



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

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

**MEETING DATE:** April 30, 2012

**SUBJECT:** Report PLPD12-023  
By-law to Remove an “H” Holding Symbol  
From the Zoning of the Property at  
622 Brealey Drive

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## **PURPOSE**

A report to recommend the removal of the “H” – Holding Symbol from the property at 622 Brealey Drive.

## **RECOMMENDATION**

That Council approve the recommendation outlined in Report PLPD12-023 dated April 30, 2012, of the Manager, Planning Division, as follows:

That the property at 622 Brealey Drive be rezoned from R.1, 1m, 2m – “H” to R.1, 1m, 2m in accordance with Exhibit “C” attached to Report PLPD12-023.

## **BUDGET AND FINANCIAL IMPLICATIONS**

There are no budget or financial implications arising from the approval of the recommendation.

## BACKGROUND

The subject property was rezoned in December of 2011 from D.2 – Development District to the R.1, 1m, 2m – ‘H’ - Residential District to facilitate the future severance of two residential lots for single detached dwellings on full municipal services.

An “H” – Holding Provision was imposed on the zoning of the property to ensure that these lands are developed in accordance with the provisions of the Official Plan and Provincial Policy. The “H” – Holding Provision may only be removed from the zoning of the property with the execution of a Development Agreement. The Agreement was to include the following provisions:

- 1) Implementation of any mitigation measures necessary to ensure the compatibility and prevention of adverse effects of noise, as determined by a Noise Impact Assessment,
- 2) Orientation of dwellings to be subject to the approval of the Planner, Urban Design, to ensure compatibility with the existing streetscape along Brealey Drive, and
- 3) The conveyance of a 5.18 metre road widening strip along Brealey Drive.

Subsequent to the Zoning By-law amendment, the owner of the subject property applied for a consent to sever to the Committee of Adjustment for the creation of three (3) building lots, each with a minimum lot width of 15 metres. The lots are to be created by severing one lot to the north of the existing dwelling and one lot the south of the existing dwelling on the property (see Exhibit “B”) conditional on the following:

- i) Conveyance to the City, free of encumbrances and at no cost to the City, a 5.18 metre strip of land across the severed and retained portions of the property for the purpose of widening Brealey Drive;
- ii) Conveyance of a 0.3 metre reserve across the width of Lot C to prevent access to Brealey Drive;
- iii) Payment of a parks levy for the two new lots in an amount to be determined by the Parks Levy review Committee;
- iv) Payment of a tree levy in the amount of \$382 in relation to the two new lots to be created;
- v) The owner of the property providing satisfactory evidence that the existing dwelling on the property is connected to sanitary services; and

- vi) The owner entering into a Development Agreement, to be registered on title at the expense of the owner, to address implementation of mitigative measures recommended by the Noise Study prepared by the applicant that would include warning clauses described by the document and the requirement of forced air conditioning and ventilation systems for the two new dwellings. The agreement will also require a driveway on the lot to the north designed to accommodate the ability of a motor vehicle to turn around and drive out forward onto Brealey Drive and the requirement of building plans to be approved by the Planner of Urban Design prior to issuance of a building permit to ensure compatibility of building design with the established standard in the neighbourhood.

The conditions imposed by the Committee of Adjustment guarantee that the conditions for the removal of the “H” – Holding Provision will be satisfied. As a result it is recommended to remove the “H” – Holding Provision from the Zoning of the subject property.

Submitted by,

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Ken Hetherington  
Manager, Planning Division

Prepared by:

Concurred with:

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Brian Buchardt  
Planner, Urban Planner

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Malcolm Hunt, Director  
Planning and Development Services

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Attachments:

- Exhibit A - Land Use Map
- Exhibit B - Site Plans
- Exhibit C - Draft By-law – Removal of Holding Symbol from 622 Brealey Drive