



City of
Peterborough

To: **Members of the General Committee**

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

Meeting Date: **September 3, 2019**

Subject: **Report IPSPL19-026**
Zoning By-law Amendment – 458 George Street South

Purpose

A report to evaluate the planning merits of amending the current SP.208 – Commercial District zoning of the lands known as 458 George Street South to add 'office' to the list of permitted uses, consistent with the George Street South Business District policies of the Central Area in the City's Official Plan.

Recommendations

That Council approves the recommendations outlined in Report IPSPL19-026 dated September 3, 2019, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That the SP.208 zoning of the lands known as 458 George Street South be modified to add 'office' as a permitted use and to amend Regulation 238.3(b) the maximum floor area per commercial purpose, from 58m² to 65m² in accordance with Exhibit 'C' attached to Report IPSPL19-026; and
- b) That the zoning of the lands known as 458 George St. S. be amended from SP.208,R.1,R.2 to SP.208,R.1,R.2-H in the City of Peterborough Zoning By-law #97-123 in accordance with Exhibit 'C' attached to Report IPSPL19-026; and
- c) That the 'H' Holding Symbol be removed at such time as Site Plan Approval is granted for the redevelopment of the property, including provisions for the

conveyance of a daylighting triangle at the intersection of George St. S. and Ware St. and the restoration of the Ware Street boulevard.

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 at the northeast corner of the intersection of George Street South and Ware Street, approaching the southerly boundary of the City's Central Area. The lands have supported a mixed use since at least 1985, being a hair salon with residential apartment on the second floor.

The lands were rezoned in 1985 to add 'a barber shop' and 'a beauty shop' in addition to a dwelling unit, subject to site specific regulations related to minimum and maximum floor areas, building height, accessory buildings, parking, and landscaped open space requirements.

The existing parking area at the east side of the existing building is currently accessible from both Ware Street and the private laneway adjacent to the easterly side lot line.

The owner seeks to amend the current SP.208 – Commercial Zoning District to add 'office' to the list of permitted uses, and to amend regulation 238.3(b) being the maximum floor area per commercial purpose, from 58m² to 65m² to facilitate the conversion of the ground floor of the existing building to an office. The applicant intends to retain the residential dwelling unit on the second storey of the building.

The applicant further proposes to formalize three parking spaces accessing the abutting laneway to the east and restore the Ware Street boulevard to grass with curb and gutter, in accordance with City standards. The owner intends to use the ground floor office space to support an engineering firm, 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 'George Street South Business District' on Schedule 'J' – Central Area. George Street is also identified on Schedule A1 – City Structure, as an

intensification corridor. The Business District Area policies recognize this area as a major concentration of retail, office, entertainment and service commercial uses along major streets in the area and is distinguished from the Commercial Core Area and Waterfront Commercial Area by the built form rather than the land uses. Business districts generally support small scale commercial activities operating from less intensively developed sites.

Implementing the Business District Area policies with the proposed modification to add 'office' as a permitted use conforms to the goals and objectives of the policies.

b) Zoning By-law

The current SP.208 District limits the commercial uses to a barber shop and a beauty shop in addition to a dwelling unit. It does not provide the full range of retail uses envisioned by the George Street South Business District policies of the Official Plan.

The application seeks to broaden the permitted uses to add 'an office' to the list of permitted uses and to modify the associated regulations to facilitate the use of the entire ground floor area to office use. The modest expansion of the maximum floor area from 58m² to 65m² is well within the floor area anticipated for a small scale commercial use contemplated within the Official Plan. It is also feasible to achieve the minimum parking standards for Area 2 as required by the Zoning By-law, being 1 space for the apartment and 2 spaces for the office use. The concept site plan illustrates that there is room for a total of 3 parking spaces, accessible via the private laneway adjacent to the easterly lot line.

The effect of the amendment is to offer the opportunity for the subject lands to expand the range of commercial uses to implement the Central Area – George Street South Business District Area policies as set out in the Official Plan.

It is recommended that the Zoning of the lands be amended to permit an office as a permitted use of the subject lands and to amend the regulation regarding the size of the commercial space.

An 'H' Holding Symbol is proposed to be affixed to the Zoning to ensure that matters related to the redevelopment of the land can be addressed. The restoration of the Ware Street boulevard and formalizing the parking in the rear, to be accessed via the adjacent private laneway will be required via Site Plan Approval. A Site Plan Agreement is required prior to issuance of a Building Permit. Approval of the Site Plan related to the proposed development of the lands for ground floor office use is delegated to Staff. Site Plan Approval will address the details related to the location of parking, driveways, landscape treatment and buffering.

The owner will be required to convey a small portion of the southwest corner of the lands to the City for a daylighting triangle and restore the Ware Street boulevard to grass with curb and gutter as condition of approval of Site Plan.

Response to Notice

a) Significant Agency Responses:

Agency circulation was issued on May 30, 2019.

The Infrastructure Management Division has indicated that it has no objection to the proposed rezoning subject to payment of cash-in-lieu of parkland where required; the applicant providing the City with a small daylighting triangle at the southwest corner of the site (approx.. 4m by 4m), providing a reasonable setback for potential maintenance of the municipal storm sewer traversing near the corner. The proposed rear parking lot catch basin should be installed with a catch basin insert to improve on-site sediment removal.

The City's Transportation Division advises the owner/applicant that on-street parking will not be permitted as overflow for this development. If the City observes problems with insufficient parking, the City will implement more stringent parking restrictions on Ware Street.

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

b) Summary of Public Responses:

No written comments have been received as of August 7, 2019.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

Contact Names:

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Attachments:

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

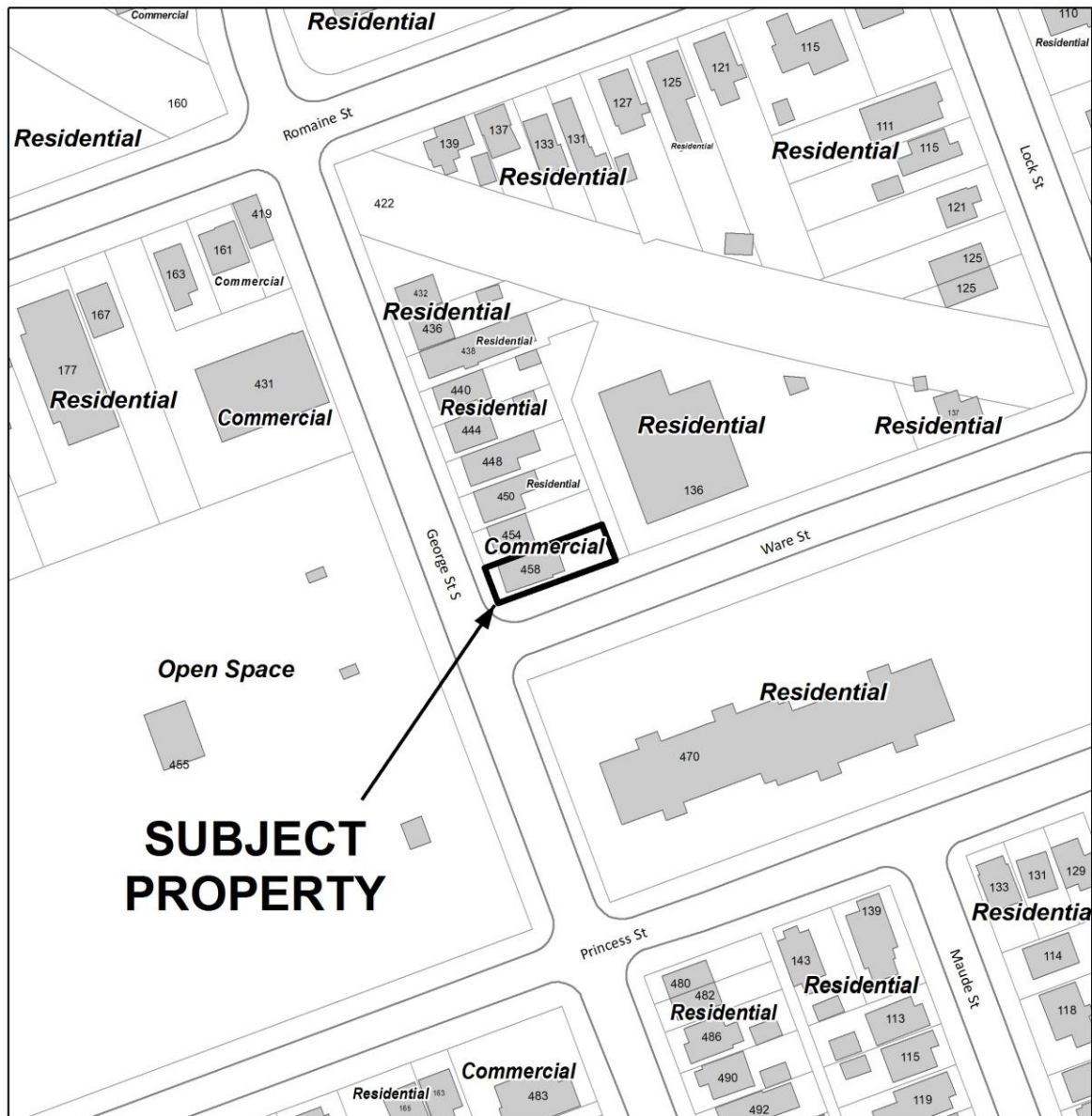
Exhibit A – Land Use Map – Page 1 of 1

Land Use Map

File: Z1908

Property Location: 458 George St S

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: May 28, 2019

Map by: CSandanayake

0 5 10 20 30 40 50 Metres

BUILDING INFORMATION

- BUILDING AREA = 108.06 m²
- FLOOR AREA = 16.75 m²
- WIDTH = 6.65 m

LOT INFORMATION

- LOT AREA = 302.97 m²
- FLOOR AREA = 31.32 m²
- WIDTH = 9.81 m

PARKING LOT INFORMATION

- PARKING LOT AREA = 129.35 m²
- PARKING LOT LENGTH = 13.46 m
- PARKING LOT WIDTH = 9.61 m
- PARKING STALL LENGTH = 5.48 m EA
- PARKING STALL WIDTH = 2.74 m EA

COVERAGE OF LOT BY

- BUILDING = 35.68%
- PARKING = 42.69%

STREET INFORMATION

- STREET NAME: 4540 GEORGE STREET S, PETERBORO, ON N2L 3Z9
- PROJECT NO: 10000000000000000000
- DRAWING NO: 10000000000000000000
- DATE: 10000000000000000000

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



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 458 George Street South

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

1. That Section 238 – Special District 208 (SP.208) be amended as follows:
 - a. Section 238.2 be amended to add “(d) an office”
 - b. Section 238.3 (a) be amended to replace “58 square metres” with “65 square metres”.
2. That Map 18 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 SP.208, R.1,R.2 to SP.208, R.1,R.2-H.
3. That the ‘H’ Holding Symbol be removed at such time as Site Plan Approval is granted for the redevelopment of the property, including provisions for the conveyance of a daylighting triangle at the intersection of George St. S. and Ware St. and the restoration of the Ware Street boulevard.

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

Diane Therrien, Mayor

John Kennedy, City Clerk

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

