application was issued on January 19, 2009 and Notice of Public Meeting was issued on February 9, 2009 by direct mail and by newspaper advertisement (Peterborough Examiner). The notice complies with the requirements of the Planning Act.

Planning Staff have received inquiries regarding the type of 'clinic' proposed for the site, by way of email and telephone request. No further public written responses were received as a result of the circulation.

Submitted by,

Malcolm Hunt, Director,
Planning and Development Services

Prepared by,

Concurred with,

Caroline Kimble,
Land Use Planner

Ken Hetherington,
Manager of Planning

Contact Name:

Caroline Kimble
Planner, Land Use
Planning & Development Services
Phone – 742-7777 Ext. 1735
Fax – 742-5218
E-Mail – ckimble@peterborough.ca

Attachments:

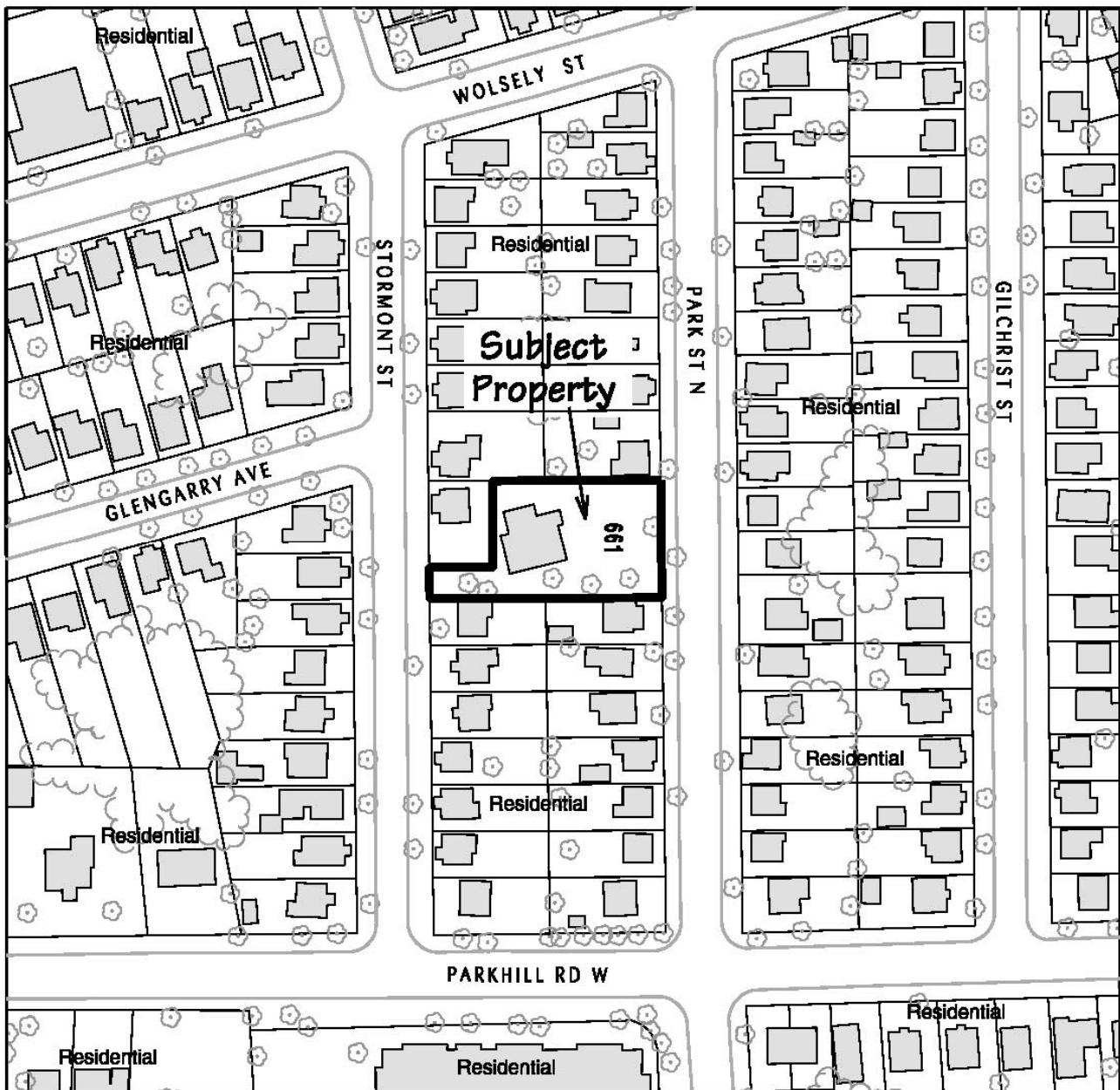
Exhibit A - Land Use Map
Exhibit B - Concept Plan
Exhibit C - Draft Zoning By-law

Exhibit A
Page 1 of 1

Land Use Map

File # z0901

Property Location: 661 Park St N



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 hardcopy mapfile, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for legal description.



Date - January 2009
Dwg. by - CBerry
Scale - 1:1500

EXHIBIT 'C'
PAGE 1 OF 2

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 09-_____

**BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR 661 PARK
STREET NORTH**

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

1. **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 PS.2, R.1 to PS.2, R.1 - 175 - 'H'**.
2. The 'H' – Holding Symbol will be removed from the Zoning By-law upon Site Plan Approval being granted for the subject property.

By-law read a first, second and third time this _____ day of _____, 2009.

D. Paul Ayotte, Mayor

Nancy Wright-Laking, City Clerk

EXHIBIT 'C'
PAGE 2 OF 2

