



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: October 7, 2013

SUBJECT: Report PLPD13-068
Removal of 'H' – Holding Symbol from the Zoning of the
Property at 834 Water Street

PURPOSE

A report to recommend the removal of the 'H' – Holding Symbol from the zoning of the property at 834 Water Street.

RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD13-068 dated October 7, 2013, of the Manager, Planning Division, as follows:

That the property at 834 Water Street be rezoned from R.3-272-'H'-Residential District to R.3-272-Residential District in accordance with Exhibit 'C' attached to Report PLPD13-068.

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 subject property was rezoned in September of 2012 from R.1, R.2 to R.3-272-‘H’-Residential District to recognize the existing use of the property for four (4) dwelling units with site specific regulations to recognize the location of the existing buildings and facilitate the introduction of additional parking to the site. (Zoning File: Z1207, Planning Report PLPD12-037A).

The conditions for the removal of the ‘H’ – Holding Symbol from the zoning of the subject property are as follows:

- Site Plan Approval is granted, including the requirement of a 6’ high board fence along the southern property line,
- The deposit of Cash in Lieu of Parkland for the fourth dwelling unit,
- The acquisition of a Building Permit for Residential Occupancy, including an electrical Safety Authority Inspection for Units C and D as identified on the Concept Sketch prepared by beninger Surveying Ltd., March 19, 2012 and,
- Payment of all applicable Development Charges for the fourth dwelling unit.

The conditions for the removal of the ‘H’-Holding Symbol from the zoning of the subject property have been satisfied. Staff are recommending a modified implementation of the requirement of a 6’ high board fence along the southern property line, as outlined in this report.

Subsequent to the Planning Committee meeting, an amendment was made to the recommendations two weeks later at a regular meeting of City Council, adding an additional condition for the removal of the ‘H’-Holding Symbol from the zoning of the property:

That recommendation d) i) of Report PLPD12-037A be amended by adding the following wording:

“Including the requirement of a 6’ high board fence along the southern property line”.

Staff have carefully reviewed the implications this would have on a number of existing mature trees down the south property line and have concluded that the construction of the fence would require their removal. These trees are near the front of the site, along the south property line and are in a healthy condition.

As a result, it has been recommended that the requirement for the removal of trees as a condition of the removal of the 'H'-Holding symbol from the zoning of the property, be modified in its application. The recommended compromise is to require the owner to replace an existing fence in disrepair along the south property line, further east of the existing trees. The new fence, a 6 foot high board fence, would effectively screen the abutting property to the south from the fourth dwelling unit that would be legalized by way of the removal of the 'H'-Holding Symbol from the zoning of the property.

If council is supportive of the modification pertaining to the 6' high board fence, the conditions associated with the removal of the 'H' – Holding Provision with respect to the zoning of the property at 834 Water Street can be considered satisfied. The Site Plan is attached as Exhibit 'B' to this report.

Submitted by,

Ken Hetherington
Manager, Planning Division

Prepared by:

Concurred with:

Brian Buchardt
Planner, Urban Planner

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:

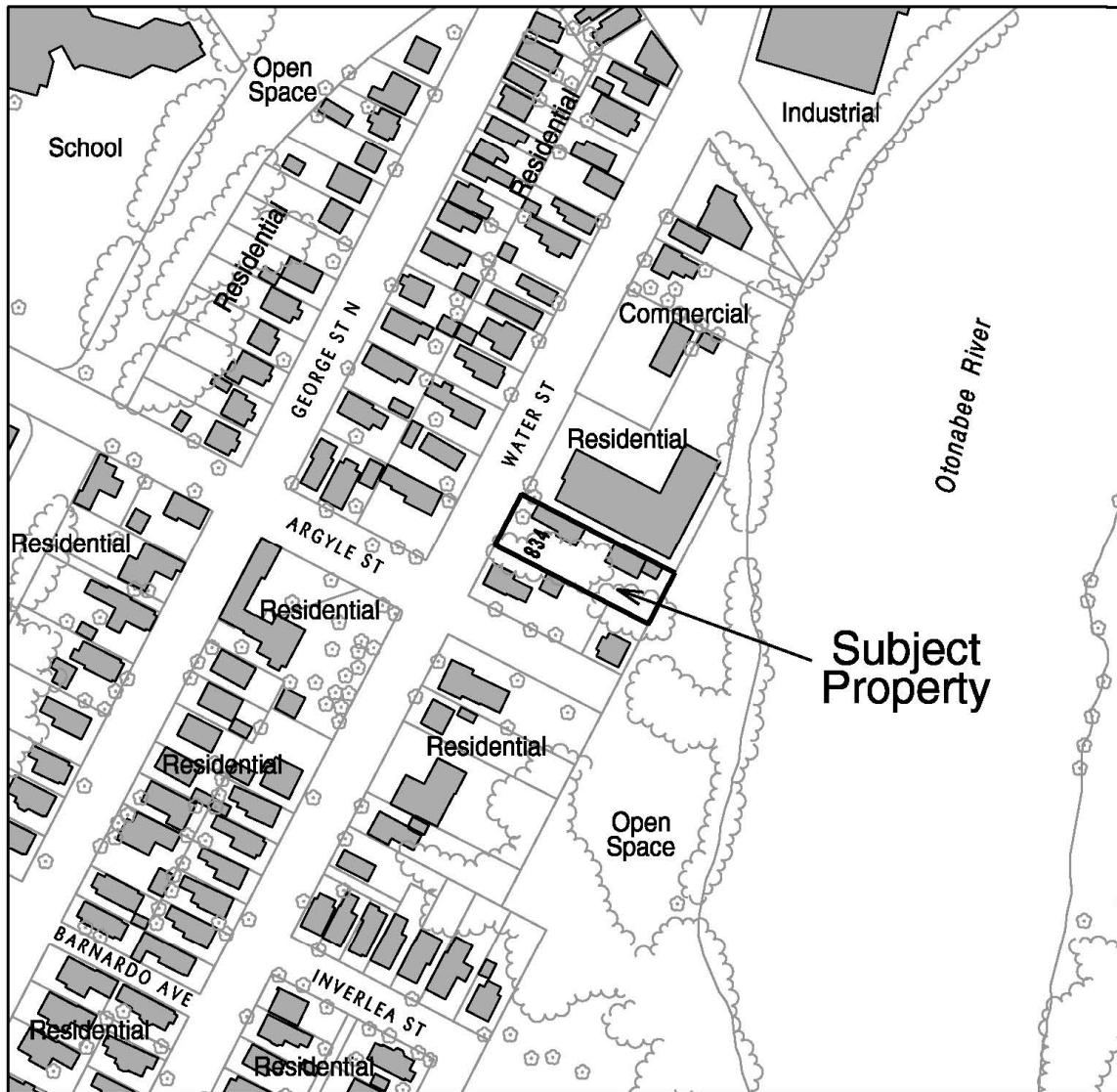
Exhibit A - Land Use Map
Exhibit B - Site Plan
Exhibit C - Draft By-law – Removal of Holding Symbol from the zoning of the property
834 Water Street

EXHIBIT A
Page 1 of 1

Land Use Map

File # z1207

Property Location: 834 Water St



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 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.



Date - September 2013

Dwg. by - CBerry

METRES
10 5 0 10 20 30 40

FILE 1

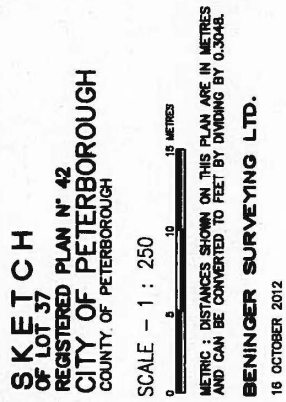
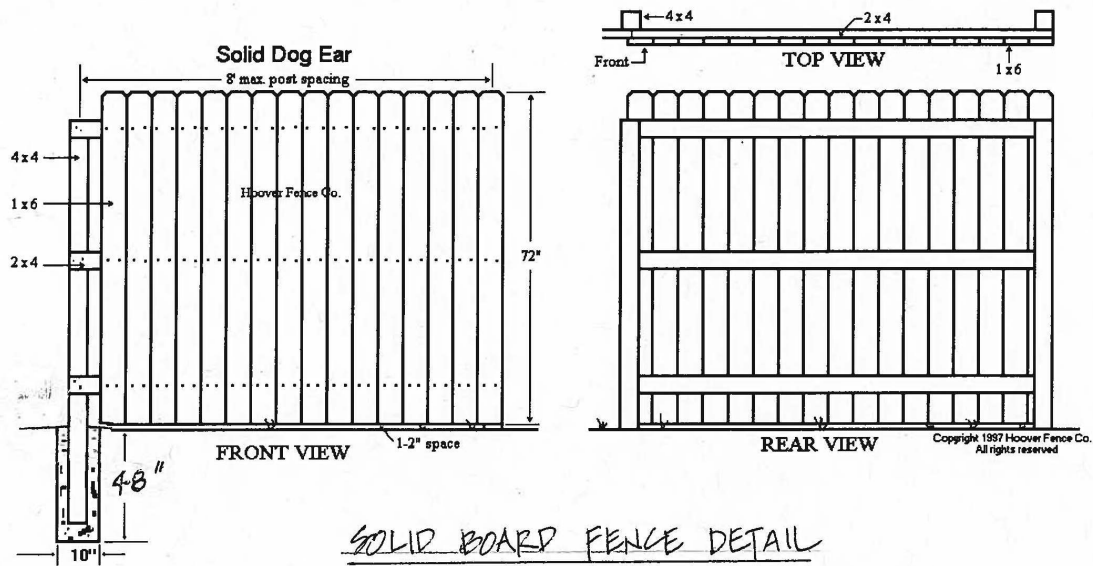


EXHIBIT B
Page 2 of 2



SOLID BOARD FENCE DETAIL

PRESSURE-TREATED WOOD FENCE WITH
4x4 POSTS FOOTED IN PACKED LIMESTONE
SCREENINGS

EXHIBIT C
Page 1 of 2

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 13-____

**BEING A BY-LAW TO REMOVE THE ‘H’ – HOLDING SYMBOL FROM THE
ZONING OF THE PROPERTY AT 834 WATER STREET**

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 **R.3-272-‘H’** to **R.3-272**.

By-law read a first, second and third time this day of , 2013.

Daryl Bennett, Mayor

John Kennedy, City Clerk

EXHIBIT C
Page 2 of 2

