



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: October 7, 2013

SUBJECT: Report PLPD13-002
Removal of 'H' – Holding Symbol from the Zoning of the
property at 264 Stewart Street

PURPOSE

A report to recommend the removal of the 'H' – Holding Symbol from the zoning of the property at 264 Stewart Street.

RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD13-002 dated October 7, 2013, of the Manager, Planning Division, as follows:

That the property at 264 Stewart Street be rezoned from SP. 241, 11h – 251 – 'H' – Special Commercial District to SP. 241, 11h – 251 – Special Commercial District in accordance with Exhibit 'C' attached to Report PLPD13-002.

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 March of 2010 from R.1, R.2, R.3 – Residential District to SP. 241, 11h – 251-'H'-Special Commercial District to permit the land to be used for an office and/or a dwelling unit only. (Zoning File: Z0914, Planning Report PLPD10-010).

The conditions imposed for the removal of the 'H' – Holding Symbol from the zoning of the property are as follows:

- i) Site Plan Approval is granted for the subject property, including:
 - an agreement with the City of Peterborough to provide cash-in-lieu of parking under Section 40 of the Planning Act, R.S.O., c.P.13 ; for one space only; or a provision requiring that one parking space be provided and maintained within 100 metres of the subject property.
 - provisions for the encroachment of the existing porch within the road allowance for Stewart Street.
- ii) That the applicant obtain verification from the Building Division, that the Change of Use of the building and any related construction undertaken, complies with the requirements of the Building Code Act, R.S.O. 1990 and the Ontario Building Code.

Site Plan Approval has been granted. The additional required parking space was provided on a property across the road at 267 Stewart Street (also owned by the owner of the subject property). Provisions for the encroachment of the existing porch within the road allowance for Stewart Street have been incorporated in the Site Plan Agreement. Finally, it was confirmed that the change in use and the related building construction complies with the Building Code Act and the Ontario Building Code.

SUMMARY

The conditions associated with the removal of the 'H' – Holding Provision with respect to the zoning of the property at 264 Stewart Street have been 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

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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
264 Stewart Street

EXHIBIT A
Page 1 of 1

Property Location: 264 Stewart St

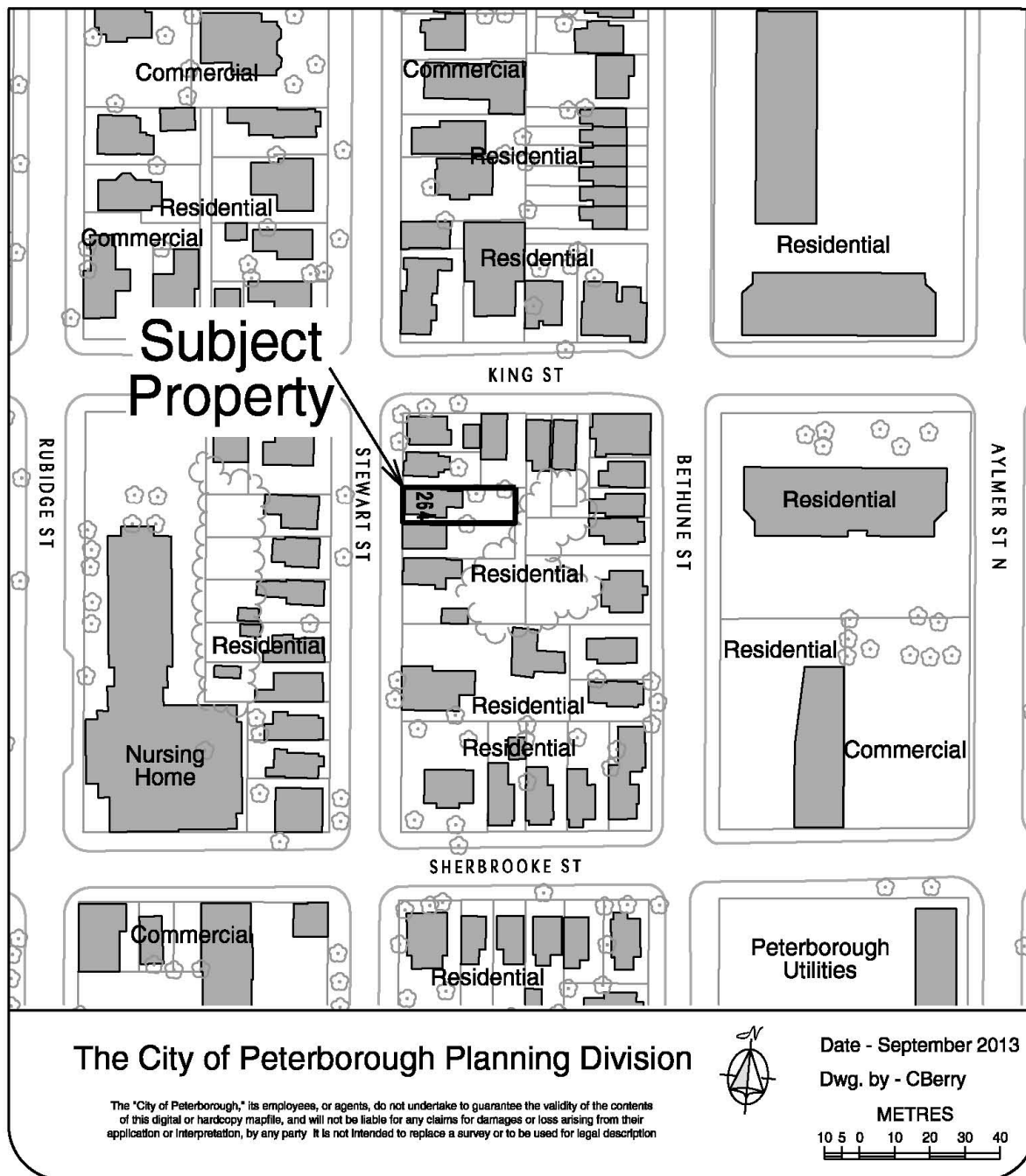


EXHIBIT B
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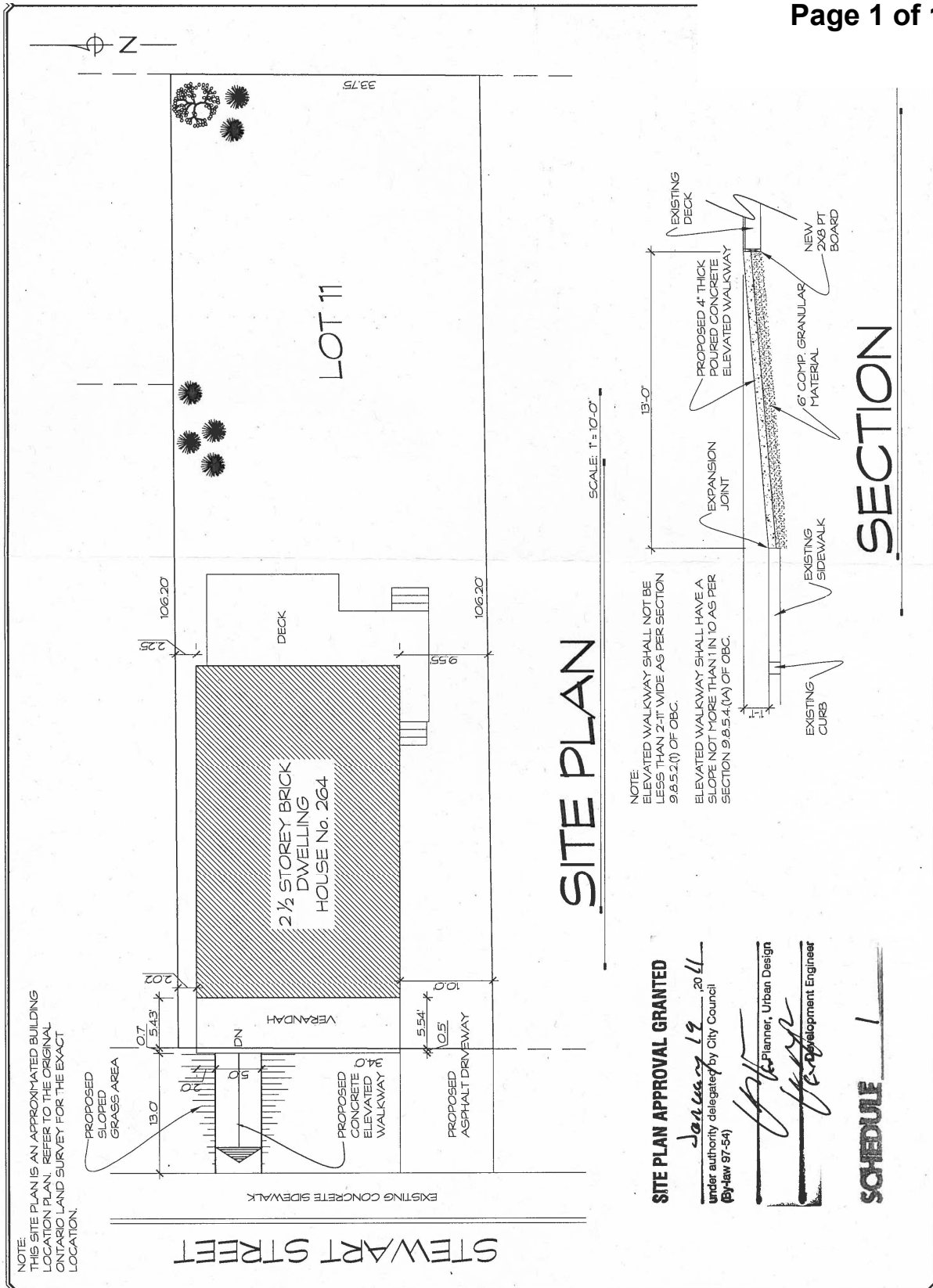


EXHIBIT C
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THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 13-____

**BEING A BY-LAW TO REMOVE THE 'H' – HOLDING SYMBOL FROM THE
ZONING OF THE PROPERTY AT 264 STEWART STREET**

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

1. 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 **SP.241, 11h - 251 - 'H'** to **SP.241, 11h - 251**.

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

Daryl Bennett, Mayor

John Kennedy, City Clerk

EXHIBIT C
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