



City of  
**Peterborough**

---

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

**From:** **Michael Papadacos**  
**Interim Commissioner, Infrastructure and Planning Services**

**Meeting Date:** **May 2, 2022**

**Subject:** **Zoning By-law Amendment for 1199 Chemong Road, Report  
IPSPL22-005**

---

## **Purpose**

A report to evaluate the planning merits of amending the zoning of the property known as 1199 Chemong Road from R.1,1m,2m,4e – Residential District to a modified SP.268 – Commercial District, to include a clinic use and a bank or financial institution, consistent with the Service Commercial policies of the City's Official Plan.

## **Recommendation**

That Council approve the recommendation outlined in Report IPSPL22-005, dated May 2, 2022, of the Interim Commissioner of Infrastructure and Planning Services, as follows:

That the zoning of the lands known as 1199 Chemong Road be amended from the R.1,1m,2m,4e – Residential District to SP.268 - 245 – Commercial District in accordance with the draft amendment attached as Exhibit 'C' to Report IPSPL22-005.

## **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 near the northerly boundary of the City on the west side of Chemong Road, north of the intersection of Chemong Road and Milroy Drive. The property has supported a single residential dwelling unit since at least 1960 when the existing dwelling was constructed. The dwelling was connected to municipal sanitary sewer services in 1972 and is fully serviced with municipal services.

The property is approximately 0.4 ha. (1 acre) in size and is surrounded by mixed commercial and residential uses to the south, commercial across Chemong Road at Milroy Drive, including the Habitat for Humanity ReStore and the Portage Place shopping centre, agricultural land uses to the west and north of the subject lands.

The property supports an existing bungalow with a walkout basement and a small frame shed, as well as a circular driveway and parking area, and landscaping. The property slopes down toward the north-west corner with an approximate 9m change in elevation from the southeast corner at Chemong Road to the lowest point in the northwest corner of the rear yard.

The applicant proposes to convert the existing single detached dwelling into an accessible medical clinic including 3 examination rooms, staff room and office on the ground floor and intends to utilize the unfinished basement for storage. The existing driveway is intended to be modified to a single access connection to Chemong Road with expanded asphalt area to accommodate 5 parking spaces, including an accessible parking space and fully accessible entrance.

The application was subject of a pre-consultation meeting in November, 2020 and was deemed to be complete on January 21, 2022. The application was submitted together with a Planning Justification Report, Concept Site Plan, Site Grading Plan, Stormwater Management Letter and a Sightline Analysis for the proposed single 7m wide standard commercial entrance at Chemong Road.

The applicant seeks to amend the current residential zoning of the lands to a commercial zoning to implement the Service Commercial Official Plan designation assigned to the lands since the City's commercial policy review in 2001. The request further requests that due to its proximity to the Major Shopping Centre, small scale clinic uses be included in the list of permitted uses.

## 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.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by, among others, accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long term needs.

Section 1.1.3 states that “settlement areas shall be the focus of growth and development” and Section 1.1.3.2 state “land use patterns within settlement areas shall be based on densities and a mix of land uses which: b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.”

The property is located within the City’s boundary (settlement area) and is serviced with full municipal services and represents an efficient use of existing building stock without the need for expansion or extension of infrastructure, for purposes of a medical clinic, consistent with the directives of the PPS. Impacts on stormwater management have been assessed via a Functional Stormwater Management Report and any increased runoff and contaminant loads will be managed via measures to be implemented at Site Plan approval stage.

Section 2.1 and 2.2 of the PPS provide policy direction regarding the wise use and management of resources to protect natural heritage features and water resources, respectively. Section 3.1 of the PPS provides policy direction on protecting public health and safety by directing development away from lands that are subject to natural hazards (flooding and erosion hazards, for example) and human-made hazards (e.g. former mineral aggregate operations). 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.

Otonabee Region Conservation Authority has reviewed the proposed development and is of the opinion that the proposal is consistent with the policies of Sections 2.1, 2.2 and 3.1 of the PPS. 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 Boundary and along an Intensification Corridor 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 Built Boundary and Intensification Corridors.

Lands within the City's Delineated Built-Up Area are expected to accommodate significant population and employment growth. Growth within the Delineated Built-Up Area is expected to occur on full municipal services and contribute to a Complete Community, designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.

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 'Commercial' on Schedule 'A' – Land Use; 'Service Commercial Area' on Schedule 'I' – Commercial Area Land Use Plan and 'Service Commercial' on Schedule 'Q' – Chemong Secondary Plan. The property is located along Chemong Road, identified as an 'Intensification Corridor' on Schedule A-1: City Structure and as a 'High Capacity Arterial Roadway' on Schedule B: 'Transportation Plan'.

The proposed use of the site for commercial uses consistent with the policies, furthers the intent of the Service Commercial designation in the City's Official Plan.

The purpose of the 'Service Commercial' designation of the property, is to provide "for a broad range of commercial services, commercial recreational and institutional uses and a restricted range of retail commercial uses, which are not appropriate in the other commercial designations or have particular site, access or storage/display requirements."

Permitted uses within the 'Service Commercial' designation include automotive-oriented commercial uses and uses that cater to the travelling public including hotels, motels, eating establishments, commercial recreation and assembly uses, and also includes small scale office and clinic uses adjacent to Shopping Nodes, Neighbourhood Centres and as a transitional use adjacent to residential areas. Personal and financial services are also contemplated in the Service Commercial designation. Retail commercial uses are limited to those that require large sites to accommodate extensive open or enclosed display or storage areas.

The Service Commercial uses are anticipated to be located along arterial roads and the policies provide for flexibility to permit sites that are adjacent to Shopping Nodes as

appropriate for small scale office and clinic uses. Integrated parking and access points with abutting uses and provision of adequate landscaping is actively encouraged by the City and may be imposed as a condition of development. Where the development is adjacent to existing residential land uses, measures to reduce the impact, including landscaping, screening, garbage enclosures and outdoor storage, lighting and other measures will also be implemented through Site Plan Agreement.

The introduction of commercial uses, including those listed in the SP.268 Zoning District including a bank or financial institution and a small scale office or clinic use, reflects the types of uses contemplated by the Service Commercial designation. The parking regulations will limit the amount of commercial space dedicated to uses with intensive parking requirements.

In implementing the Service Commercial policies, the proposed Zoning By-law Amendment to add 'clinic' as a permitted use conforms to the goals and objectives of the Official Plan. Staff also recognize that the introduction of 'bank and financial institution' is appropriate in this location and furthers the goals and objectives of the Official Plan.

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

The current R.1,1m,2m,4e Residential Zoning District limits the use of the lands to low density residential use. It is not consistent with the 'Service Commercial' designation policies of the Official Plan that apply to the lands. The full range of commercial uses envisioned by the Service Commercial Policies are largely reflected in the SP.268 – Special Commercial District introduced via amendment as the applicable Zoning District for many properties also designated Service Commercial via the City's 2001 Comprehensive Commercial Policy Review Amendment.

The application seeks to amend the zoning to SP. 268-245 – Commercial District to implement the commercial policies of the Official Plan, specifically the Service Commercial policies. Due to the proximity of the lands to the Portage Shopping Node, the introduction of small scale office and clinic uses are also supported by Official Plan policy.

The proposed amendment would facilitate future use of the lands for service commercial purposes, including the following:

- a) a video rental establishment
- b) a personal service use
- c) a sub post-office
- d) a dry cleaning depot
- e) a place of assembly
- f) a private club
- g) a place of entertainment
- h) an art school, music school, dance school or fine arts school
- j) a gymnasium or health club
- k) a place of amusement
- l) a hotel

- m) a restaurant
- n) a service station
- o) a car wash
- p) a public garage
- q) a retail establishment for the sale of:
  - i) motor vehicles
  - ii) motor vehicle parts
  - iii) building products and contractor supplies
  - iv) farm equipment
  - v) farm supplies, grain and feed
  - vi) boats, trailers, travel trailers and mobile homes
  - vii) furniture and appliances.
- r) a nursery or greenhouse
- s) a funeral parlour
- t) a police station
- u) an ambulance station
- v) a fire hall
- w) a church
- x) a library, museum or art gallery
- y) an animal hospital or veterinary office
- z) a rental establishment
- aa) a printing shop
- bb) a flea market
- cc) an auction hall
- dd) a parking lot or parking garage
- ee) a miniature golf course

In addition to the above listed uses, Exception 245 proposes small scale office and clinic uses and bank or financial institution use, as anticipated for lands adjacent to Shopping Nodes. A small scale office use would be limited to a maximum of 300m<sup>2</sup> (3229 ft<sup>2</sup>).

It is recommended that the zoning of the lands be amended to permit the full range of Service Commercial uses contemplated by SP.268 – Special Commercial District and also to permit a clinic and a bank or financial institution. Exception 245 has the effect of permitting both a clinic and bank or financial institution as well as restrict the list of permitted uses otherwise contemplated by SP.268 to prohibit the use of the lands for a library, museum or art gallery, considered to be priority functions for the Central Area.

The concept site plan will be modified to ensure that the minimum drive aisle and parking space dimensions are in keeping with the requirements of the Zoning By-law. Based on the concept site plan, the applicants have demonstrated that there is sufficient room onsite to accommodate the minimum required parking spaces to satisfy the requirements for the proposed clinic use.

#### **e) Site Development**

The applicant has submitted a concept Site Plan for the property, illustrating the proposed changes to the parking and driveway configuration to facilitate the necessary parking for the conversion of the use from residential to clinic.

The applicant will be required to submit a formal application for Site Plan Approval and enter into a Site Plan Agreement for the re-use of the lands, to ensure development in accordance with commercial standards and ensure adequate stormwater management, landscaping, lighting and buffering in keeping with the commercial standards of the site. The parking layout will need to be formalized with optimal layout and landscaped open space opportunities. There are no changes proposed to the existing buildings at this time.

Consideration of a requirement for a future easement connection to the lands to the south along Chemong Road should be addressed via the Site Plan Agreement to reduce the future impact of commercial uses and multiple driveway connections along Chemong Road.

Several comments have been shared with the applicant regarding future Site Plan Approval requirements including the requirement for privacy fencing along the southerly lot line abutting 1195 Chemong Road, accommodation for landscape cover of the proposed soakaway pit and plantings within the property boundary along the street line, future road widening, pedestrian accessibility and public realm improvements, landscaping and screening enhancements, visible and accessible entrance features, accessible railings, bicycle parking, waste storage and pick up, drive aisle widths, walkways, restoration and landscape of boulevard, building elevations, signage and other details including building materials, landscape materials and other site plan level design elements.

## **Response to Notice**

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

Agency circulation was issued on January 25, 2022.

The City's Transportation Division notes that adequate sight distance is available for right-turning vehicles and left-turning vehicles have visibility of the Milroy Drive/Chemong Road signalized intersection, allowing for adequate decision time for vehicles exiting the development to time and complete the left-turn movement. The sight distance analysis report should be signed by a qualified professional engineer.

Peterborough Utilities Group note that the suitability of existing water service size is the responsibility of the owner.

Otonabee Conservation note that the proposed development is outside any known floodplains and is not within 120 metres of any noted natural heritage features of significance and is consistent with Provincial Policy Statements 2.1, 2.2 and 3.1. Technical comments have been forwarded to the applicant related to the proposed stormwater management plan to be addressed at Site Plan Approval stage.

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 March 31, 2022.

Submitted by,

Michael Papadacos, P.Eng  
Interim Commissioner, Infrastructure and Planning Services

**Contact Names:**

Ken Hetherington, RPP, MCIP  
Chief Planner, Planning Division  
Phone: 705-742-7777, Ext. 1781  
Toll Free: 1-855-738-3755  
Fax: 705-742-5218  
E-mail: khetherington@peterborough.ca

Caroline Kimble, RPP, MCIP  
Land Use Planner  
Phone: 705-742-7777, Ext. 1735  
Toll Free: 1-855-738-3755  
Fax: 705-742-5218  
E-mail: ckimble@peterborough.ca

**Attachments:**

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



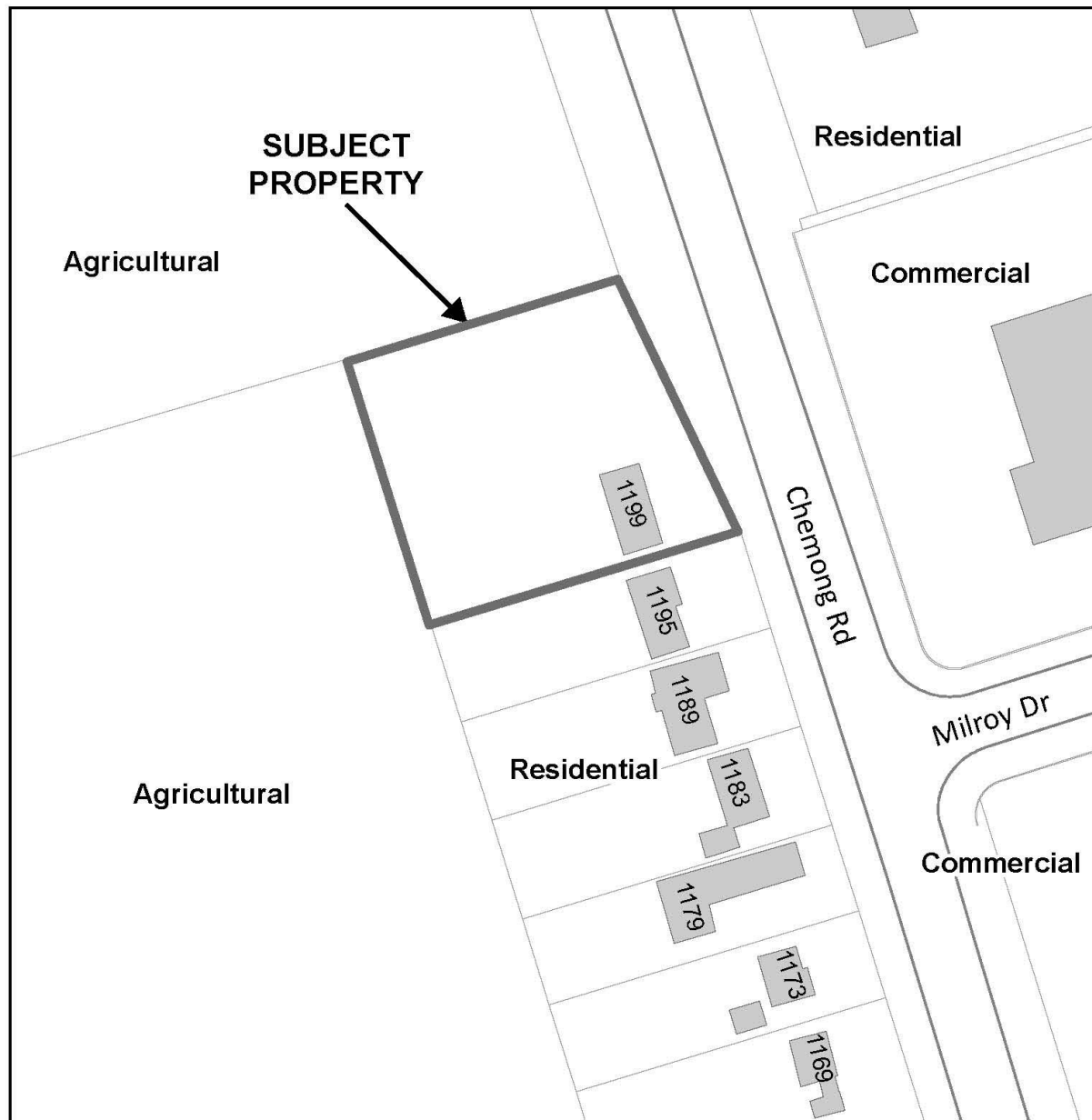
**Exhibit A – Land Use Map**

# Land Use Map

File: Z2110

Property Location: 1199 Chemong Road

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 24, 2021

Map by: bgautam

0 5 10 20 30 40 50 Metres

[illegible]

Chemong Road

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



---

**The Corporation of the City of Peterborough**

**By-Law Number 22-**

Being a By-law to amend the Zoning By-law for the lands known as 1199 Chemong Road

---

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

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 R.1,1m,2m,4e to SP.268-245.**

By-law read a first, second and third time this 24<sup>th</sup> day of May, 2022.

---

Diane Therrien, Mayor

---

John Kennedy, City Clerk

**Exhibit C – Draft Zoning Amendment - Page 2 of 2**

