



City of  
**Peterborough**

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**To:** **Members of the Planning Committee**

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

**Meeting Date:** **April 14, 2014**

**Subject:** **Report PLPD14-024**  
**By-law to remove an 'H' – Holding Symbol from the Zoning**  
**By-law for 793 Spillsbury Drive**

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## **Purpose**

A report to recommend the removal of the 'H' – Holding Symbol from the Zoning By-law for the property municipally known as 793 Spillsbury Drive.

## **Recommendation**

That Council approve the recommendation outlined in Report PLPD14-024 dated April 14, 2014, of the Manager, Planning Division, as follows:

That the property municipally known as 793 Spillsbury Drive and more particularly described as Part 3, 45R-11465 be rezoned from R.1-'H' to R.1 in accordance with Exhibit A attached to Report PLPD14-024.

## **Budget and Financial Implications**

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

## Background

The property located at 793 Spillsbury Drive was originally created by severance in accordance with Committee of Adjustment application B7/99 which was approved in 1999. At the time, this particular lot was conveyed to the City for potential future road purposes. As a condition of approval, the applicant at the time, Tandaxe Homes Limited, entered into a Development Agreement with the City which required the City to convey the lands back to the applicant should they no longer be required for road purposes. The agreement further stipulated that should the lands be conveyed back to the applicant, the applicant would be responsible for paying any applicable parks levy and tree levy fees.

In 2013, Council granted Draft Plan of Subdivision Approval for Plan of Subdivision 15T-08502 for the lands immediately west of the subject parcel. As part of that approval, Council also passed a resolution to deem the subject parcel as being not required for public highway purposes (Report PLPD13-026). In accordance with that decision, Council subsequently passed By-law 14-020 to authorize the transfer of the parcel back to the original applicant/owner and the property was transferred on February 25, 2014.

Concurrent with the City's processing of Draft Plan of Subdivision 15T-08502 and the conveyance of the subject property back to its previous owner, the city also processed a Zoning By-law Amendment application for the property in anticipation of its use in conjunction with the adjacent Plan of Subdivision. In October 2013, By-law 13-142 was passed to re-zone the property from R.1,1m,2m to R.1 (residential district). As part of that By-law, a Holding Symbol was applied to the lot requiring payment of the applicable parks levy and tree levy as conditions for removal.

On February 18, 2014, the City received payment of the required parks levy and tree levy. Accordingly, the conditions of By-law 13-142 have been fulfilled and it is therefore recommended that the 'H' – Holding Provision be removed from the subject property.

Submitted by,

Ken Hetherington  
Manager, Planning Division

Prepared by,

Brad Appleby  
Planner, Subdivision Control &  
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Concurred with,

Malcolm Hunt, Director  
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Attachment:  
Exhibit A – Draft Holding Symbol Removal By-law for 793 Spillsbury Drive

## **Exhibit A, Page 1 of 2**



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### **The Corporation of the City of Peterborough**

#### **By-Law Number 14-**

Being a By-law to Remove The 'H' – Holding Symbol from the Zoning of the Property at 793 Spillsbury Drive

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The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

Map 20 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' to R.1.

By-law read a first, second and third time this 28th day of April, 2014.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk

