



City of  
**Peterborough**

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**To:** **Members of the General Committee**

**From:** **Cynthia Fletcher**  
**Commissioner of Infrastructure and Planning Services**

**Meeting Date:** **April 1, 2019**

**Subject:** **Report IPSPL19-017**  
**Zoning By-law Amendment – 539 George Street North**

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## **Purpose**

A report to evaluate the planning merits of amending the zoning of the lands known as 539 George Street North from the C.5 – Commercial District to the C.6 – Commercial District, to permit a broad range of uses, consistent with the Commercial Core Area policies of the Central Area in the City's Official Plan.

## **Recommendation**

That Council approve the recommendation outlined in Report IPSPL19-017 dated April 1, 2019, of the Commissioner of Infrastructure and Planning Services, as follows:

That the zoning of the lands known as 539 George Street North be amended from the C.5 – Commercial District to the C.6 – Commercial District in accordance with Exhibit 'C' attached to Report IPSPL19-017

## **Budget and Financial Implications**

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

## **Background**

The subject lands are located on the west side of George Street North approaching the northerly boundary of the City's Central Area. The lands have historically been used to support a funeral home and supporting parking and were purchased by the current owner in 2016 for use as a commercial business office.

The owner seeks to rezone the parcel to facilitate a broader range of commercial uses, consistent with the Commercial Core Area policies of the Central Area. The owner has indicated an interest in leasing the lands to a perspective business that is not contemplated under the current C.5 Zoning District.

The C.5 Zoning District permits a restricted range of commercial uses and was assigned to the property, reflecting the location as a more peripheral downtown location. The boundaries of the Commercial Core Area were extended to include these lands in 2001 as part of the Commercial Policy Review and apply a more robust list of retail and commercial uses than those listed in the C.5 Zoning District.

The owner intends to lease the space within the existing building, and does not propose further development on the lands at this time.

## **Analysis**

### **a) Official Plan**

The lands are located within the Central Area of the City and designated 'Commercial' on Schedule 'A' – Land Use, and 'Commercial Core Area' on Schedule 'J' – Central Area. The Commercial Core Area policies recognize this area as a pedestrian shopping area in a 'main street' setting with uses, particularly retail commercial, which generate pedestrian traffic, located at grade level, with office and residential in upper storeys. The area is recognized as a major concentration of retail, office, entertainment and service commercial uses along major streets in the area.

Implementing the Commercial Core Area policies with the C.6 Zoning District conforms to the goals and objectives of the policies.

## b) Zoning By-law

The current C.5 Zoning District limits the commercial uses to public service and personal service type of uses in addition to hotels, funeral homes, etc. It does not provide the full range of retail uses envisioned by the Commercial Core Area policies of the Official Plan. The C.6 – Commercial Zoning District does provide a full range of retail uses and is applied widely to the Commercial Core Area.

The application seeks to broaden the permitted uses to bring the Zoning into conformity with the breadth of retail uses and restaurant use as a stand alone use on the subject lands. The existing zoning permits a limited range of such uses, in conjunction with another listed permitted use only.

The following table provides a comparison of the uses permitted in the C.5 and the proposed C.6 Zoning Districts:

| <b>C.5 – Permitted Uses:</b>   | <b>C.6 – Permitted Uses:</b>   |
|--|--|
| <ul style="list-style-type: none"> <li>(a) an office, excluding a veterinary office</li> <li>(b) a hotel</li> <li>(c) a bank, financial institution or loan company</li> <li>(d) a clinic</li> <li>(e) any of the following purposes if located in a building accommodating one or more of the foregoing purposes; <ul style="list-style-type: none"> <li>i) a barber shop</li> <li>ii) a beauty shop</li> <li>iii) a drug store</li> <li>iv) a florist shop</li> </ul> </li> <li>v) a convenience retail store <ul style="list-style-type: none"> <li>vi) a restaurant</li> </ul> </li> <li>(f) a church</li> <li>(g) a library, art gallery or museum</li> <li>(h) a trade school</li> <li>(j) an art school, music school, dance school or fine arts school</li> <li>(k) a school</li> <li>(l) a club house or lodge hall</li> <li>(m) a place of assembly</li> <li>(n) a gymnasium or health club</li> <li>(o) a place of entertainment</li> <li>(p) a studio or craft workshop</li> <li>(q) a funeral parlour</li> <li>(r) a parking lot or parking garage</li> </ul> | <ul style="list-style-type: none"> <li>(a) a retail establishment including a department store, convenience retail store, drug store or bakeshop but not including a purpose set forth in Section 16.1 (a) and 16.1 (l)</li> <li>(b) a rental establishment</li> <li>(c) a repair shop but not including a purpose set forth in Section 16.1 (n) and 16.1 (o)</li> <li>(d) a bank, financial institution or loan company</li> <li>(e) an office excluding a veterinary office</li> <li>(f) a clinic</li> <li>(g) a barber shop or beauty shop</li> <li>(h) a dry cleaning establishment - Class 2</li> <li>(i) a studio or craft workshop</li> <li>(j) a trade school</li> <li>(k) an art school, music school, dance school or fine arts school</li> <li>(l) a school</li> <li>(m) a library, museum or art gallery</li> <li>(n) a restaurant</li> <li>(o) a place of entertainment</li> <li>(p) a place of assembly</li> <li>(q) a gymnasium or health club</li> <li>(r) a club house or lodge hall</li> </ul> |

|   |   |
|---|---|
| (s) a dwelling unit<br>(t) a place of amusement | (s) a church<br>(t) a hotel<br>(u) a taxi stand<br>(v) a post office or sub-post office<br>(w) a dressmaker or tailor shop<br>(x) a parking lot or parking garage<br>(y) a funeral parlour<br>(z) a police station, jail or fire hall<br>(aa) a hospital<br>(ab) a nursing home<br>(ac) a day nursery<br>(ad) a Lodging House<br>(ae) a printing shop or publishing house<br>(af) a transportation terminal<br>(ag) a communication terminal<br>(ah) a dwelling unit<br>(ai) a place of amusement<br>(aj) a home for the aged |
|---|---|

The effect of the amendment is to offer the opportunity for the subject lands to expand the range of commercial uses to realize the potential of the Central Area – Commercial Core Area policies as set out in the Official Plan.

It is recommended that the Zoning of the lands be amended to extend the C.6 to the subject lands.

## Response to Notice

### a) Significant Agency Responses:

Agency circulation was issued on February 6, 2019.

The Heritage Preservation Office has no objection to the proposed Zoning By-Law Amendment for 539 George St. North, however, points out that the property is adjacent to a listed heritage building at 521 George St. North and is in close proximity to designated properties at 534 George St. N, 500 George St. N and 501 George St N (Confederation Square).

There are no significant concerns or comments from agencies or departments.

### b) Summary of Public Responses:

No written comments have been received as of March 4, 2019.

Submitted by,

Cynthia Fletcher  
Commissioner of Infrastructure and Planning Services

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**Attachments:**

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

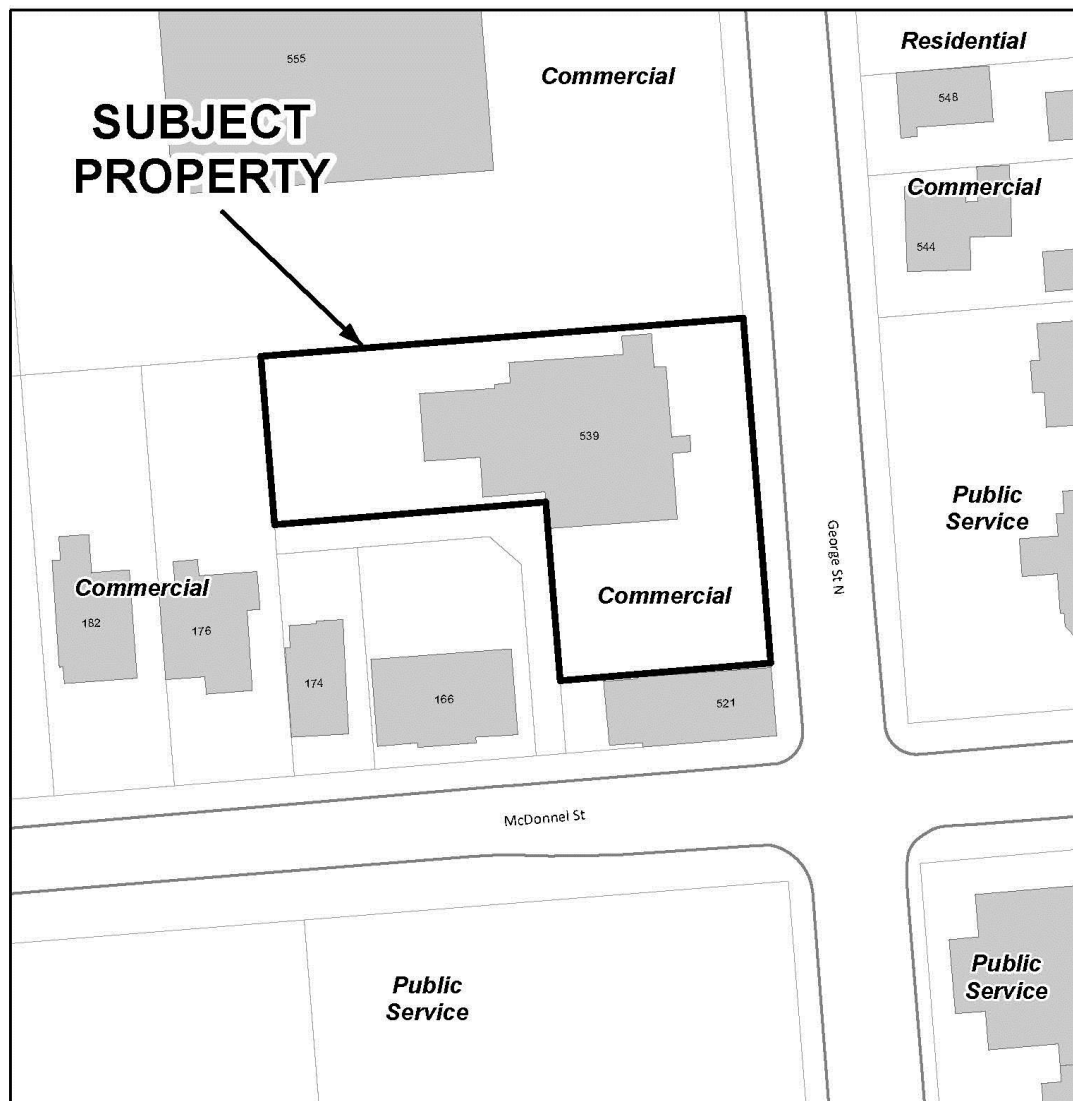
**Exhibit A – Land Use Map – Page 1 of 1**

# Land Use Map

File: Z1903

Property Location: 539 George 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.

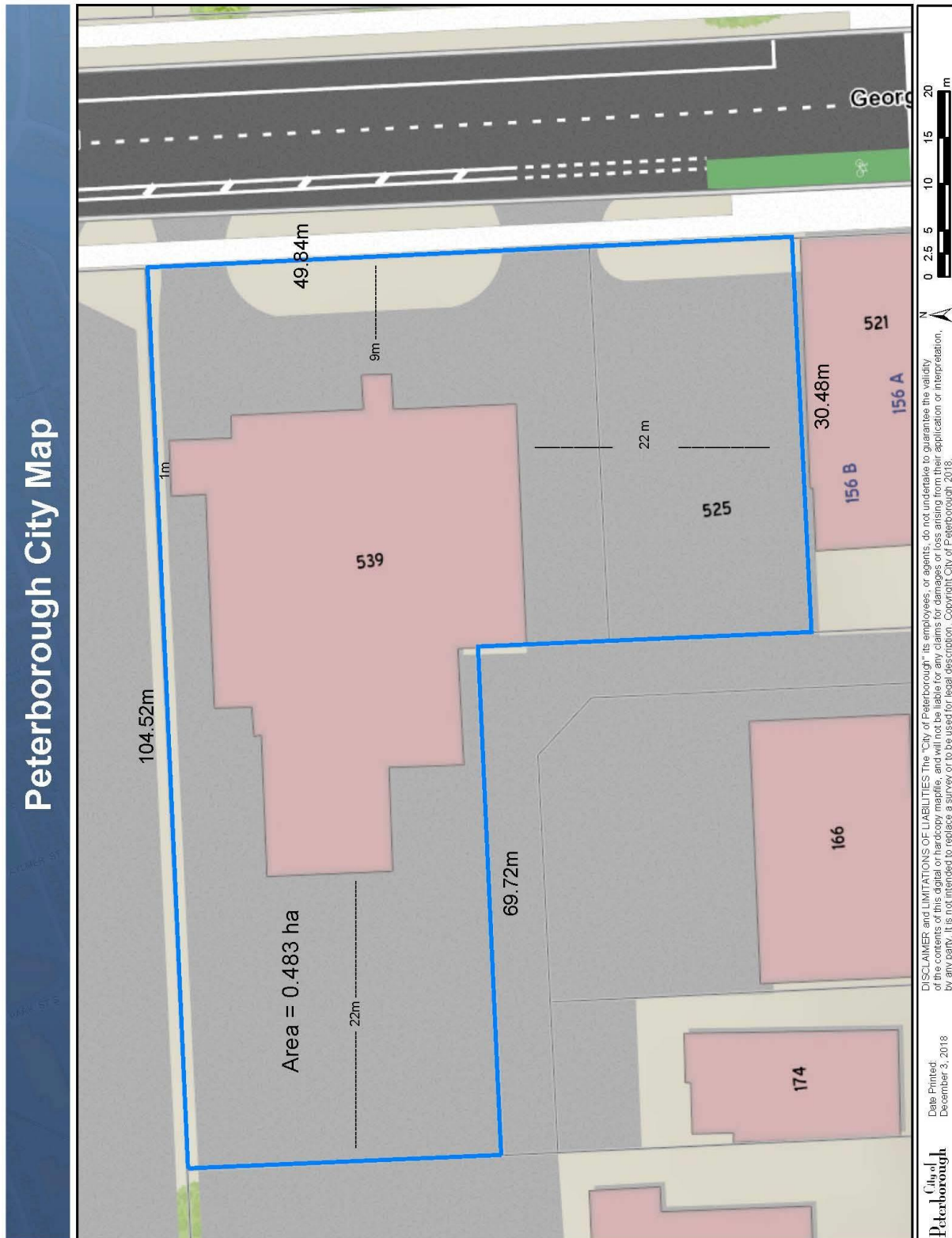


Date: January 17, 2019

Map by: jellis

0 5 10 20 30 Metres

Exhibit B – Site Plan Map – Page 1 of 1



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



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**The Corporation of the City of Peterborough**

**By-Law Number 19-**

Being a By-law to amend the Zoning By-law for the lands known as 539 George Street North

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

That Map 12b 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.5 to C.6.

By-law read a first, second and third time this                      day of April, 2019.

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Diane Therrien, Mayor

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John Kennedy, City Clerk



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

