



City of  
**Peterborough**

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

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

**Meeting Date:** **March 1, 2021**

**Subject:** **Report IPSPL21-007**  
**Zoning By-law Amendment for 694 Sherbrooke Street**

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## **Purpose**

A report to evaluate the planning merits of amending the zoning of the property known as 694 Sherbrooke Street from the existing R.1, 1e, 2h, 4e – 194 – Residential Zoning District to remove exception 194 which permits a clinic use up to 150 square metres in area within the existing dwelling, consistent with the Residential policies of the City's Official Plan.

## **Recommendation**

That Council approve the recommendation outlined in Report IPSPL21-007, dated March 1, 2021, of the Commissioner of Infrastructure and Planning Services, as follows:

That the zoning of the lands known as 694 Sherbrooke Street be amended from the existing R.1, 1e, 2h, 4e – 194 to R.1, 1e, 2h, 4e – H in accordance with Exhibit 'C' attached to Report IPSPL21-007

## **Budget and Financial Implications**

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

## **Background**

The subject property is located on the north side of Sherbrooke Street between Stannor Drive and Albertus Avenue. Built in 1837, the building known as 'Clonsilla' is one of the oldest remaining residential structures in the City and is Listed on the City's Heritage Register. The subject property has supported a clinic use since at least 2003, when the lands were rezoned to permit a clinic use of up to 150 square metres within the existing residential dwelling, allowing limited commercial permissions that are in excess of the regulations for home-based businesses.

Prior to the rezoning in 2003 the property was used as single-detached residential dwelling. Since the current owner does not intend to utilize the commercial permissions provided by exception 194, they are applying to remove it and revert the property back to its use before 2003. The brick garage and parking area to the west of the dwelling is accessible by an existing driveway off Sherbrooke Street.

A 2009 Minor Variance was approved to increase the size of the clinic from 150 square metres to 220 square metres. Removal of the clinic permission will result in the 2009 Variance becoming null and void.

No alterations to the existing buildings or site configuration are proposed as part of this application.

## **Analysis**

### **a) Provincial Policy Statement, 2020 (PPS)**

Any decision on the proposed Zoning By-law Amendment must be consistent with the PPS which came into effect on May 1, 2020. The PPS provides general direction to municipalities with respect to addressing matters of provincial interest in land use planning.

The application proposes to limit the permitted uses to residential only, reflecting the current use of the property. The impact of the change is to remove the clinic permission from the lands. The residential dwelling would be recognized as a permitted and will facilitate the ability to support a home-based business and a Secondary Suite.

Mapping indicates that the subject property is located outside of any known floodplain or erosion hazard. The subject property is also not located within 120 metres of any known natural heritage features of significance.

It is the opinion of staff that the proposed amendment is consistent with the PPS.

b) **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)**

Any decision on the proposed Zoning By-law Amendment must conform with the policies of the Growth Plan. The Growth Plan builds upon the policy foundation of the PPS by providing land use planning policies to address specific issues in the Greater Golden Horseshoe. The subject property is located within the City's Delineated Built-Up Area as defined in the Growth Plan. Accordingly, the property is subject to both general policies in the plan and to policies that are specific to the Delineated Built-Up Area.

It is the opinion of staff that the proposed amendment conforms with the policy direction of the Growth Plan.

c) **City of Peterborough Official Plan**

The subject property is designated 'Residential' on Schedule 'A' – Land Use. The subject property is not identified on Schedule 'E' – Residential Density and is therefore considered to be designated for low density residential uses (less than 25 units per hectare). Permitted uses in low density residential areas shall primarily consist of single-detached, semi-detached and duplex dwellings.

Where applications are made for an Official Plan or Zoning By-law Amendment regarding low density development, studies may be requested to address matters identified in Section 4.2.5.7 of the Official Plan. Since the proposed amendment seeks to restrict the use of the property by removing the current exception, supporting documentation were not requested as part of the application.

In implementing the Residential policies, the proposed Zoning By-law Amendment to remove the permissions provided by exception 194 conforms to the goals and objectives of the Official Plan.

d) **City of Peterborough Zoning By-law**

The current R.1, 1e, 2h, 4e – 194 – Residential Zoning District provides greater permissions to the home-based business regulations for residential properties, by permitting the clinic use to occupy up to 150 square metres of floor area. The standard floor area for home-based businesses is 46 square metres.

The application seeks to remove that exception to remove the expanded commercial permissions currently permitted on the subject property. If approved, the property owner will still be permitted to operate a home-based business, subject to the provisions of Section 6.23 of the Zoning By-law.

It is recommended that the zoning of the lands be amended to remove the commercial exception on the subject property.

## **Response to Notice**

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

Agency circulation was issued on November 20, 2020.

The Infrastructure Management Division has indicated that it has no objection to the proposed rezoning subject to the conveyance of a 3-metre road widening along the Sherbrooke Street frontage of the subject property. Since no development is contemplated and the change will not trigger site plan approval, the City does not have authority to require the conveyance at this point. If future development of the lands require site plan approval or if Council imposes Site Plan Approval as a condition of zoning, a conveyance may be required at that point.

Based on the application completed by the owners in 2020, the City's Tax Department has confirmed that MPAC has changed the tax class to residential and removed the commercial tax class entirely.

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 January 26, 2021.

Submitted by,

Cynthia Fletcher  
Commissioner of Infrastructure and Planning Services

**Contact Names:**

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**Attachments:**

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

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

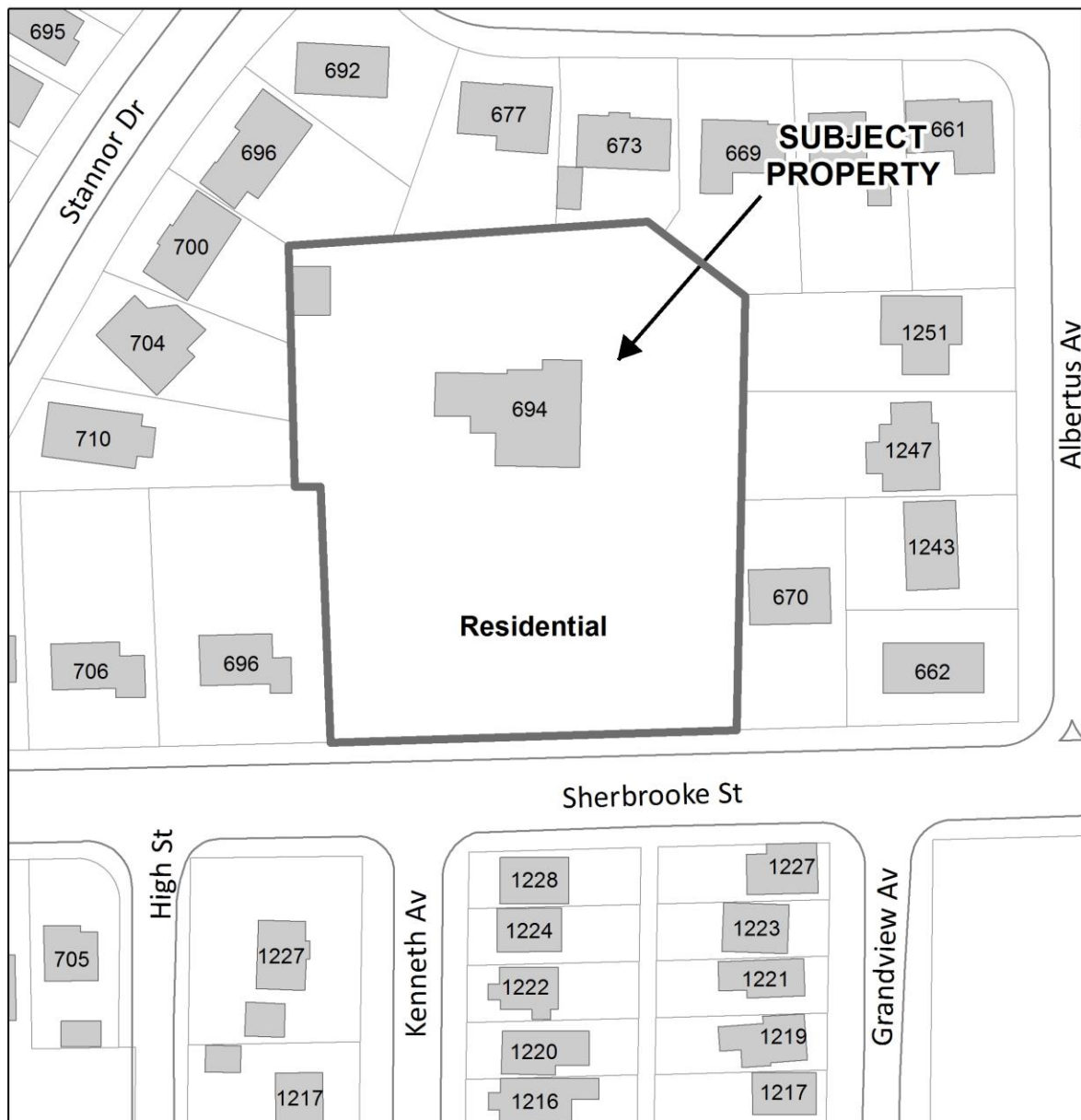
# Land Use Map

File: Z2014

Property Location: 694 Sherbrooke Street

EXHIBIT

SHEET OF



**The City of Peterborough Planning Division**

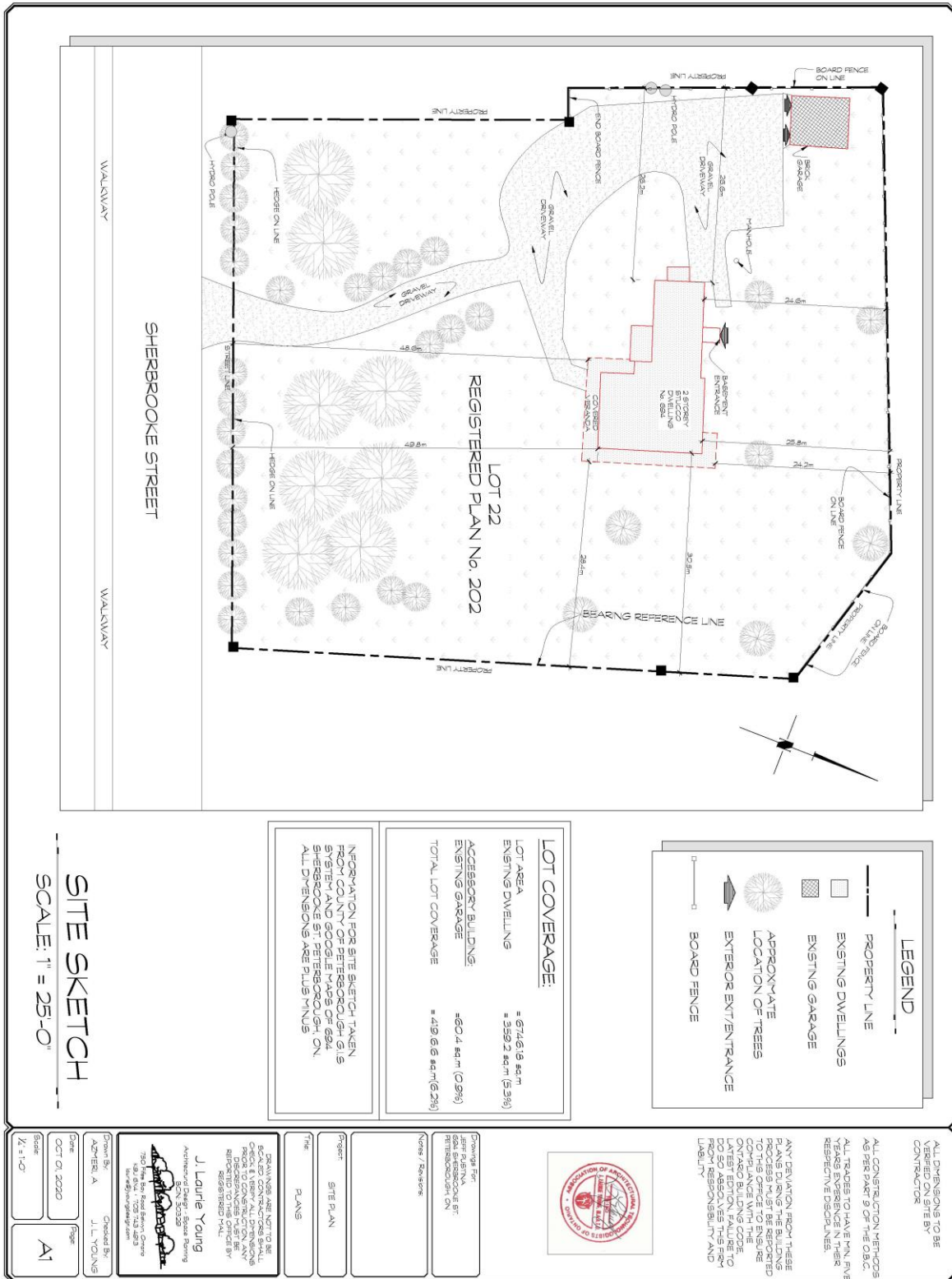
The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.

Date: November 2, 2020

Map by: ANichols

0 4 8 16 24 32 40 Metres

Exhibit B – Concept Site Plan, Page 1 of 1



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



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**The Corporation of the City of Peterborough**

**By-Law Number 21-**

Being a By-law to amend the Zoning By-law for the lands known as 694 Sherbrooke Street

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

1. That Map 11 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 'R.1, 1e, 2h, 4e – 194' to 'R.1, 1e, 2h, 4e'.

By-law read a first, second and third time this                      day of March, 2021.

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Diane Therrien, Mayor

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John Kennedy, City Clerk

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

