



City of
Peterborough

To: **Members of the Planning Committee**

From: **Ken Hetherington, Manager, Planning Division**

Meeting Date: **February 8, 2016**

Subject: **Report PLPD16-010
Removal of “H” – Holding Symbol from the Zoning of the
property at 241 Rubidge Street**

Purpose

A report to recommend the removal of the “H” – Holding Symbol from the zoning of the property at 241 Rubidge Street.

Recommendation

That Council approve the recommendation outlined in Report PLPD16-010 dated February 8, 2016, of the Manager, Planning Division, as follows:

That the property at 241 Rubidge Street be rezoned from C.1-299 ‘H’ – Commercial District to C.1-299 – Commercial District in accordance with Exhibit ‘C’ attached to Report PLPD16-010.

Budget and Financial Implications

There are no budget or financial implications arising out of the recommendation to remove the “H” – Holding Symbol from the zoning of the subject property.

Background

The zoning of the property at 241 Rubidge Street was amended in 2015 (Report No. PLPD15-045), changing it from C.1 - Commercial District to C.1-299 ‘H’ – Commercial District. An “H” – Holding Symbol was imposed on the zoning, which may only be removed with the execution of a Development and Encroachment Agreement, to address the following:

- i) Encroachment of the proposed canopy shown on the concept site plan, which was attached as Exhibit B to Report PLPD15-045.
- ii) Improvement of the City’s Right of Way to include landscaping between the back of the sidewalk and the property line; removal of the depressed curb along Rubidge Street at the north end of the site, adjacent to the parking spaces; and replacement of the depressed curb with new full height curbing and landscaping.

The Development/Encroachment Agreement

Staff met with the applicant on the subject property to provide details regarding the required improvements in the City Right-of-Way. The property is situated at the north-west corner of Sherbrooke Street and Rubidge Street. The improvements are required along the Rubidge Street road allowance flanking the subject property.

Staff have also requested the construction of a ramp to achieve barrier-free access into the building in compliance with the Ontario Building Code. The approved drawings for the ramp are attached as Exhibit “B” to this report.

The property owner has agreed to the construction of the ramp as well as the deposit of performance security to assist in assuring it and the other improvements are completed in compliance with the Agreement.

A Development/Encroachment Agreement has been executed with the property owner detailing the required improvements such as the removal of the depressed curb along Rubidge Street at the north end of the site adjacent to the parking spaces and the replacement of the depressed curb with new full height curbing and landscaping. As well, the Agreement addresses the encroachment of the ramp and the proposed building canopy.

Summary

With the execution of the Development/Encroachment Agreement and the deposit of the performance security, the conditions associated with the removal of the "H" – Holding provision for the zoning of the property at 241 Rubidge Street have been satisfied. Accordingly, it has been recommended to approve the By-law to implement the C.1-299 – Commercial District zoning of the property.

Submitted by,

Ken Hetherington
Manager, Planning Division

Prepared by,

Concurred with,

Brian Buchardt
Planner, Urban Design

Malcolm Hunt, Director
Planning and Development Services

Contact Name:

Brian Buchardt
Planner, Urban Design
Phone: 705-742-7777, Ext. 1734
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: bbuchardt@peterborough.ca

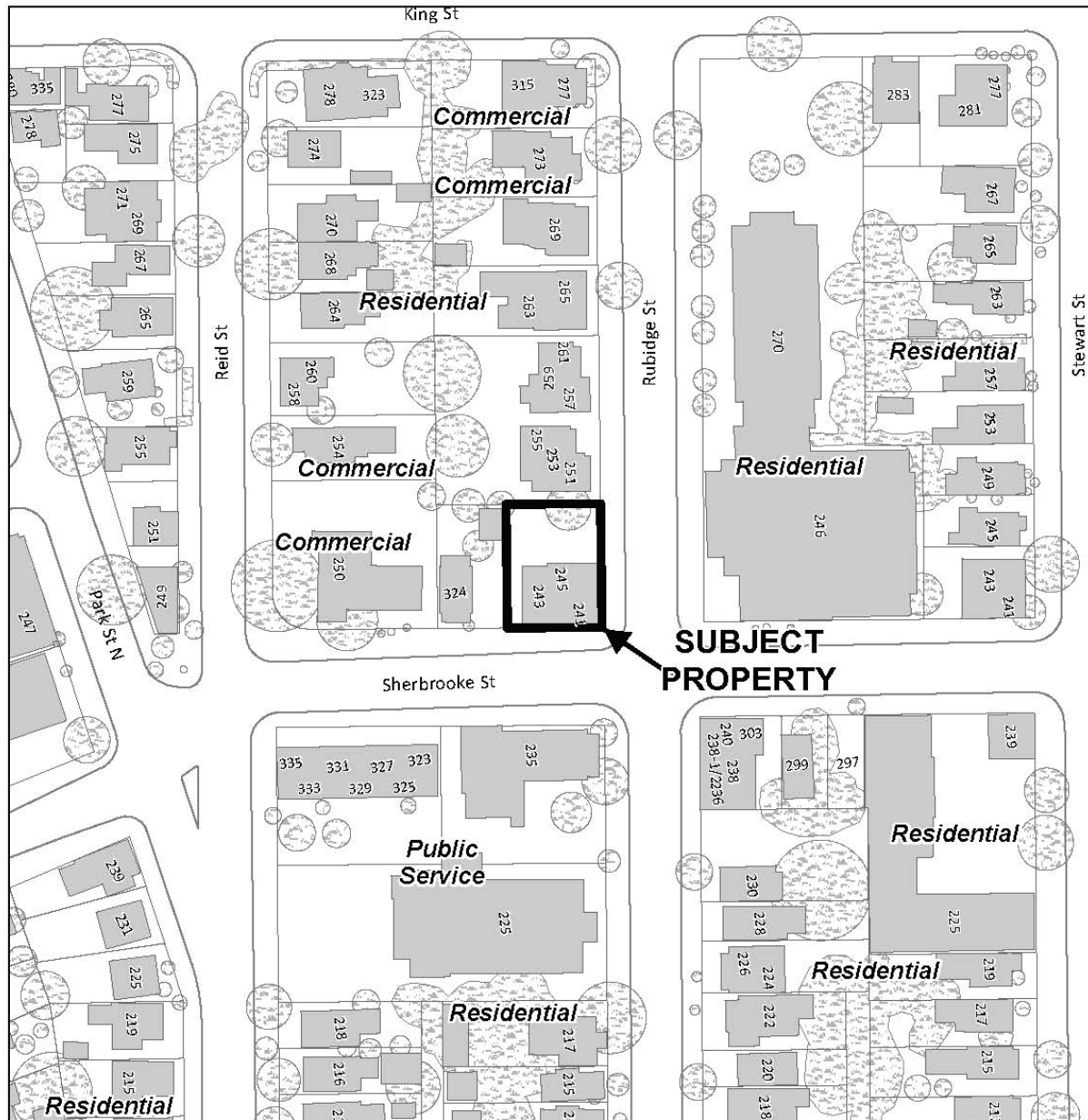
Attachments:

Exhibit A: Land Use Map
Exhibit B: Approved Ramp Drawings
Exhibit C: Draft By-law – Removal of Holding Symbol from the zoning of the property at 241 Rubidge Street

Land Use Map

Property Location: 241 Rubidge St

EXHIBIT
SHEET OF



The City of Peterborough Planning Division

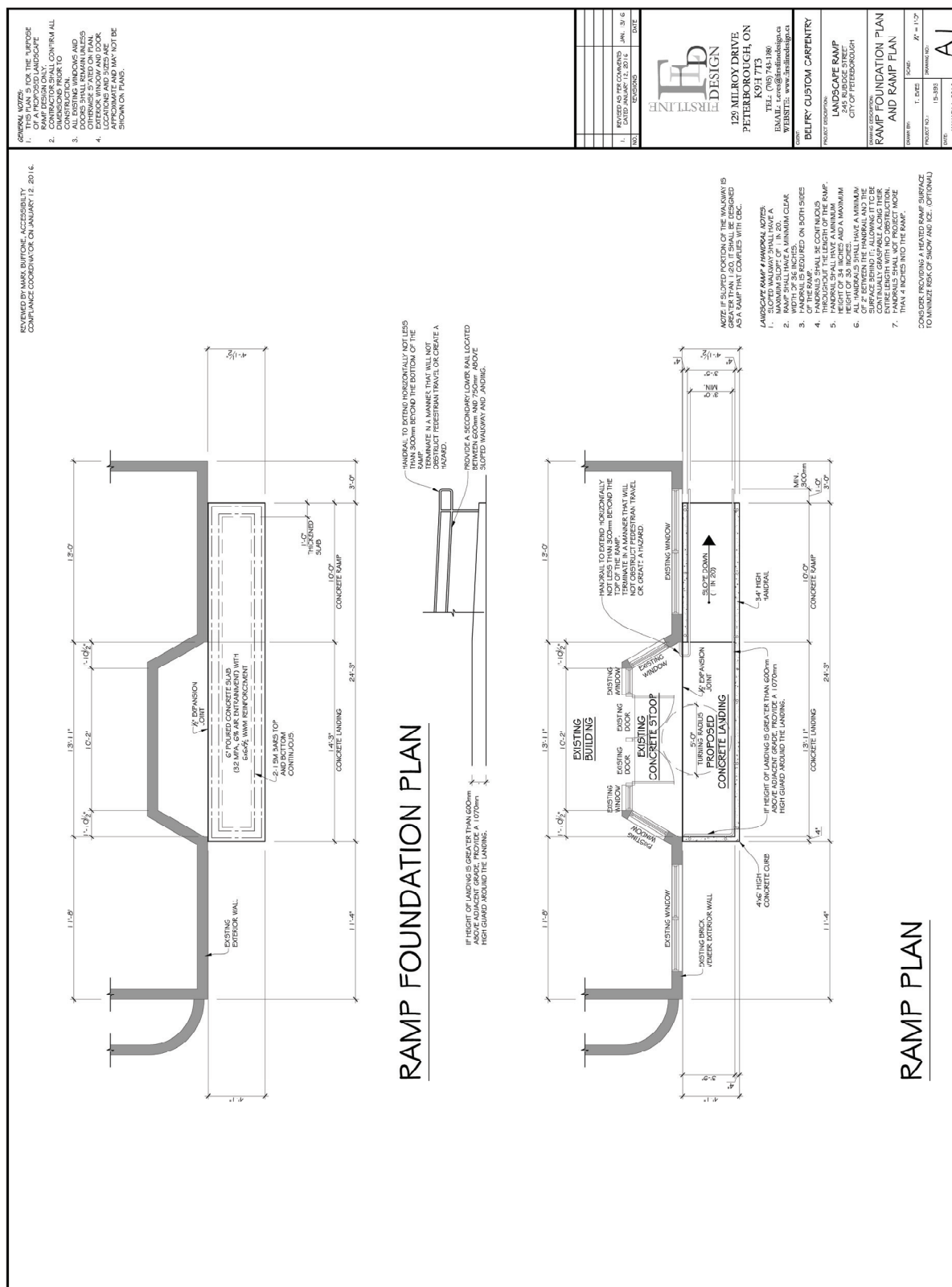
The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a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



Date: May 28, 2015
Map by: CSandanayake

0 5 10 20 30 40 Metres

Exhibit B, Page 1 of 2 – Approved Ramp Drawings



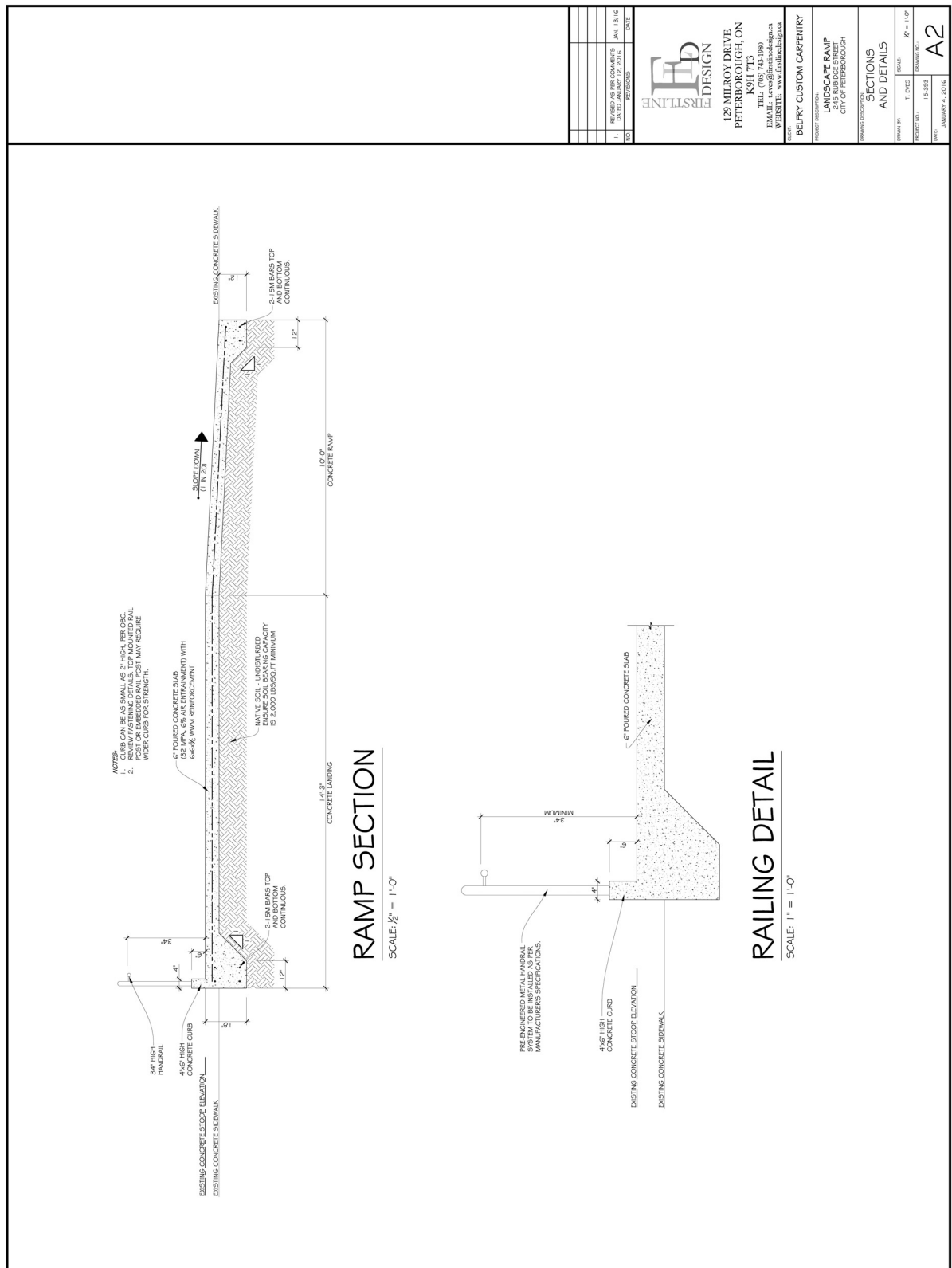


Exhibit C, Page 1 of 2

Draft By-law



The Corporation of the City of Peterborough

By-Law Number 16-

Being a By-law to remove the "H" – Holding Symbol from the zoning of the property at 241 Rubidge Street

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

Map 12c 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.1-299 'H' – Commercial District to C.1-299 – Commercial District.

By-law read a first, second and third time this ____ day of _____, 2016.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit C, Page 2 of 2

