



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: September 17, 2012

SUBJECT: Report PLPD12-061
By-law to remove an 'H' – Holding Symbol from the
Zoning By-law for Plan of Subdivision 45M-235
1827403 Ontario Inc.
811 Milford Drive, 334 and 338 Middlefield Road

PURPOSE

A report to recommend the removal of the "H" – Holding Symbol from the Zoning By-law for Plan of Subdivision 45M-235.

RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD12-061 dated September 17, 2012, of the Manager, Planning Division, as follows:

That Lots 1 to 16 inclusive, Plan of Subdivision 45M-235, (Cornelius Court and Middlefield Road) be rezoned from R.1,-"H", R.1,2r,-"H" and R.2,-"H" to R.1, R.1,2r and R.2 in accordance with Exhibit A attached to Report PLPD12-061.

BUDGET AND FINANCIAL IMPLICATIONS

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

BACKGROUND

Draft Plan Approval for Draft Plan of Subdivision 15T-10502 came into effect on October 13, 2010 and was subsequently granted Final Approval by the Director of Planning and Development Services under the authority of By-law 11-082 on July 30, 2012. On July 31, 2012, Draft Plan 15T-10502 was registered as Plan 45M-235 and a subdivision agreement between the City and 1827403 Ontario Inc. was registered as Instrument No. PE173359 on August 10, 2012.

Zoning By-law 1996-25 was applied to a previous Draft Plan of Subdivision application on the lands, known as the Hendricks subdivision, which never proceeded to final approval. That by-law, which remains applicable, includes an “H” – Holding Provision on the entire plan of subdivision to ensure that the plan of subdivision incorporates the adjacent land known as Block 43 of Plan of Subdivision 45M-207 along Middlefield Road for residential use prior to development (see Exhibit B attached hereto).

With the registration of Plan of Subdivision 45M-235 and the creation of Cornelius Court, Block 43 of Plan 45M-207 has now been assimilated into Lots 8 to 12 inclusive along Cornelius Court and Lot 16 along Middlefield Road (see Exhibit C). Accordingly, the requirements of By-law 1996-25 with respect to Block 43, Plan 45M-207 have now been fulfilled for the subject plan of subdivision and therefore it is recommended that the “H” – Holding Provision be removed from the entirety of Plan 45M-235. Once the subdivision agreements are executed, the lifting of the Holding Provision is considered to be a housekeeping matter.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Brad Appleby,
Planner, Subdivision Control
& Special Projects

Concurred with,

Malcolm Hunt, Director,
Planning and Development Services

Contact Name:

Brad Appleby
Planner, Subdivision Control and Special Projects
Planning & Development Services
Phone: 705-742-7777 Ext. 1886
Fax: 705-742-5218
Toll Free: 855-738-3755
E-Mail: bappleby@peterborough.ca

Attachments:

Exhibit A – Draft 'H' Removal By-law – Plan 45M-235
Exhibit B – Plan of Subdivision 45M-207
Exhibit C – Plan of Subdivision 45M-235

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 12-(Clerk's office will assign the number)

**BEING A BY-LAW TO AMEND THE ZONING BY-LAW TO REMOVE A
HOLDING SYMBOL FROM LOTS 1 TO 16, REGISTERED PLAN OF
SUBDIVISION 45M-235, 811 Milford Drive, 334 AND 338 MIDDLEFIELD
ROAD**

WHEREAS pursuant to Section 36 of the Planning Act, R.S.O., 1990, c.P.13, a Holding Symbol was applied to the above lands by By-law;

AND WHEREAS, in the opinion of Council, the condition for the removal of the Holding Symbol has been satisfied.

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

Map 23 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-"H", R.1,2r-"H" and R.2-"H" to R.1, R.1,2r and R.2.**

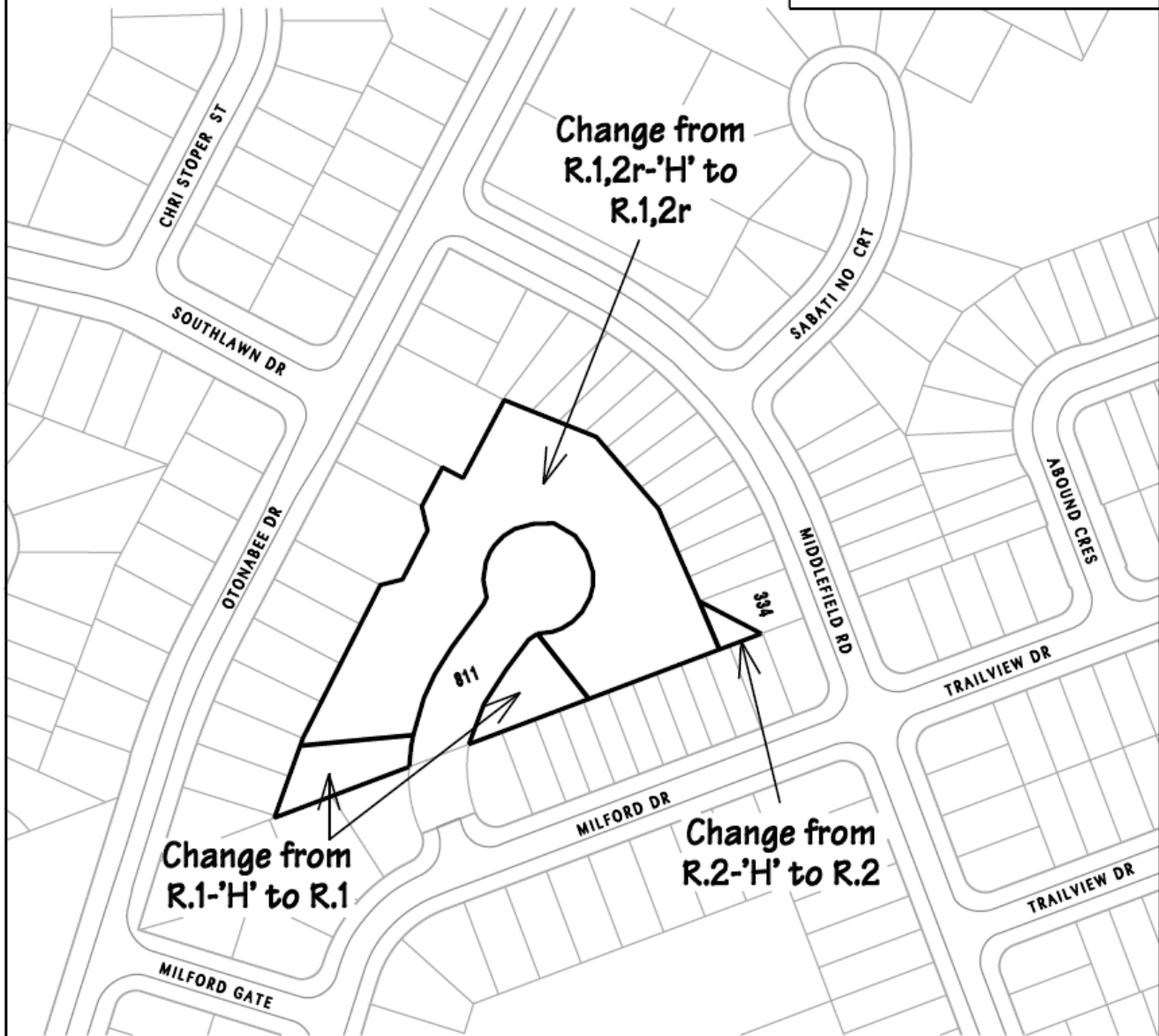
By-law read a first, second and third time this day of _____, 2012.

Daryl Bennett, Mayor

John Kennedy, City Clerk

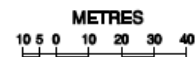


SCHEDULE 'A' TO
BYLAW 2012 -
PASSED THE DAY
OF 2012
MAYOR
CLERK



City of
Peterborough

File: z95019sb



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

METRIC:
DISTANCES SHOWN ON THIS PLAN ARE IN METERS
AND CAN BE CONVERTED TO FEET BY DIVIDING
BY 0.3048.

PLAN 45M-207
I CERTIFY THAT THIS PLAN (45M-207) IS REGISTERED IN THE LAND REGISTRY
OFFICE FOR THE LAND TITLED DIVISION OF PETERBOROUGH (PLAN 45)
AT 15 03/03/2008 ON THE 26th DAY OF November, 2003 AND
DIVIDED IN THE PARCEL REGISTER FOR PWD 2042-001(1) AND 2042-001(2)
REGISTERED CONVEYANCE ARE:
REGISTERED AS PLAN DOCUMENT No. 157, 119, 214
REGISTERED AS PLAN DOCUMENT No. 157, 119, 214
REGISTERED AS PLAN DOCUMENT No. 157, 119, 214

NOTE:
THIS PLAN COMPOSES OF ALL OF THE PWD 2042-001(1) AND PWD 2042-001(2)
APPROVED UNDER SECTION 33 OF THE PLANNING ACT
THIS DAY OF November, 2003
DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES
WALTON HUNT

PLAN AND FIELD NOTES
OF SUBDIVISION OF
PART OF LOTS 2 AND 3, REGISTERED PLAN No. 45
CITY OF PETERBOROUGH
COUNTY OF PETERBOROUGH
SCALE: 1" = 750'
BLITT AND PAIR (PETERBOROUGH) LTD.
2003

SURVEYOR'S CERTIFICATE:
I, LORETTA BLITT, a duly qualified and licensed Surveyor, do hereby certify that this plan and field notes are correct in accordance with the Surveyors Act and the Regulations made under there. The survey was completed on the 14th day of November, 2003.
PETERBOROUGH, ONTARIO
14 NOVEMBER, 2003
LORETTA BLITT
Surveyor

LEGEND AND NOTE:
BEARINGS ARE ASTROLOGICAL, DERIVED FROM THE EASTERLY
LIMIT OF PLAN 45M-116 HAVING A BEARING OF N71°12'E
CLASHED WITH THE CLASH AND THE PLANT
• DOTTED LINE SHOWN
• DOTTED LINE SHOWN
• DOTTED LINE SHOWN
• DOTTED LINE SHOWN

OWNER'S CERTIFICATE:
I, LORETTA BLITT, a duly qualified and licensed Surveyor, do hereby certify that this plan and field notes are correct in accordance with the Surveyors Act and the Regulations made under there. The survey was completed on the 14th day of November, 2003.
PETERBOROUGH, ONTARIO
14 NOVEMBER, 2003
LORETTA BLITT
Surveyor

DATED: 14th OF NOVEMBER, 2003
LORETTA BLITT INC.

