



City of  
**Peterborough**

---

**To:** Members of the General Committee

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

**Meeting Date:** June 6, 2022

**Subject:** Report IPSPL22-009  
Temporary Use Zoning By-law Amendment for 873 High Street

---

## **Purpose**

A report to evaluate the planning merits of an application for a Temporary Use Zoning By-law Amendment pursuant to Section 39 of the **Planning Act** to permit a portion of the existing building known as 873 High Street to be used as a printing shop for a period of up to two (2) years.

## **Recommendation**

That Council approve the recommendation outlined in Report IPSPL22-009, dated June 6, 2022, of the Interim Commissioner of Infrastructure and Planning Services, as follows:

That a Temporary Use Zoning By-law Amendment be approved pursuant to Section 39 of the **Planning Act**, R.S.O. c.P.13, to permit a portion of the existing building known as 873 High Street to be used as a printing shop for a period of up to two (2) years in accordance with Exhibit C of Report IPSPL22-009.

## **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 west side of High Street, north of the intersection of High Street and Lansdowne Street West.

The subject property is currently developed with a 1,712 square metre (18,428 square foot) single storey block building, supporting a former industrial warehouse facility and computer service operation (PC Paramedics). The applicant is seeking permission to temporarily establish and operate a printing shop prior to formalizing associated parking and site improvements to be set out in a future Site Plan Agreement, consistent with the City's site plan requirements for the commercial use of the property.

The property was rezoned from the M3.2 Industrial District in 2013 to the SP.268-245 H – Commercial District (By-law 2013-007). Both the M3.2 and SP.268-245 zoning districts permit a printing shop/establishment. The 'H' Holding Symbol, however, prevents the lands from being used for the permitted uses until such time as Site Plan Approval is granted for the subject property as well as the conveyance of lands along High Street for the purposes of road widening.

The application was subject of a pre-consultation meeting in May 2021 related to the potential temporary use of the building for a gymnasium at that time. The application for a gymnasium was not perfected and the applicant is now proposing the temporary use for a print shop. The application was deemed to be complete on April 15, 2022. The application was submitted together with a Planning Justification Report, a Concept Site Plan and a Main Building Floor Plan.

Building renovations to support the proposed use as a print shop require the issuance of a building permit. Until such time as the 'H' Holding Symbol is lifted (requiring Site Plan Approval and conveyance of road widening), the applicant is limited to the continued use of the property as existed in 2013 when the Zoning was amended which was a computer repair shop and a warehouse facility. As requested in this application, the applicant proposes a zoning amendment to allow the conversion of the former warehouse space for a print shop on a temporary basis, with the understanding that a site plan agreement related to the change in land use will facilitate the long-term use of the property for the print shop and other permitted commercial uses, as contemplated by the 2013 Zoning By-law Amendment.

The City has agreed to issue a Conditional Building Permit for necessary interior work to accommodate the print shop, despite the 'H' – Holding Symbol. The Conditional Permit Agreement requires the approval of the requested Temporary Use By-law as one of the conditions of issuance of the permit, together with financial security to ensure that all

necessary site works are completed should the owner fail to address the site plan matters associated with the ultimate permitted uses of the lands, including a print shop.

A pre-consultation meeting was held in February 2022 related to the Site Plan Approval requirements and the applicant is working towards a complete submission of the related Site Plan Approval application, expected to be received within a few months.

## **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. As described herein, the proposed use of the lands for a print shop has been considered in 2013 via a Zoning Amendment, subject to the 2005 version of the PPS. Upon review of the current PPS, staff is satisfied that the proposed Temporary Use Zoning By-law 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 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.

As previously noted, the subject use was considered in 2013 and approved via a Zoning By-law Amendment in conformity with the 2006 version of the Growth Plan. Upon review of the current Growth Plan, the proposed Temporary Use Zoning By-law does not compromise the overall development conformity with the Growth Plan.

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; and 'Service Commercial Area' on Schedule 'I' – Commercial Area Land Use Plan. The lands are located along High Street, identified as a 'High Capacity Collector Roadway' on Schedule B: 'Transportation Plan'.

It is staff's opinion that the proposed Temporary Use By-law conforms with the Official Plan.

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

The subject lands are currently zoned for a range of Service Commercial uses as established by By-law 2013-007. The current zoning of the property is SP.268-245 H – Commercial District. It is proposed that a Temporary Use Zoning By-law apply to the property to facilitate a printing shop, despite the current Holding Symbol on the lands, pursuant to Section 39 of the **Planning Act**, R.S.O. c.P.13. In accordance with the Planning Act, Temporary Use By-laws can remain in effect for up to three years from the date of passage and Council may by by-law grant further periods of not more than three years each during which the temporary use is authorized.

It is the intent of the applicant that the required conditions for the removal of the Holding Symbol be fulfilled within two years and as such, it is anticipated that the proposed Temporary Use By-law be limited to two years. The applicant is expected to submit a complete application for Site Plan Approval within the next two months and the two-year time period will be adequate time to enter into a Site Plan Agreement, including the conveyance of lands along High Street.

A proposed Temporary Use By-law is attached hereto as Exhibit 'C'. To facilitate the Applicant's request, the proposed temporary exception is to permit the use of the lands for a printing shop prior to fulfilling the conditions of the removal of the 'H' – Holding Symbol, including the requirement for Site Plan Approval and conveyance of a road widening along the High Street frontage.

## **Response to Notice**

**a) Significant Agency Responses**

Agency circulation was issued together with the Notice of Public Meeting on May 9, 2022.

There are no significant concerns or comments from agencies or departments as of the writing of this report.

**b) Summary of Public Responses**

No written comments have been received as of the writing of this report.

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 Temporary Use Zoning By-law Amendment

Exhibit A – Land Use Map, Page 1 of 1

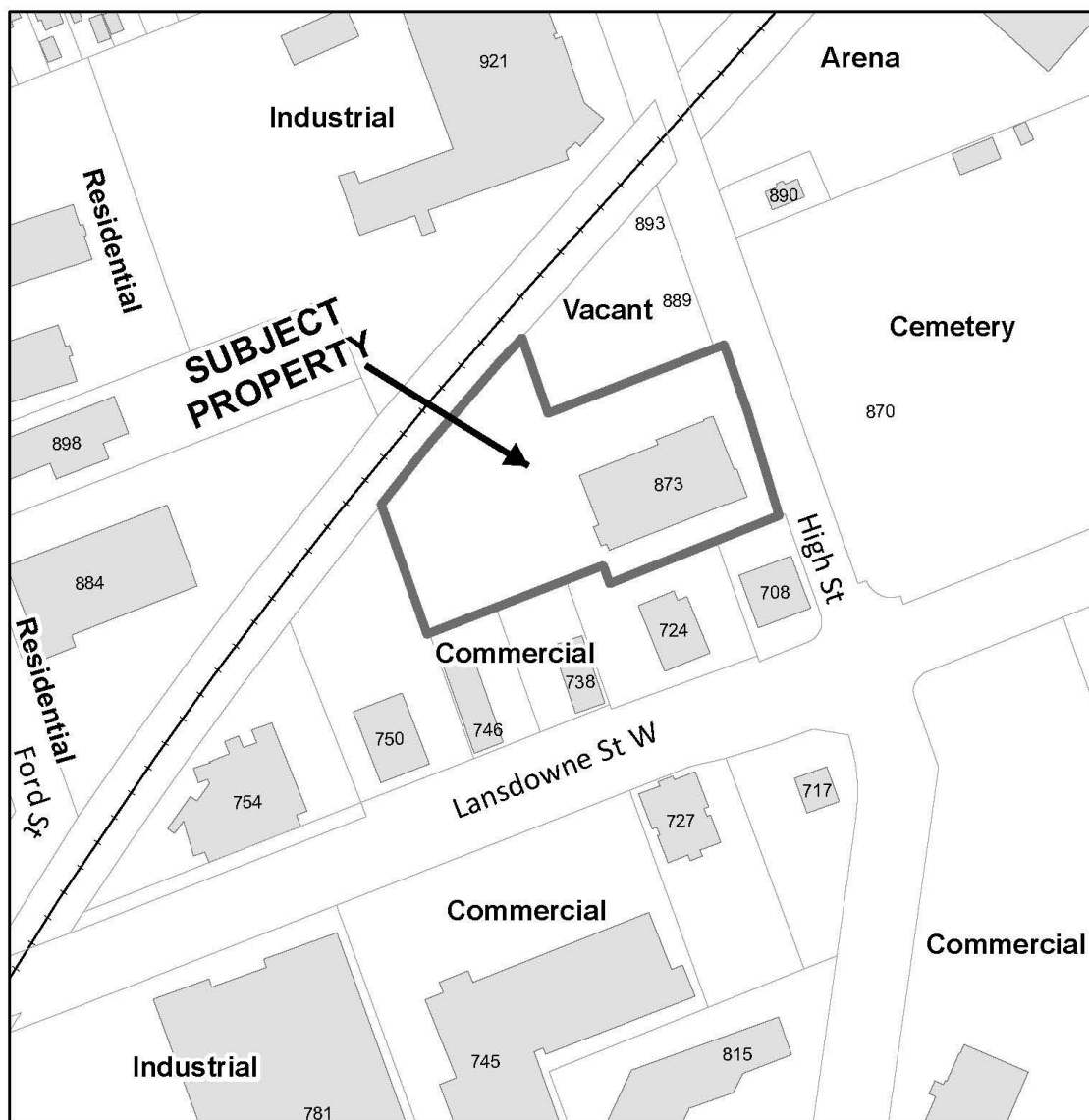
# Land Use Map

File: Z2204

Property Location: 873 High 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.

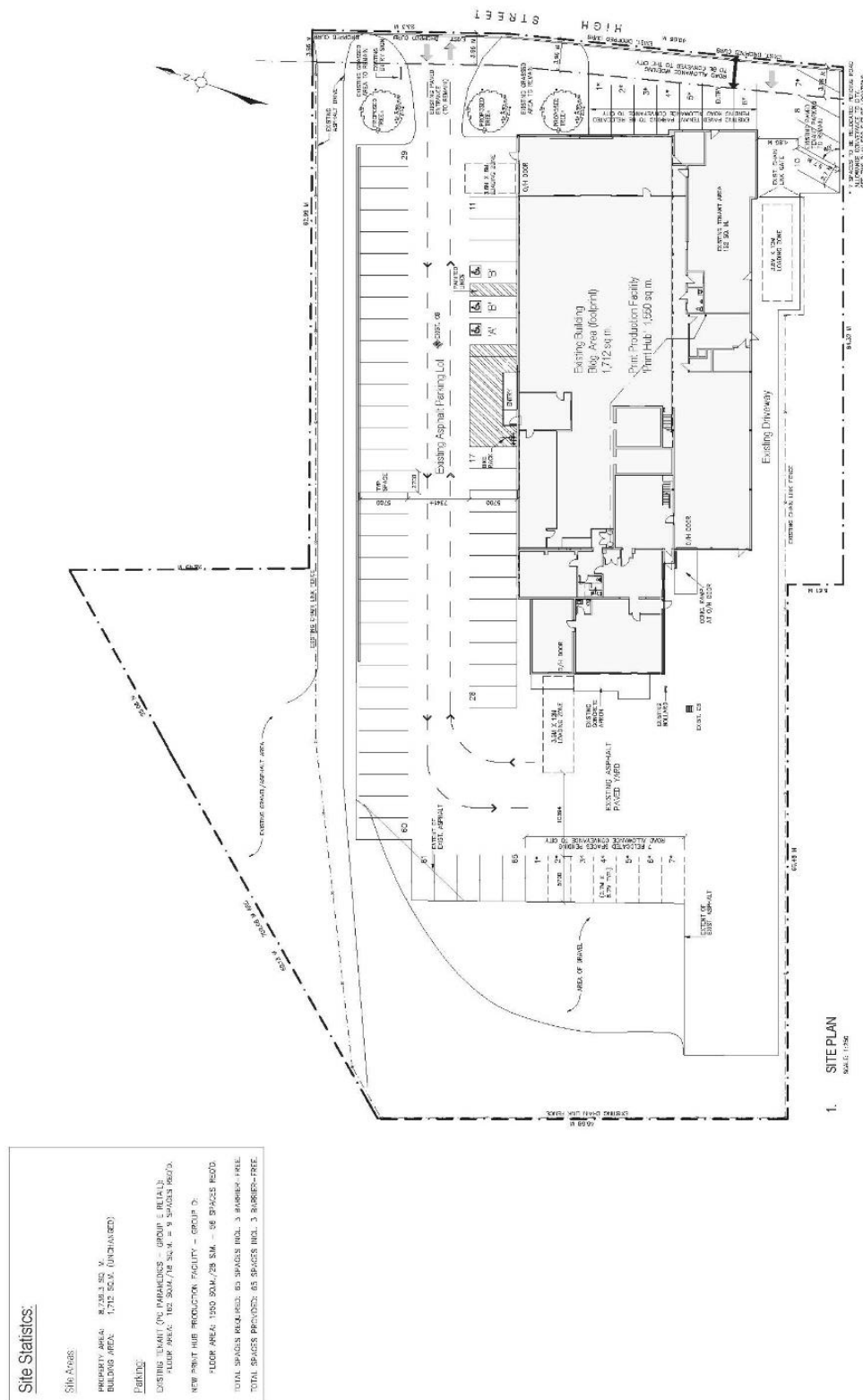


Date: April 8, 2022

Map by: bgautam

0 5 10 20 30 40 50 Metres

**Exhibit B – Concept Site Plan – Page 1 of 1**



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



City of  
**Peterborough**

---

**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 873 High Street

---

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

Whereas pursuant to Section 39 of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Council of a Local Municipality may authorize the temporary use of land, buildings or structures for a purpose otherwise prohibited by the Zoning By-law:

Now therefore, the Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. Notwithstanding the provisions of By-law 2013-007, the lands known as 873 High Street being zoned SP.268-245 H – Special Commercial District may be used for a printing shop.
2. The permission granted by this By-law shall remain in effect for a period of two years from the date of passage of the By-law or until the Holding Symbol provision of By-law 2013-007 has been lifted, whichever occurs first.

By-law read a first, second and third time this 27<sup>th</sup> day of June, 2022.

---

Diane Therrien, Mayor

---

John Kennedy, City Clerk