



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

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

**MEETING DATE:** August 27, 2012

**SUBJECT:** Report PLPD12-053  
By-law to Remove an “H” Holding Symbol  
From the Zoning of the Property at  
21 Barnardo Avenue

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## **PURPOSE**

A report to recommend the removal of the “H” – Holding Symbol from the property at 21 Barnardo Avenue.

## **RECOMMENDATIONS**

That Council approve the recommendations outlined in Report PLPD12-053 dated August 27, 2012, of the Manager, Planning Division, as follows:

- a) That the property at 21 Barnardo Avenue be rezoned from SP.6, 2m - 253 – “H” – Residential District to SP.6, 2m - 253 - Residential District, in accordance with Exhibit “C” attached to Report PLPD12-053.
- b) That approval of the Site Plan Application as illustrated on Exhibit ‘B’ of Report PLPD12-053 be conditional on the development being deemed an Affordable Housing Project under the Affordable Housing Community Improvement Plan.

## **BUDGET AND FINANCIAL IMPLICATIONS**

A Parks Levy in the amount of \$24,000.00, Development Charges in the amount of \$242,520.00 and a cash-in-lieu of parking payment in the amount of \$77,994.75 are due before the issuance of a building permit. The Parks Levy and the cash-in-lieu of parking payments can be waived and the Development Charges paid from the Affordable Housing Partnership Reserve if the development is deemed to be an Affordable Housing Project under the Affordable Housing Community Improvement Plan. Alternatively, the Development Charges can be waived if the development is approved as a Municipal Capital Facility.

## **BACKGROUND**

The subject property was rezoned in August, 2010 from R.4, UC, OS.2 to SP.6, 2m – 253 – “H”, Special Residential District to permit the use of the property as a multi unit residential dwelling with a minimum of 1.5 parking spaces per dwelling unit.

An “H” – Holding Provision was imposed on the zoning of the property, which may only be removed upon the approval of a site plan application. Accessibility and visit-ability issues were also to be addressed in the site plan application.

In June of this year, Report No. PLPD12-032 recommended that Section 5.11 Parking of the Official Plan be amended to include provisions for cash-in-lieu of parking for Affordable Housing Projects approved under the Affordable Housing Community Improvement Plan and located within the Community Improvement Area delineated on Schedule ‘H’ – Community Improvement of the Official Plan.

The City is able to collect cash-in-lieu of on-site parking if an Official Plan policy is in place. This amendment gives the City the opportunity to collect cash-in-lieu of parking for Affordable Housing projects within a defined area and to allocate the funds to the creation and maintenance of public parking spaces.

By-law No. 12-093 amended Section 5.11 Parking of the Official Plan, expanding the cash-in-lieu of parking area to match the boundaries of Schedule “H” of the Official Plan. This area includes the property at 21 Barnardo Avenue. The property has been included in the Community Improvement Area for long term Affordable Housing projects approved by the City.

The proposed development was originally required to provide 1.5 parking spaces per dwelling unit. Forty dwelling units are proposed, resulting in an on site parking requirement of 60 spaces. The current plans submitted for approval show the provision of 45 parking spaces. With Council’s approval of the development as an Affordable Housing Project, the site plan may be approved with the deposit of cash-in-lieu of

deficient parking. The current cash-in-lieu rate is \$5,199.65 per parking space. As a result, a cash-in-lieu payment in the amount of \$77,994.75 is required.

As part of the Site Plan Approval process, the owner has been in discussions with the City regarding the application of the incentives under the Affordable Housing Community Improvement Plan (C.I.P.). The Affordable Housing C.I.P. provides financial incentives to property owners providing new affordable housing accommodations within the area identified on Schedule “H” of the Official Plan. As part of the approval, the owner must execute an agreement with the City, to be in effect for a 15 year period, that the units will meet the definition of affordable, as established by the City.

In the case of the subject site plan, once an Affordable Housing Agreement has been executed, the parks levy and cash-in-lieu of parking fees can be waived and the development charges can be paid from the Affordable Housing Partnership Reserve.

In accordance with Council’s direction for Planning staff to hold a public meeting before the item is brought to the Planning Committee as a Site Plan matter, a meeting was held on the evening of July 19 at City Hall. The meeting was well attended with the applicant, his architect and both ward Councillors present. All the concerns that could be addressed through a site plan approval were adequately attended to by the applicant.

The neighbours were generally pleased to see that the revised plan showed a reduction in parking allowing for a much smaller retaining wall on the subject property. As well, the following improvements were made to the site plan:

- The height of the building was reduced by lowering its floor elevation and decreasing the roof slope.
- A lighting plan was submitted showing neighbouring properties would not be detrimentally affected by spill-over light.
- The Landscape Plan was revised to show more native tree plantings including coniferous trees along the top of the slope for screening.
- The driveway entrance is to remain in its current location to lessen the impact on an abutting property.
- The plans were revised to accurately specify trees to remain and trees to be removed with the development of the property.

An additional condition of the removal of the “H” – Holding Provision from the zoning of the property was to have accessibility and visit-ability issues addressed in the site plan application. All three floors of the building will be accessible (there will be an elevator) and all the dwelling units will be made visit-able. In accordance with the Zoning By-law, three disabled person’s parking spaces are provided adjacent to the building’s main entrance.

## SUMMARY

Planning staff are recommending the removal of the “H” – Holding Provision from the Zoning of the property. However, the site plan agreement may not be forwarded to the owner for execution until Council has declared the subject property as an Affordable Housing Project under the Affordable Housing Community Improvement Plan, which will be the subject of a future report to Council.

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:

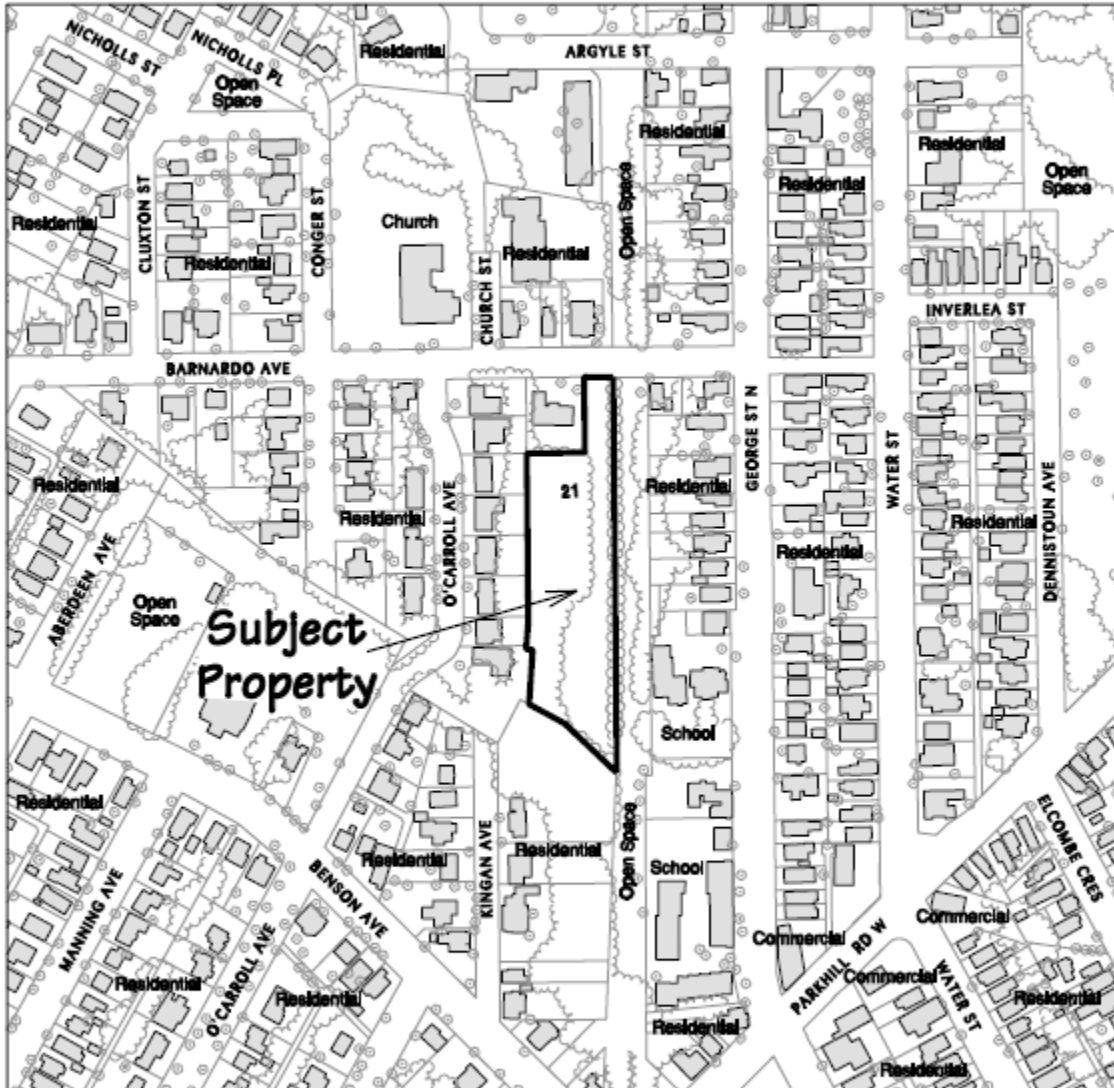
Exhibit A - Land Use Map  
Exhibit B - Site Plan  
Exhibit C - Draft By-law – Removal of Holding Symbol from 21 Barnardo Avenue

EXHIBIT ‘A’  
PAGE 1 OF 1

# Land Use Map

File # z1007

Property Location: 21 Barnardo Ave



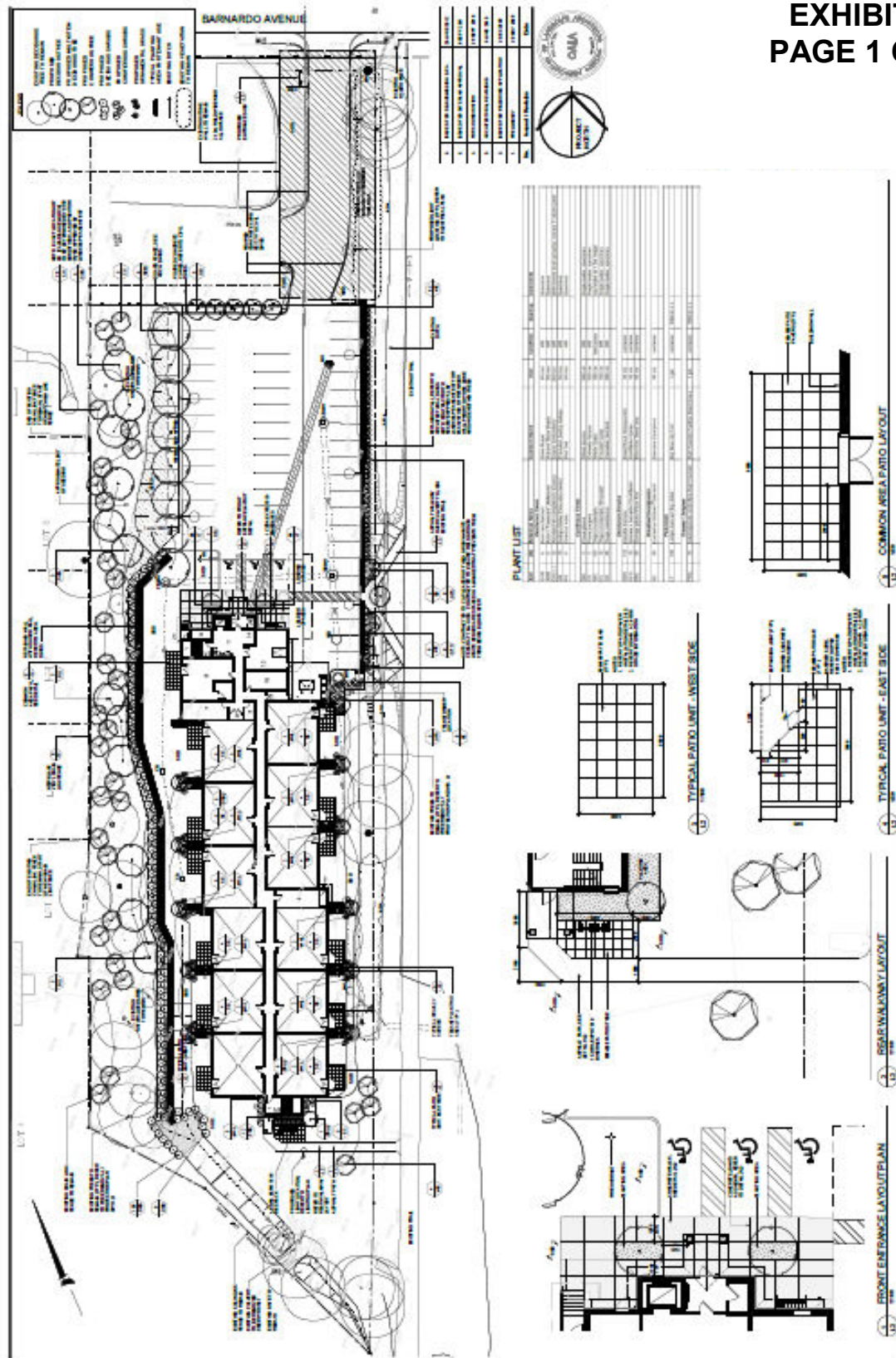
The City of Peterborough Planning Division

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Date - August 2012  
Dwg. by - CBerry  
Scale - 1:3000

**EXHIBIT 'B'**  
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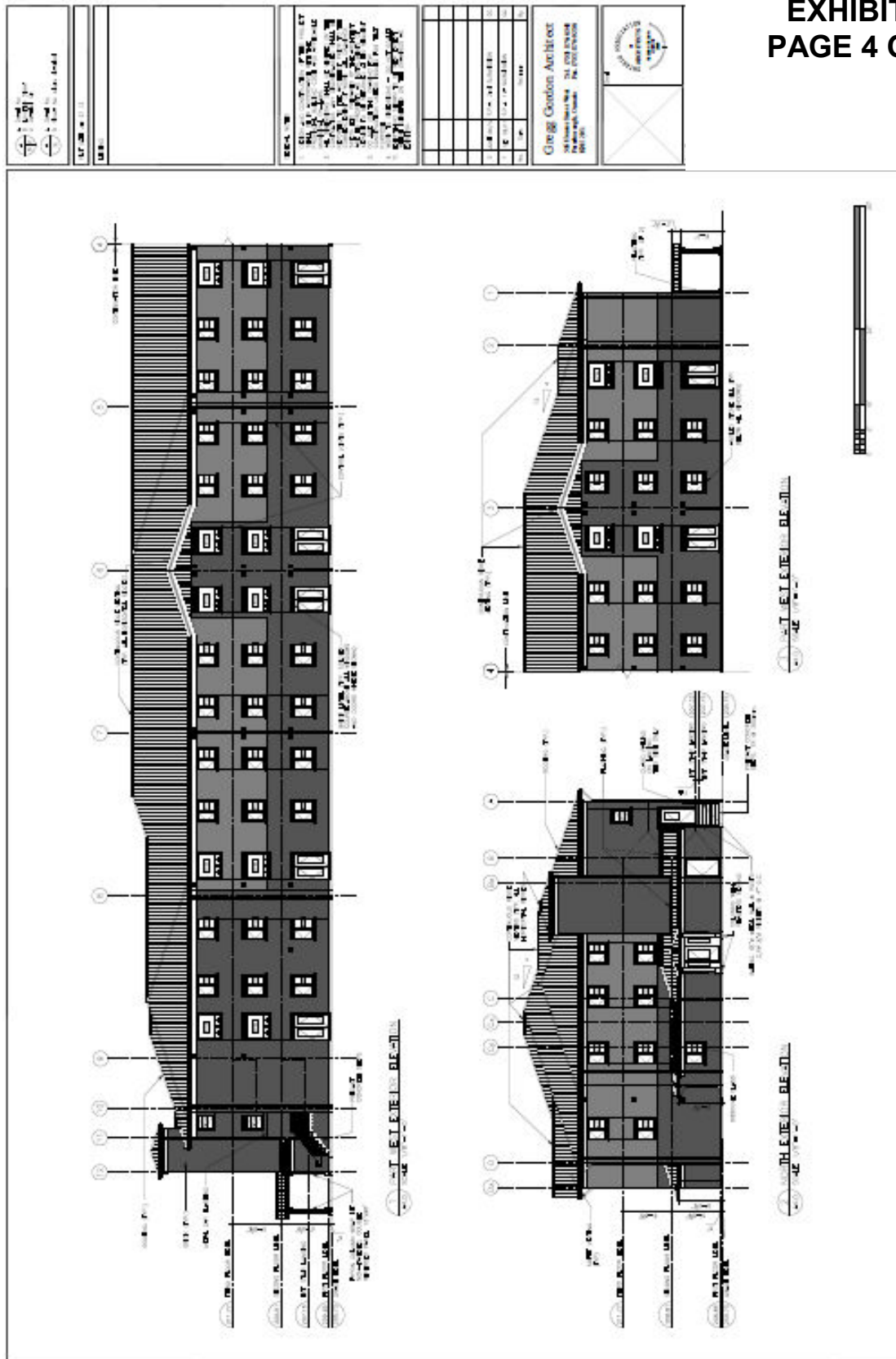




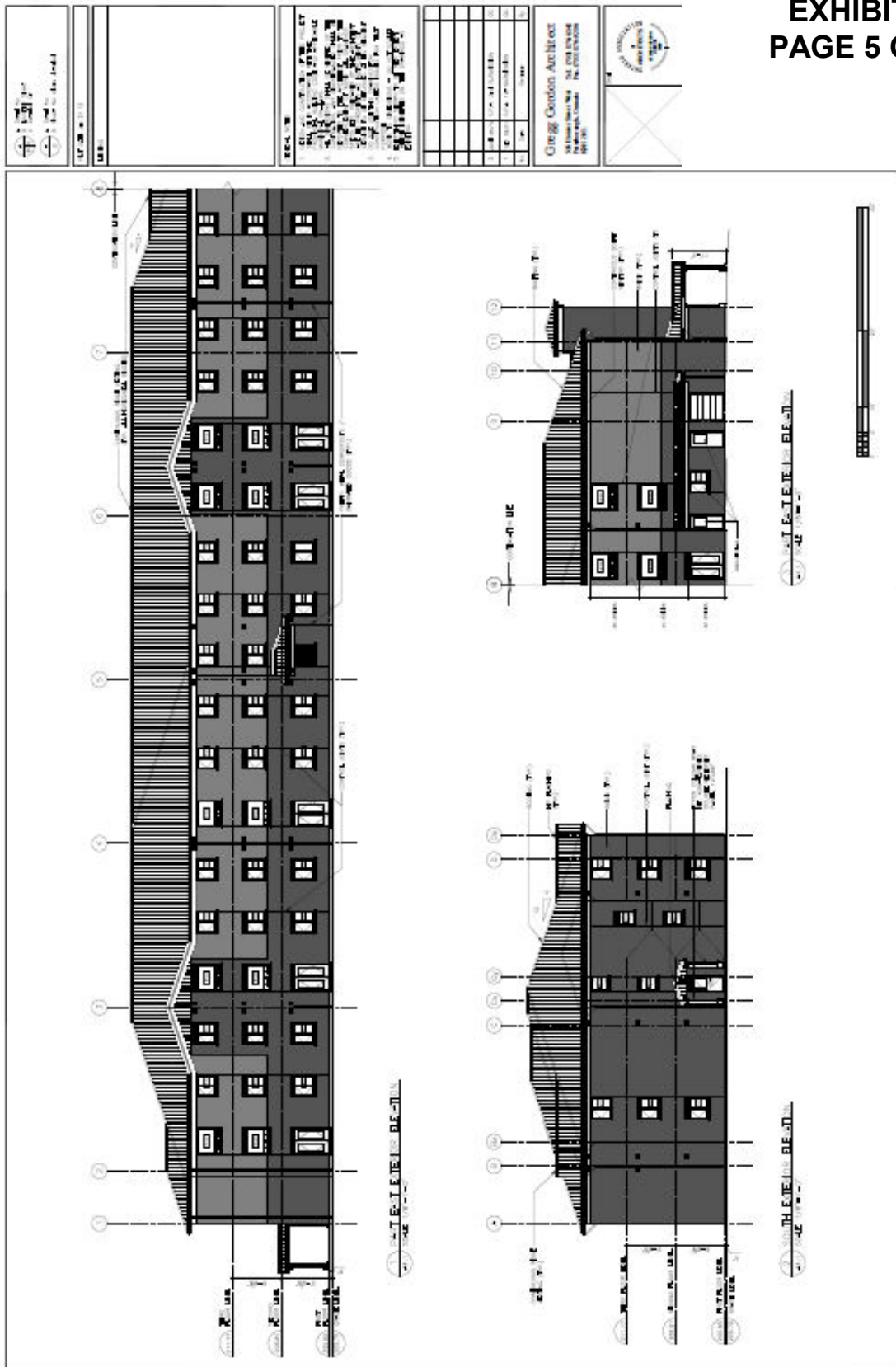
**EXHIBIT ‘B’  
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**EXHIBIT ‘B’  
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**EXHIBIT ‘C’  
PAGE 1 OF 2**

**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**BY-LAW NUMBER 12-**

**BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR 21 BARNARDO  
AVENUE**

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL  
THEREOF HEREBY ENACTS AS FOLLOWS:

1. Map 7 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 **SP. 6, 2m - 253 - ‘H’** to **SP. 6, 2m - 253**.

By-law read a first, second and third time this    day of \_\_\_\_\_, 2012.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

**EXHIBIT ‘C’**  
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