



City of  
**Peterborough**

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**To:** Members of the Planning Committee

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

**Meeting Date:** March 21, 2016

**Subject:** Report PLPD16-027  
Revised Batten-White Subdivision  
Draft Plan of Subdivision Application 15T-14501  
Official Plan Amendment O1403  
Zoning By-law Amendment Z1410sb  
LTM Land Corp., William and Roger White  
1225, 1261 and 1289 Parkhill Road West

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## **Purpose**

A report to evaluate the planning merits of the revised Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment applications for the properties at 1225, 1261 and 1289 Parkhill Road West.

## **Recommendations**

That Council approve the recommendations outlined in Report PLPD16-027 dated March 21, 2016, of the Manager, Planning Division, as follows:

- a) That Schedules “B” – Roadway Network, “E” – Residential Density, and “G” – Jackson Creek Secondary Plan of the Official Plan be amended in accordance with Exhibit B of Report PLPD16-027.
- b) That Draft Plan of Subdivision Approval for Plan 15T-14501, Drawing No. 4456-DP dated July 2015 and revised March 1, 2016 by M.J. Davenport & Associates Ltd., be granted, subject to the Conditions of Draft Plan Approval attached to Report PLPD16-027, as Schedule 1.

- c) That Section 3.9 Exceptions of Zoning By-law 97-123 be amended by adding exception 302 in accordance with Exhibit C of Report PLPD16-027.
- d) That the subject property be rezoned from D.2 Development District and SP.238 Residential District to R.1,8z-162-“H”; R.1,8z,10e-162-“H”; R.31,3x,5f-“H”; SP.273,10e,16h-302-“H” – Residential Districts, and OS.1; OS.2 – Open Space Districts in accordance with the Draft Plan of Subdivision and Exhibit C of Report PLPD16-027.

## Budget and Financial Implications

Approval of the subject plan will require the eventual purchase of approximately 2.3 ha of land from the Owners for open space purposes in order to implement the conservation objectives of the Official Plan and the Loggerhead Marsh Management Plan. Typically, the City receives cash-in-lieu of parkland dedication from developers at a rate of \$85,000 per hectare. If this rate is applied to the acquisition of parkland, the City may need to pay approximately \$195,000 for the additional open space area. Funding for such purchases typically comes from the City's parkland reserve, which has a current balance of \$129,231. In the event of a funding shortfall in the parkland reserve, additional funding will need to be set aside in future capital budgets for land acquisition.

## Rationale

In staff's opinion, the proposed plan and its supporting documents have sufficiently addressed staff's concerns regarding the previous version of the plan considered by Council. Accordingly, staff is now supportive of the proposed plan because it:

- Includes a mix housing types and densities consistent with City and Provincial policy;
- Provides street connectivity to adjacent lands that will foster the creation of an integrated community;
- Provides enhanced protection of the woodlot on site in accordance with the Jackson Creek Secondary Plan and the Loggerhead Marsh Management Plan;
- Has addressed Otonabee Region Conservation Authority (ORCA) concerns regarding environmental buffer widths from Loggerhead Marsh, its creek outlet, and wetland pockets along that creek;
- Has assessed the intermittent watercourse on the property at 1289 Parkhill Road West in light of ORCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation; and
- Has confirmed viable sanitary servicing solutions that are acceptable to the City.

In staff's opinion, the plan is now consistent with Provincial Policy and the Official Plan. Any outstanding matters can be addressed through Conditions of Draft Plan Approval.

## Background

On May 25, 2015, Planning Committee held a public meeting to evaluate the merit of the subject applications. At the time, Planning Committee approved the recommendation from Report PLPD15-030 to deny the proposed applications. In making this recommendation, the report cited concerns regarding:

- housing density and mix, street connectivity, relationship to adjacent properties, and woodlot preservation;
- environmental buffer widths from Loggerhead Marsh, its creek outlet, and wetland pockets along that creek;
- an intermittent watercourse on the property at 1289 Parkhill Road West; and
- the need to confirm a sanitary servicing solution.

However, the report did indicate staff's confidence that the proposed Draft Plan of Subdivision could be brought into compliance with City and Provincial policy if the Applicants were willing to introduce some variety of housing form and density into the plan, include vehicular connectivity to adjacent lands, and provide better protection to forested greenspace in the plan as envisioned in the Jackson Creek Secondary Plan.

On June 8, 2015, at the Applicants' request, Council opted to refer the subject applications to allow time for staff and the Applicants to consider amendments to the plan. Since that time, the Applicants have adjusted the plan in an attempt to resolve the previous concerns. Accordingly, it is now appropriate for Planning Committee to hold a new public meeting to consider the amended plan.

The subject lands are approximately 19.8 hectares (49 acres) in size. The lands are located along the south side of Parkhill Road West, between Ravenwood Drive and Brealey Drive. They are generally located opposite the Jackson Creek Meadows subdivision that is currently under development north of Parkhill Road and abut existing agricultural/rural residential properties to the east and west. Loggerhead Marsh, a locally significant wetland, is located on adjacent lands to the south and west of the proposed plan. Additionally, a small creek flows along the south limit of the properties from the Loggerhead Marsh to Ravenwood Drive and eventually Jackson Creek.

Presently, the properties at 1261 and 1289 Parkhill Road are primarily agricultural in use while the property at 1225 Parkhill Road is more typical of a rural estate property. One dwelling currently exists on the lands at 1261 Parkhill Road. The site is situated on the south side of a drumlin that peaks north of Parkhill Road. Consequently, most of the

lands slope southwesterly toward Loggerhead Marsh and southeasterly to the creek along the south limit of the site.

Most of the lands are designated for Low Density Residential purposes on Schedule G – Jackson Creek Secondary Plan of the Official Plan and are recognized as Designated Greenfield Area in accordance with the provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan) and Official Plan Schedule A1 – City Structure. Near the centre of the site, the Jackson Creek Secondary Plan identifies a woodlot to be protected as open space.

## **Proposed Official Plan Amendment**

The subject lands are currently designated as follows:

<b>Schedule A - Land Use:</b>	Residential, Major Open Space
<b>Schedule A1 - City Structure:</b>	Designated Greenfield Area
<b>Schedule B - Roadway Network:</b>	High Capacity Arterial (Parkhill Road)  Low Capacity Collector (future Nornabell Avenue)
<b>Schedule B(a) - Bikeway Network:</b>	Off-Road Bikeway (future trail along Jackson Creek tributary)
<b>Schedule C Natural Areas and Floodplain:</b>	Connecting Links (Jackson Creek tributary)
<b>Schedule D - Development Areas:</b>	Stage 2
<b>Schedule F Key Map to Secondary Land Use Plans:</b>	9 – Jackson Creek

<b>Schedule G</b> <b>Jackson Creek Secondary Plan:</b>	Low Density Residential  Other Open Space  Low Capacity Collector (future Nornabell Avenue)
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Generally, the Applicants are proposing to implement the existing Secondary Land Use Plan for the area – the Jackson Creek Secondary Plan – as depicted on Schedule G of the Official Plan. The current version of the Jackson Creek Secondary Plan was adopted by Council in 2004.

Presently, Schedules B – Roadway Network and G – Jackson Creek Secondary Plan illustrate a future extension of Nornabell Avenue to Parkhill Road as a Low Capacity Collector Street across the westerly portion of the property at 1289 Parkhill Road West. To facilitate the proposed development, the Applicants have requested that Schedule G be amended to shift the location of the future collector street further west onto lands outside of the proposed development.

## **Proposed Draft Plan of Subdivision**

As illustrated on Exhibit A attached hereto, the Applicants are proposing a residential subdivision comprised of 159 single-detached dwellings with a typical lot widths of 15.24 m (50 feet), 13.72m (45 feet) and 12.19m (40 feet), 40 street fronting townhomes with a typical width of 7.32m (24 feet), and a block for medium density residential purposes (up to 18 units, maximum 2 storeys high). One of the proposed lots has been sized with the intent of maintaining the existing farm house on site.

Consistent with the previous plan and the Jackson Creek Secondary Plan, the current plan includes a 25m wide open space corridor along its west limit that stretches from Parkhill Road to the south limit of the site. Along the southeast edge of the site, an open space area is proposed for maintaining a minimum 15m development setback from the adjacent Jackson Creek tributary and for accommodating a gravity-based sanitary sewer. Additionally, the plan proposes to preserve most of a woodlot located in the centre of the site and to establish two stormwater management ponds at the southwest and southeast limits of the site.

The public street system within the plan is proposed to connect to the existing Parkhill Road/Chandler Crescent intersection. The plan also preserves opportunity to extend a street connection to both the east and the west to serve adjacent lands in the future.

The proposed plan differs from the one that was considered by Planning Committee on May 25, 2015 (see Exhibit D) by introducing a greater diversity of housing types and densities, providing street connectivity to adjacent lands, and by providing greater protection to the woodlot on site.

<b>Approximate Area Table</b>		
<b>Land Use</b>	<b>Lot/Block No.</b>	<b>Area (ha)</b>
Residential Singles	Lots 1-159 (159 units)	8.65
Residential Townhomes	Blocks 160-169 (40 units)	1.48
Medium Density Residential	Block 170 (up to 18 units)	0.73
Emergency Access	Block 171	0.03
5.18m Parkhill Road Widening	Blocks 172, 173	0.26
Parkland/Open Space	Blocks 174, 176, 177, 179	3.32
Stormwater Management	Blocks 175, 178	1.92
Floodplain/Open Space	Block 180	0.25
Streets		3.19
<b>Total</b>	<b>Up to 217 units</b>	<b>19.83</b>

## Proposed Zoning By-law

To implement the proposed plan of subdivision, the Applicants have requested that the following Zoning Districts and site-specific regulations be applied:

<b>Land Use</b>	<b>Lot/Block No.</b>	<b>Requested Zoning</b>	<b>New / Unique Regulations Requested</b>
Residential Singles	Lots 1-159	R.1,8z-162	Front Building Setback (162): <ul style="list-style-type: none"> <li>• 4.5m to house</li> <li>• 6m to garage</li> <li>• 3m to uncovered verandah</li> </ul> Side Building Setback (8z): <ul style="list-style-type: none"> <li>• 1.2m on one side</li> <li>• 0.6m on the other side</li> <li>• no less than 1.8m between buildings on adjacent lots</li> </ul>
Residential Townhomes	Blocks 160-169	SP.273, 16h + new exception	<ul style="list-style-type: none"> <li>• 7.3m lot width per dwelling unit (16h)</li> <li>• New Exception               <ul style="list-style-type: none"> <li>○ 1.2m side yard setback adjacent to R.1 (single detached) zone</li> <li>○ 6m wide driveway width</li> </ul> </li> </ul>

Land Use	Lot/Block No.	Requested Zoning	New / Unique Regulations Requested
Medium Density Residential	Block 170	R.31,3x, 5f	<ul style="list-style-type: none"><li>• 400 square metre minimum lot area per dwelling unit (3x)</li><li>• 40% total building coverage (5f)</li></ul>
Emergency Access	Block 171	R.1,8z-162	
Parkland/Open Space/ Stormwater Management	Blocks 174-179	OS.2	
Floodplain and Environmental Buffer	Block 180	OS.1	

## Analysis

### Official Plan Conformity

Section 4.2.5.7 of the Official Plan establishes a number of items that Council must consider when reviewing an application for residential development. Each of these factors will be considered in turn.

#### i) Proposed Housing Types

The proposed subdivision provides for the development of 159 single detached residential dwellings (including the existing farm dwelling on site), 40 street-fronting townhomes, and up to 18 apartment / condominium units and the retention of an existing farmhouse on the site. Typical lot widths in the subdivision range from 12.2m (40 feet) to 15.2m (50 feet) for singles and 7.3m (24 feet).

In staff's opinion, the single detached housing form is consistent with the Low Density Residential designation applied to the lands in the Jackson Creek Secondary Plan however the proposed townhomes and apartment/condominium block require recognition in the Official Plan under the Medium Density designation.

Official Plan Section 2.4 requires the City to plan for an average density of 50 persons and jobs per hectare across the City's overall Designated Greenfield Area. While staff do not expect every subdivision to meet or exceed this target individually, it is expected that, where appropriate, subdivisions will provide a mix of housing types and densities that advance the City's density target objectives. In this case, the existing Jackson Creek Secondary Plan contemplates low density housing for the site however the proposal has

incorporated medium density housing to address the need for greater housing diversity and density. In staff's opinion, the proposed plan now sufficiently addresses previous concerns regarding unit mix and density.

Section 2.4.7 of the Official Plan states that Designated Greenfield Areas will be planned to provide, among other things, a range of housing, including affordable housing that will be suitable for a broad range of age groups. Furthermore, Section 2.4.3.4 indicates that the City will strive to provide a minimum of 10 percent of new housing as affordable housing units to accommodate both family and non-family housing suitable to a full range of age groups, within all areas of the City. The previous plan presented to council provided exclusively for single detached dwellings at a uniformly low density. The current plan, however, provides 27% of its dwellings in townhome and apartment / condominium housing forms. Staff see this change as an opportunity to provide affordable housing options in the plan.

In staff's opinion, the revised plan is now consistent with City and Provincial growth management objectives.

## ii) **Surrounding Land Uses**

Presently, the subject lands are located adjacent to existing agricultural/rural residential properties to both the east and the west. These adjacent lands are ultimately planned for urban residential development as depicted in the Jackson Creek Secondary Plan, however, they currently remain zoned and used for agricultural purposes. The adjacent lands to the west comprise three properties and have a potential development area of approximately 27 hectares (67 acres) while the land to the east is composed of a single farm that is approximately 6 hectares (15 acres) in size.

The area directly south of the proposed development consists of the Loggerhead Marsh, a locally significant wetland, and its creek outlet that flows to Jackson Creek. Much of the marsh, and some of the creek, has been acquired by the City through the approval of other developments and is being held as open space. Since 2004, extensive residential development has occurred immediately south of the marsh and creek in accordance with the Secondary Plan.

On the north side of Parkhill Road, the developing Jackson Creek Meadows subdivision is planned with a commercial plaza and a multi-unit residential building along Parkhill Road, at Chandler Crescent. Additionally, a number of rural residences are also located along Parkhill Road, north of the proposed development.

Generally, it is staff's opinion that development of the subject lands for urban residential purposes is compatible with the surrounding land uses given the planned intent for those lands as future development areas. However, as noted in Report PLPD15-030, staff feel that the enclave design of the previous plan considered by Council prevented the creation of a coordinated community by blocking vehicular access to adjacent properties and by providing little relationship to lands north of Parkhill Road.

The amended plan, on the other hand, facilitates the creation of a coordinated community on the south side of Parkhill Road by maintaining vehicular access to adjacent lands. Staff is satisfied that the proposed access point to the east and west provides sufficient opportunity for the adjacent lands to develop to their full potential in the future while also facilitating pedestrian and vehicular movement throughout the area.

Staff acknowledges that the proposed plan is still characterized by homes backing onto Parkhill Road and that the relationship between this site and areas north of Parkhill Road is less than ideal. However, staff recognizes that Parkhill Road, which is currently being reconstructed, is planned as a high capacity arterial street. Accordingly, staff would discourage new development requiring multiple driveway accesses to Parkhill Road. Accordingly, staff is satisfied with the orientation of development on this site relative to the north side of Parkhill Road. To facilitate pedestrian, cycling and vehicular movement between this site and areas to the north, the current reconstruction of Parkhill Road will include traffic signals at Chandler Crescent.

### iii) **Adequacy of Municipal Services**

#### a) **Water and Electrical Service**

Peterborough Utilities Services Inc. (PUSI) will provide water and electrical service to the development upon plan registration and execution of standard servicing agreements with the owner.

A 300mm trunk watermain currently exists along the north side of Parkhill Road West to service the Jackson Creek Meadows subdivision. Additionally, a 600mm trunk watermain exists along the south side of Parkhill Road between Ravenwood Drive and the base of the hill near the east limit of the site. Through the current reconstruction of Parkhill Road, the trunk watermain will be extended across the frontage of this site. To service their site, the Applicants are proposing to utilize the existing watermain to develop a local water distribution system for their lands.

PUSI has advised that sufficient capacity exists in both the water and electrical system to service this site however the applicants will be responsible for extending the watermain along Parkhill Road to the site.

#### b) **Sanitary Service**

Sanitary wastewater from this site must be conveyed to the recently re-constructed Parkhill Road Sewage Pumping Station located just east of Ravenwood Drive. Sufficient capacity exists in both the pumping station and the Peterborough Wastewater Treatment Plant to service this development.

To achieve this, the Applicants are proposing to construct a gravity sewer alongside the creek at the south limit of the site, east through the adjacent property, to a new sewer that would be installed in Parkhill Road, near Ravenwood Drive. In conjunction with this

option, the Applicants also propose to drain a portion of their site north through the existing sewers in the Jackson Creek Meadows subdivision.

Previously, staff had requested additional information to demonstrate the feasibility of this option. Specifically, staff asked the Applicants to demonstrate that sufficient capacity exists in the Jackson Creek Meadows subdivision sewer system to handle part of this development and to provide additional environmental and archaeological investigation to confirm the feasibility of installing a gravity sewer parallel to the creek. To date, the Applicants have demonstrated that capacity does exist in the Jackson Creek Meadows subdivision to accommodate wastewater from approximately 70 units on this site. Additionally, the Applicants have updated their environmental investigations to rationalize the proposed sewer's setback from the creek and its wetland pockets.

In September 2015, the Applicants submitted an updated Environmental Impact Study by Niblett Environmental Associates which indicates that the proposed sewer line, once installed, will maintain a minimum 15m setback from Loggerhead Marsh creek outlet and any wetland pocket along that creek (see Exhibit G). A 15m setback from the creek is consistent with the recommendations of the Loggerhead Marsh Management Plan.

In correspondence dated February 25, 2016, Otonabee Region Conservation Authority (ORCA) advised that the proposed plan (and the proposed sewer installation on site) meets applicable City and ORCA natural heritage policies and that ORCA anticipates being able to issue a permit under Ontario Regulation 167/06 for the proposed sewer installation when it is required.

As a condition of approval, ORCA has recommended that the Applicants prepare and implement a landscaping/vegetation plan for the rehabilitation of the construction zone associated with the sewer installation. ORCA's recommended measures can be implemented as conditions of Draft Plan Approval.

With respect to the archaeological impact of any sanitary sewer installed off-site, the Applicant, or any other proponent of off-site work, will be required to complete an archaeological assessment in advance to the satisfaction of the City and the Ministry of Tourism, Culture and Sport.

Presently, in order to install a sanitary sewer across the adjacent property, the Applicants must successfully acquire the right to do so from the adjacent property owner. Although the Official Plan anticipates the adjacent property converting to urban use in time, the property is currently not subject to a development proposal nor can the Applicants compel the neighbour to provide access rights across the property. Accordingly, should the Applicants be unsuccessful in obtaining permission to install a sewer across the adjacent property, the City will consider allowing the Applicants to install a temporary pumping station on their site until the lands to the east are ready for development. Utility Services staff have advised that any temporary pumping station to be considered on site may subject the Owner to significant construction and decommissioning expenses and potentially maintenance expenses as well. As a condition of approval, any temporary

pumping station to be considered on site will subject to the review and approval of the City Engineer and the Ministry of the Environment and Climate Change.

c) Stormwater Management

In 2001, the Loggerhead Marsh Management Plan was prepared by Greenland International Consulting Inc. on behalf of the City and Otonabee Region Conservation Authority. The plan established a master drainage strategy for the Loggerhead Marsh subwatershed area which became the basis of the Jackson Creek Secondary Plan. As part of that plan, two stormwater management ponds were recommended for the subject lands: one draining to Cell "C" of Loggerhead Marsh and one draining to the marsh's outlet creek.

The previous version of the Draft Plan of Subdivision considered by Council proposed to establish a single stormwater management pond on site rather than two. However, since that time, the Applicants have amended the plan to establish two ponds. By establishing two ponds on site, the Applicants are maintaining greater consistency with the recommendations of the Loggerhead Marsh Management Plan and are also enabling greater protection of the woodlot on site.

With respect to the eastern stormwater pond that has been added to the plan, Utility Services and ORCA have expressed concern that the proposed pond may not function adequately because of its small catchment area and would likely become an undue maintenance burden for the City in perpetuity. As a condition of approval, the Applicants will be required to implement a stormwater management solution at the proposed east pond location that will be appropriate for its drainage area to the satisfaction of the City and ORCA.

Previously, ORCA had raised concern that the western stormwater management pond was located too close to Cell 'C' of the Loggerhead Marsh. The Loggerhead Marsh Management Plan recommended a minimum 10m natural buffer between development and Cell 'C' while current ORCA policies recommend a minimum 30m natural buffer from non-provincially significant wetlands. In the past, ORCA, and other Environmental Impact Studies completed in Peterborough, have confirmed that properly designed and landscaped stormwater management ponds can be located within the buffer area of a wetland feature because of their ability to discourage human and pet intrusion into the natural feature.

The previous version of the draft plan of subdivision had proposed to install a gravity sanitary sewer along the south side of the stormwater pond, adjacent to Cell C's 10m buffer. In the current version of the plan, however, that sewer is now planned to be located north of the proposed western storm pond, along the rear of Lots 59 to 75.

In correspondence dated February 25, 2016, ORCA noted that the Applicants' updated Environmental Impact Study includes a minimum 15m buffer between the marsh and the proposed western stormwater management pond. Although ORCA's policies recommend

a 30m buffer in this situation, ORCA notes that they will consider alternative buffer widths where site specific environmental investigation demonstrates them to be appropriate. In this case, both the Loggerhead Marsh Management Plan and the Applicants' Environmental Impact Study have investigated the specific area and have recommended buffers that are less than ORCA's standard recommendation. ORCA has advised that based on these site-specific investigations, it is satisfied that the proposed plan meets applicable City and ORCA natural heritage policies.

As a condition of Draft Plan of Subdivision Approval, ORCA has requested that all wetland, creek, floodplain and buffer areas be zoned as Open Space and left in a natural state. This recommendation is reflected in the proposed Zoning By-law. As a condition of approval, the Applicants will be required to convey such areas to the City to hold as open space. Additionally, the Applicants will be required to clearly delineate the development envelope on the ground prior to any site preparation or construction activities using snow and silt fencing to ensure protection of the marsh and creek buffer areas.

As noted previously, Loggerhead Marsh Management Plan established a master drainage strategy for the area. Since that time, financing for the implementation of the Loggerhead Marsh Management Plan has been secured through the execution of Local Services Agreements with developers in the marsh subwatershed. These agreements, and the principle of the Local Services Agreement, continue to be in force and effect today. Presently, the property at 1289 Parkhill Road West is subject to a Local Service Agreement that was executed on May 22, 2003 and similar agreements are required for the properties at 1225 and 1261 Parkhill Road West.

In accordance with the agreements that have been executed to date, the City has been collecting two different charges from area developers: a Watershed Stormwater Management Services (WSM) charge which is a per-dwelling unit charge that applies to all development in the subwatershed area, and a Special Benefit Area (SBA) charge that applies only to lands that will drain to the marsh post-development. Based on the recommendations of the Loggerhead Marsh Management Plan, existing agreements have envisioned the properties at 1261 and 1289 Parkhill Road West draining to the marsh and therefore being subject to the SBA charge. Conversely, the property at 1225 Parkhill Road West was envisioned as draining to the marsh outlet/creek and therefore not being subject to the SBA charge.

Under the current development proposal, it appears that drainage from the property at 1225 Parkhill Road West will be directed to marsh's outlet creek. At the time of detailed design, drainage areas in the plan will be confirmed and any financial obligations with respect to implementation of the Loggerhead Marsh Management Plan will be secured in a subdivision agreement with the Applicants.

iv) **Traffic Impacts**

Sections 2.4.7 and 5.5.4 of the Official Plan require land use patterns to, among other things, support active transportation (e.g. walking, cycling etc.) and transit. The enclave design of the original proposed draft plan of subdivision, while minimizing traffic access to the development, did not provide pedestrian or vehicular accessibility to adjacent lands nor support transit service through the lands.

Previously, staff had suggested that the road network layout for the site should incorporate the following design principles:

- The extension of Nornabell Avenue, as envisioned in the Jackson Creek West Secondary Plan, to intersect Parkhill Road at Chandler Crescent;
- Future connections/street stubs to the lands to the east (e.g. a local street) and the west (e.g. Nornabell Avenue);
- A continuous pedestrian / cycling corridor through the site to provide walking / cycling access between Parkhill Road and the proposed off-road bikeway illustrated in Schedule B(a) of the Official Plan along the creek at the south limit of the site; and,
- Maximized distance between the Parkhill Road / Chandler Crescent intersection and any intersections within the development site to ensure that internal intersection(s) do not become blocked from traffic queued at the Parkhill Road intersection.

In response to these suggestions, the Applicants have amended the plan to provide future street connections to the east and west and to protect the ability to provide a continuous pedestrian / cycling corridor from Parkhill Road, through the site, to a potential trail along the creek at the south limit of the site. The Applicants have, however, maintained their position that the future extension of Nornabell Avenue should be located further west, off the site, rather than align with Chandler Crescent. According to the Applicants, aligning Nornabell Avenue with Chandler Crescent would inhibit their ability to preserve the existing farmhouse on site which has been a key objective of their concept from the outset.

Transportation Division staff have reviewed the proposed plan and have advised that the alignment of Nornabell Avenue to the west of the site can still function effectively as a collector street between Ireland Drive and Parkhill Road however it would not facilitate direct transit access to the site. As an alternative, if Nornabell Avenue is located further west, pedestrian connections to Parkhill Road and the adjacent lands to the west become key for maintaining walkable access to potential future transit service. Presently, the proposed plan provides for two pedestrian access points to Parkhill Road (Chandler Crescent, and Emergency Access Block 171) and a future street connection to the west. Additionally, the plan provides for pedestrian access from the southern portion of the site to Chandler Crescent / Parkhill Road via a walkway located at the west edge of the

central woodlot. As a result of these connections being provided, all units in the plan will be located within a 500m walk of the intersection of Parkhill Road and Chandler Crescent, should transit service be provided to that location.

Transportation Division staff have advised that if Nornabell Avenue is to be located west of this site in the future, they would prefer to see the middle east-west street on the site (identified as “Davenport Road” in Exhibit A) extend westerly rather than the southern street as currently proposed. The reason for this is that the middle street has a direct connection to Chandler Crescent and to lands further east and would therefore be better suited to carrying traffic through the site. Given that Nornabell Avenue is intended to be a collector street that gathers traffic from the neighbourhood and conveys it to both the surrounding arterial street system and other collector streets in the neighbourhood, Planning staff does not feel that the extension of “Davenport Road” to the west is critical to the broader area’s ability to convey traffic.

In the previous version of the plan considered by Council, the Applicants had adjusted the proposed Draft Plan to incorporate more queue length on Chandler Crescent however that queue length area extends beyond the first intersection in the site and therefore has the potential to interfere with that intersection’s operation. To support their proposal, the Applicant submitted a memorandum from TranPlan Associates (January 7, 2015) which indicates that outbound (northbound) peak queue lengths on Chandler Crescent at Parkhill Road will reach up to 30 metres when the site is fully built. However, if separate left/through and right turn lanes are provided on Chandler Crescent, queue lengths will be significantly reduced and should therefore not interfere with internal intersections.

Street names are proposed on the current Draft Plan of Subdivision. These names have not been reviewed or approved by the City’s naming committee. Prior to Final Approval, the Applicant will be required to have street names approved for the site in accordance with the City’s naming policy.

#### **v) Adequacy of Amenities, Parks and Recreation Opportunities**

The proposed plan identifies approximately 3.3 ha of land being set aside as open space and parkland, in addition to buffer and floodplain area that is set aside as open space. The majority of the 3.3 ha is comprised of a 25m wide open space corridor to be established along the west limit of the plan, in accordance with the Jackson Creek Secondary Plan, and the woodlot near the centre of the site. Both of these features are intended to remain in a natural state.

The previous version of the plan considered by Council had proposed a small area (0.28 ha or 0.7 acres) for use as parkland in the southwest corner of the site however that site has been removed from the current version of the plan upon the plan’s reconfiguration to provide a new sanitary sewer alignment and a road connection to the west.

According to the Official Plan, neighbourhood parks, which are generally smaller parks that provide unstructured leisure opportunities for local residents, are intended to serve

areas within a 600m walking distance. Presently, the proposed plan does not include a neighbourhood park. The closest planned neighbourhood park to this site is located on Chandler Crescent, in the Jackson Creek Meadows subdivision. That park site is located within a 600m walk from approximately 85% of the dwellings proposed in this development however accessing that park by foot would necessitate crossing Parkhill Road.

In staff's opinion, the planned park for Chandler Crescent could adequately serve the proposed development in accordance with Official Plan standards, however, if Council deems it a priority to establish a small park within this site to meet future residents' needs, staff could work with the Applicants to establish a site on lands that are already intended to be conveyed to the City for parkland/open space purposes. One such location could be at the termination of Street "A", adjacent to the woodlot. Such details could be established through the detailed design process and secured in a subdivision agreement between the Applicants and the City.

Under Section 51 of the Planning Act, the City can require up to 5% of the land devoted to residential development for parkland dedication or alternatively may collect cash-in-lieu of the said parkland dedication. For the subject plan, the City is entitled to collect approximately 1 ha (2.5 acres) parkland dedication. Presently, it is intended that this entitlement will be used towards acquiring the open space and parklands shown on the plan which are contemplated as part of the Loggerhead Marsh Management Plan and the Jackson Creek Secondary Plan.

Any parkland or open space to be acquired over and above the 5% entitlement requires payment by the City. Presently, the plan shows a total parkland and open space dedication of approximately 3.3 ha (8.2 acres). Accordingly, if the subject plan were to be approved, the City would need to purchase approximately 2.3 ha of land. Typically, the City has received cash-in-lieu of parkland dedication from developers at a rate of \$85,000 per hectare. If this rate is also applied to the acquisition of parkland, the City would need to pay approximately \$195,000 for parkland and open space if this plan is approved. Funding for such a purpose would come from the City's parkland reserve which has a current balance of \$129,231. The final amount of parkland dedication to be received, and any payment to be made by the City for parkland, will be detailed in a subdivision agreement between the Applicants and the City.

vi) **Parking, Buffering and Landscaping**

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. If the Draft Plan is approved as proposed, all single-detached lots would be sized appropriately to accommodate the standard R.1 (Residential District 1) parking and coverage standards while allowing for reduced side yard and front yard building setbacks. Staff has no objection to the zoning standards proposed for single detached lots in this site as the standards being requested have become commonplace in new subdivisions over the last 10 years.

For street-fronting townhomes, the Applicants have requested that the SP.273 zoning district be supplemented with site-specific regulations to reduce the minimum side lot line building setback where abutting an R.1 district (single detached residential) from 6.2m to 1.2m. The current SP.273 zone also includes a regulation requiring maintenance of a 5m wide open space/vegetated area along lot lines that abut an R.1 district. Looking at the history of the SP.273 district, it appears these regulations are a legacy of a zoning district that was once applied to the area now known as Eagle Crescent which contemplated medium and high density (4 and 10 storey) apartment buildings. The regulations do not appear to be a response to concern with compatibility between townhomes and single detached homes.

Elsewhere, townhomes are permitted with side lot line building setbacks of 1.2m (SP.348 district) and 1.5m (SP.101 and SP.243 districts) regardless of the proximity of the R.1 district. Given that end-unit townhomes will be of a similar size and height to any adjacent single detached dwelling, staff have no objection to the Applicants' request for reduced side lot line building setbacks.

Additionally, for street-fronting townhomes, the Applicants have requested to increase the permitted driveway width from 4.5m to 6m and to reduce the minimum lot width per dwelling unit from 7.6m to 7.3m. Staff have no objection to the Applicants' request for reduced lot widths and note that townhome dwellings vary in width across the community. With respect to the request for wider driveways however, staff do not support widening driveways for street-fronting townhomes to 6m. Widening driveways to 6m in this situation would eliminate any potential for on-street visitor parking in front of these homes, potentially result in 82% front yard coverage along that stretch of street, and create difficulty for the installation of infrastructure and trees in the municipal right-of-way.

Although staff supports the proposed building setback reductions for single detached dwellings and the proposed lot width for the street-fronting townhomes, it is noted that in other subdivisions where streetline building setbacks and road allowance widths have been reduced from traditional standards, the City has had some difficulty planting street trees. Sometimes, difficulty arises when homeowners refuse trees on the property line in order to maintain the limited amount of useable yard space in front of their home. Other times, difficulty arises when reduced boulevard widths produce limited tree planting opportunities due to potential conflict between utility infrastructure and trees. In one instance, the City has had to restrict tree planting to smaller tree species that are more suited to growing in confined spaces.

The City's Urban Forest Strategic Plan strives to maintain and enhance a sustainable urban forest. Accordingly, the Plan recommends identifying suitable planting locations to sustain large trees and provide the environmental conditions to enable each species to reach maturity. On lots where building setbacks and infrastructure requirements limit the ability to plant large street tree species, an additional tree planting may be required in the rear yard to meet the objectives of the Urban Forest Strategic Plan.

As a condition of approval, the Applicant will be required to complete and implement a tree planting plan that identifies proposed street tree planting locations, species, and street cross sections containing boulevard width, utility locations and depth of topsoil to ensure street trees are to be planted in viable locations. Where it is not feasible to plant a street tree in front of every dwelling, an alternative planting location shall be identified on-site to the City's satisfaction. Where street tree planting must be limited to smaller, space-tolerant species, an additional tree planting location will be identified on the lot to compensate for the reduced urban forest function that such a tree will provide.

As part of the initial application submission, the Applicants submitted a study which assessed traffic noise impacts from Parkhill Road (Aerocoustics Ltd., May 14, 2014). The study recommends that all units backing onto Parkhill Road be developed with a minimum 30m setback from the centreline of Parkhill Road. Parkhill Road has a designated road allowance width of 30m. Accordingly, all lots and blocks backing onto Parkhill Road will be subject to alternative regulation 10e) which requires a 15m building setback from the rear lot line. Lots at the corner of Chandler Crescent and Parkhill Road that will technically have multiple rear lot lines (once the final plan is registered with a one foot reserve along the Chandler Crescent and Parkhill Road) will be subject to a 30m setback from the centreline of Parkhill Road instead of alternative regulation 10e).

When considering the proposed condominium/apartment block, the Applicants have requested the R.31 zoning district which provides for 7.6m building setbacks from both side and rear lot lines. Accordingly, any unit developed on that block will be set back from any neighbouring dwelling the equivalent of a standard rear yard. Additionally, all units on the proposed condominium/apartment block will be subject to the same two storey height limit as all other dwellings in the subdivision.

Relative to adjacent lands, most of the proposed lots back onto either open space, parkland, or stormwater management facilities. Along the east side limit of the site, lots are proposed to back directly onto an existing agricultural property that is intended for future residential use. In December 2014, staff received a petition with 99 signatures from area residents seeking to permanently protect a corridor of trees and greenspace along the east limit of the proposed plan. The petition sought to protect a corridor of sufficient width that would serve as a movement corridor for wildlife between the Loggerhead Marsh and the Jackson Creek East Provincially Significant Wetland (PSW), north of Parkhill Road.

As noted previously in Report PLPD15-030, the Loggerhead Marsh Management Plan investigated the need for wildlife movement corridors and identified the hedgerow along the west limit of the site and the creek along the south limit of the site as wildlife movement corridors. These two corridors are reflected in the Jackson Creek Secondary Plan and are to be protected through the proposed Draft Plan. From a wildlife movement perspective, the Loggerhead Marsh Management Plan did not support the preservation of smaller hedgerows, such as the one at the east limit of the site, because it does not connect to a core wildlife habitat.

However, it is staff's belief that it is a service to the community to preserve trees wherever possible. The City's Urban Forest Strategic Plan (June 2011) outlines eight objectives for the City's urban forest. One of those objectives is to "preserve and protect the health of the urban forest and prevent unnecessary damage or removal." To that end, the Applicant has had a tree inventory and preservation plan prepared for the site that identifies both trees to be removed and trees to be preserved.

Along the east limit of the site, the plan identifies a number of trees to be preserved in proximity to Parkhill Road however many other trees along the east property line are identified for removal. Given the grading requirements of the site and the need to protect the adjacent property from stormwater impacts, staff anticipate that trees will need to be removed from the site. As a condition of approval, Applicants will be required to prepare a tree preservation plan and to complete and implement a landscaping/planting plan to compensate for trees removed from the site.

vii) **Significant Natural/Environmental Features**

The west portion of the subject lands are located adjacent to the Loggerhead Marsh, a locally significant wetland, and are approximately 300m from the Jackson Creek East PSW north of Parkhill Road.

In 2001, the City and ORCA completed the Loggerhead Marsh Management Plan. As noted previously, the plan established a master drainage strategy for the Loggerhead Marsh subwatershed area. The goal of the plan was to address the stormwater management needs of future residential growth in the marsh's catchment area while also maintaining and enhancing the health and quality of the marsh.

As part of the Management Plan, the hedgerow along the west limit of the site and the creek along the south limit of the site were identified as key wildlife movement corridors. Additionally, along the creek, a woodlot that extends into the centre of the site was identified as having potential to provide limited habitat for some of the breeding amphibians of Loggerhead Marsh. Accordingly, these features were recommended for protection and were identified as "Other Open Space" on the Jackson Creek Secondary Plan.

In anticipation of adjacent development, the Loggerhead Marsh Management Plan also recommended development buffers from both the marsh and its creek outlet. Specifically, for the eastern portion of the marsh that located adjacent to the subject lands, known as Cell 'C', a 10m natural buffer was recommended. Additionally, a 15m buffer was recommended along both sides of the creek that flows from the marsh to Jackson Creek. To date, the City has acquired ownership of most of marsh Cell 'C' and its 10m buffer through previous development applications and parts of the creek buffer in conjunction with development to the south. As part of this application, the hedgerow and creek features to be protected are shown on the plan as open space and/or parkland and are to be acquired by the City through a combination of parkland dedication and cash purchase.

As detailed in report PLPD15-030 and addressed briefly earlier in this report, key issues relating to the natural environment have centred around development setbacks from the Loggerhead Marsh, its outlet creek, and wetland pockets located along that creek as well as the degree of protection being given to the woodlot on site. Since this application was last considered by Council, the Applicants have amended the plan to move the proposed sanitary sewer further north away from the marsh and the creek, eliminate a roadway cutting through the woodlot and thereby protect approximately 96% of the woodlot, and ensure maintenance of a 15m buffer from almost all nature features in proximity to the site (see Exhibit G).

In correspondence dated February 25, 2016, ORCA identified no conflicts with Provincial Policy regarding natural hazards and advised that the proposed plan addresses municipal and ORCA natural heritage policies.

### **Consistency with Provincial Policy**

Any decision on the proposed Draft Plan of Subdivision must be consistent with the Provincial Policy Statement, 2014 (PPS) and the Growth Plan for the Greater Golden Horseshoe, 2006, as amended (Growth Plan). Consequently, where policy conflicts arise between the City's Official Plan and these provincial documents, precedence must be given to the provincial direction.

#### **Provincial Policy Statement, 2014**

The PPS provides general direction to municipalities with respect to a number of land use planning issues. For example, Section 1.1.3.2 requires municipalities to ensure that land use patterns in settlement areas such as Peterborough are based on densities and a mix of land uses that (among other things):

- efficiently use land and resources;
- support active transportation; and
- are transit supportive.

Additionally, Section 1.4.3 requires municipalities to plan for an appropriate range and mix of housing types and densities to meet the needs of current and future residents by:

- establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households;
- permitting and facilitating all forms of housing and all forms of intensification;
- directing new housing to locations where appropriate levels of infrastructure and public service facilities are or will be available;

- promoting densities for new housing which efficiently use land, resources, infrastructure and public services, and support the use of active transportation and transit.

Furthermore, Section 1.6.7.4 states that a land use pattern, density and mix of uses should be promoted that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

In staff's opinion, the revised plan, when considered together with the City's planning for other new development areas, is now consistent with this direction because of its introduction of housing diversity, density, and connectivity to surrounding areas.

The 2014 PPS has introduced climate change and heightened stormwater management practices as issues requiring provincial direction. In particular, the PPS now requires municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and climate change adaptation by such measures as promoting:

- compact form;
- active transportation and transit in and between residential, employment and institutional uses and other areas;
- design and orientation that maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and
- maximized vegetation within settlement areas, where feasible.

In staff's opinion, the proposed development plan provides an improved compact form, is accessible to potential transit service on Parkhill Road and/or a future Nornabell Avenue, and protects significantly more trees than the previous plan considered by Council.

With respect to stormwater management, Section 1.6.6.7 of PPS requires municipalities to, among other things, promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development (LID). Furthermore, in February 2015, the Ministry of the Environment and Climate Change issued an interpretation bulletin emphasizing a desire to maintain the natural hydrologic characteristics of sites, encouraging Lot Level and Conveyance controls, water balances and LID practices to reinforce the PPS direction. As a condition of approval, the Applicants will be required to propose and implement LID practices and a site Water Balance as part of the final stormwater management design for the property.

### **Growth Plan for the Greater Golden Horseshoe, 2006**

The Growth Plan builds upon the policy foundation of the PPS by providing land use planning policies to address specific issues in the Greater Golden Horseshoe (GGH). The subject lands are located within the Designated Greenfield Area as defined in the

Growth Plan. Accordingly, the lands are subject to both general policies in the plan and to policies that are specific to the Designated Greenfield Area.

Section 2.2.2 requires municipalities to generally manage growth in a number of ways including:

- building compact, transit-supportive communities in designated greenfield areas;
- reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments; and
- encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment types, high quality public open space and easy access to local stores and services.

In staff's opinion, the proposed plan now supports these objectives by introducing additional density and housing forms, street connectivity to adjacent lands, and pedestrian connectivity to Parkhill Road and the commercial services planned for the Jackson Creek Meadows subdivision.

## **Responses to Notice**

### **a) Agency Responses**

As part of staff's processing of the application, and pursuant to the Planning Act, staff provided notice of the application to, and sought comments from, the prescribed commenting agencies on May 1, 2014. Agency comments were mixed with some being in support of the development while others had questions or concerns with the proposed development.

#### **Utility Services Department**

Utility Services staff have provided comments on several occasions throughout the application review period. Generally, Utility Services' main concerns have been reflected in the body of this report. Other concerns, which are more technical in nature, have been provided to the Applicants for review and action and will be addressed either as conditions of approval or at the detail design stage.

Utility Services has noted however, that the City has not yet acquired the necessary land across the frontage of this plan to complete the ongoing reconstruction of Parkhill Road. Blocks 172 and 173 are shown on the plan as road widenings for Parkhill Road that are to be conveyed to the City. Given the City's planned Parkhill Road construction schedule for 2016, Utility Services advises that it is imperative that the City receive these blocks as quickly as possible. Accordingly, as a condition of Draft Plan of Subdivision approval, the Applicants will be required to convey these blocks to the City within 30 days of Draft Plan of Subdivision Approval being granted by the City.

### **Otonabee Region Conservation Authority**

ORCA has provided comments on a number of occasions for this application. In a letter dated February 25, 2016, ORCA advised that it is satisfied that the revised plan meets relevant policies related to natural heritage and that where the development is subject to ORCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 167/06 under the Conservation Authorities Act), ORCA anticipates being able to issue the required permits.

To enhance the development's regard for and protection of natural heritage features, ORCA has recommended that a number of conditions be imposed on the development including:

- proper zoning of environmental features and buffers;
- clear on-site delineation of the development area;
- restrictions on the timing of grading and tree clearing;
- permanent fencing between residential and open space areas;
- tree preservation, landscaping and planting plans including compensation tree planting, rehabilitation of disturbed open space areas, and enhancement of open space areas;
- Homeowner Natural Systems Stewardship information for future residents;
- Continued environmental monitoring of the Loggerhead Marsh; and
- ORCA review of final stormwater management plans, erosion and sediment control plans, and their design.

### **Peterborough Utilities Services Inc.**

PUSI requires the owner to enter into a standard servicing agreement for water and electrical service. Additionally, PUSI has advised that Peterborough Distribution Inc. may be interested in acquiring some unused land along Parkhill Road West for a future 44 to 27.6KV substation. The station could be designed to have minimal impact to the surrounding area. If this transfer were arranged at a future date, PDI may have an existing substation property available at 963 Parkhill Road (MS19) that might be redundant and could be re-purposed.

PUSI has also advised that where side yard building setbacks are reduced in the zoning by-law, PUSI will require maintenance of a 1.2m side yard setback building setback on both sides of property line on which the transformer is to be located. This setback is intended to prevent driveway and vehicle conflicts with transformers.

Presently, it is not known where transformers will be located in this development. Accordingly, to address this concern, a composite utility plan will be required as a

condition of approval to identify the need for 1.2m side yard building setbacks from property lines with an electrical transformer. The condition will also require the developer to agree to advise builders of this requirement.

### **Bell Canada**

Bell Canada advises that, prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line infrastructure is currently available to provide communication/telecommunication service to the plan. In the event that such infrastructure is not available, Bell advises that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, Bell will require the Developer to demonstrate that sufficient alternative communication/telecommunication facilities are available to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

Additionally, Bell Canada advises that the Applicants will be required to grant to Bell Canada any easements that may be necessary for telecommunication services, that in the event of any conflict with existing Bell Canada facilities or easements, the Applicants will be responsible for relocating such facilities or easements, and that this subdivision will be fed using Bell fibre to the home technology.

Bell Canada's requirements are included as conditions of Draft Plan of Subdivision Approval.

### **Canada Post**

Canada Post requires the owner to make satisfactory arrangements for the provision of mail delivery services to the plan and to inform all prospective purchasers, through a clause in all Agreements of Purchase and Sale and on a map to be displayed at the sales office, those lots identified for potential Community Mailbox and/or mini-park locations.

Canada Post's requirements are reflected in the proposed conditions of Draft Plan of Subdivision Approval.

### **Enbridge Gas Distribution Inc.**

Enbridge Gas Distribution advises that they do not object to the proposed application. Enbridge requests that the Applicant contact their Customer Connections Department for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

Enbridge notes that if a gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant. In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

Enbridge's requirements are included in the proposed conditions Draft Plan of Subdivision Approval.

### **Kawartha Pineridge District School Board**

Kawartha Pineridge District School Board (KPRDSB) has advised that students generated within this plan will attend James Strath Public School (Grades Junior Kindergarten to 8) and Crestwood Secondary School.

### **Peterborough County-City Health Unit**

The Health Unit has made the following requests for the proposed development:

- That a street connection be added from this subdivision to existing subdivisions to the south and west;
- That a mixture of sites be added to the plan that include opportunity for commercial space (e.g., for a store that sells fresh food);
- That the development follow current City sidewalk policy and include sidewalks on both sides of the street for all local, collector and arterial roads;
- That a multi-use trail linking this subdivision to other subdivisions and existing trail networks be included;
- That better access to parkland be provided from the northern parts of the subdivision; and
- That the plan include the use of low impact development technologies (e.g. pervious surfaces) to reduce impacts of storm water on Loggerhead Marsh.

Many of these comments have been considered during the review process and posed to the Applicant for consideration. Because of the proximity of a planned commercial development at the corner of Chandler Crescent and Parkhill Road, staff do not support the inclusion of an additional commercial site in this development. Sidewalks will be provided in accordance with the City's sidewalk policy. Staff note that the revised plan now provides street connectivity to both the east and the west, includes a walkway to provide pedestrian access to the woodlot open space area, and provides the ability to integrate with a trail system to the south should the City develop one over time.

## **Hiawatha First Nation**

Hiawatha First Nation advises that the proposed project is deemed to have no impact on Hiawatha First Nation's traditional territory and/or rights. However, Hiawatha First Nation has requested to be kept apprised of any updates, archaeological findings, and/or of any environmental impacts, should they occur and that they be contacted if archaeological artifacts are found as they require trained archaeological liaisons be present at the archaeological sites during the assessments. Hiawatha First Nation has also requested that any archaeological reports be forwarded to them as they are completed.

Archaeological assessments have been completed for the entire site and the City have received copies of letters from the Ministry of Tourism, Culture and Sport dated October 26, 2012 and June 15, 2015 acknowledging their receipt of the reports.

## **Peterborough Architectural Conservation Advisory Committee (PACAC)**

PACAC reviewed the application and advised that it was pleased the Applicants have allowed for the existing structures within the proposed subdivision to remain intact. The committee also suggested that the developer enhance the property by including trails and links to existing and planned trails throughout the area. These trail systems provide connectivity and allow access to the natural heritage landscapes that exist within our community.

Since these comments were written, one of the two farm houses in the development has been removed however one still remains and is intended to be retained as part of the development. The Applicants have expressed a desire and willingness to provide trail connections from their site to surrounding areas.

### **b) Public Responses**

Notice of a Complete Application was published in the Peterborough Examiner on May 5, 2014 in accordance with the Planning Act.

On June 11, 2014 the Applicant hosted a neighbourhood open house at James Strath Public School. The applicant hand-delivered a notice of the meeting to all persons that own property within 120m of the site and additional properties beyond 120 m along Parkhill Road to Brealey Drive and Ravenwood Drive. The meeting was attended by approximately 30 people and generated a healthy discussion and a number of follow-up inquiries.

On May 25, 2015, Planning Committee hosted a public meeting for this application. Notice of that was mailed on April 30, 2015 to the prescribed agencies, all property owners within 120 metres of the subject property and all persons who requested to receive notice of the Public Meeting during the review of the subject applications. The notice for that meeting was also published in the Peterborough Examiner on May 4, 2015.

On January 20, 2016, the City hosted a neighbourhood open house at James Strath Public School to present the Applicants' revised plan and gather public feedback. Notice of that meeting was delivered by email to individuals who have made contact to staff via email regarding this application and also by mail to property owners within 120m of the site and additional properties beyond 120 m along Parkhill Road to Brealey Drive, Ravenwood Drive, and Ireland Drive.

A Notice of Public Meeting for the present meeting was mailed on February 29, 2016 to the prescribed agencies, all property owners within 120 metres of the subject property and all persons who requested to receive notice of the Public Meeting during the review of the subject applications. A Notice of Public Meeting was also published in the Peterborough Examiner on March 1, 2016.

### **Public Comments on the Original Plan Submission**

As described previously in report PLPD15-030, public comments generated throughout the review of this plan have generally focussed on:

- The need to protect Loggerhead Marsh, its creek outlet, and trees along the creek and within the site;
- The need to implement, at a minimum, the recommendations of the Loggerhead Marsh Management Plan;
- The need to implement a sanitary servicing option that does not adversely affect the creek along the south side of the site or the environmental buffer lands planned along side that creek and the floodplain associated with the creek;
- The need for updated environmental evaluation of Loggerhead Marsh's hydrology, chemistry, vegetation, birdlife and other wildlife to better determine how development may affect the marsh;
- The need for more intense monitoring of the Loggerhead Marsh and the definition of responsibility for addressing any adverse impacts observed;
- The need to protect wildlife movement corridors along existing hedgerows in the site;
- Post-construction views of the site from residential areas south and southeast of the site;
- A community preference for luxury homes with large lots sizes in the development;
- A desire for the reconstruction of Parkhill Road in this area;
- The need for vehicular connectivity from the site to adjacent lands;
- The rationale for shifting the proposed extension of Nornabell Avenue to the west;
- The length of the construction period and on-site construction practices such as working hours, dust suppression, waste disposal and materials storage; and

- The need for protective measures for existing well users in the area from development impacts on water quality and quantity.

In staff's opinion, the revised plan and the subsequent technical review has addressed most of these concerns. Generally, it is staff's opinion that the proposed plan is effectively implementing the natural heritage objectives of the Official Plan and the Loggerhead Marsh Management Plan by providing wider setbacks between the development and adjacent natural features and by providing greater protection of the woodlot on site. ORCA, in their letter dated February 25, 2016, also advised that they are satisfied the proposed plan has addressed applicable natural heritage policy.

Additionally, the plan now protects for street access to adjacent lands in anticipation of future development. However, in order to address the City's previous concerns related to housing density and diversity, the plan may not meet some area residents' desire for larger luxury lots. On-site construction practices such as working hours are regulated by existing City by-laws and are therefore unaffected by the amended plan.

### **Public Comments on the Revised Plan Submission**

Upon presentation of the revised plan to the community in January, additional comments received include:

- Concern regarding the length of time that has passed since Council's first review of the plan and the validity of Council's ability to make a decision on the plan at this time;
- Concern regarding the level of communication with the community since Council's last review of the plan;
- Concern regarding the quality of the Environmental Impact Study submitted by the Applicants and the validity of its results;
- Concern with the level of regard given to Provincial and City policies that address protection of natural heritage features such as the Loggerhead Marsh;
- The need to delineate and protect as many trees as possible and monitor any tree removal;
- Concern with the potential density of the proposed condominium/apartment block;
- Concern with ORCA's position regarding buffer requirements from Loggerhead Marsh; and
- Concern regarding the location of the planned Nornabell Avenue extension and any road connection to the west.

## **120 Day Review Period**

On June 8, 2015, Council passed the following resolution with respect to the subject applications:

“That Report PLPD15-030 of May 25, 2015, Batten-White Draft Plan of Subdivision Application 15T-14501, be referred for approximately 120 days to allow the developer and staff to consider an amended plan.”

As of the date of this report, exactly 287 days have elapsed since Council passed that resolution. Many people have wondered why has the application not proceeded back to Council prior to now and, because the review process has gone beyond 120 days, can Council even make a decision on the matter now. Some feel that Council should be obligated to implement the original recommendation of Report PLPD15-030 to deny the application.

In staff's opinion, Council has every right to make any decision it deems appropriate for this application. It is staff's opinion that the resolution of June 8, 2015 does not bind Council to the original recommendations from Report PLPD15-030 and that Council's resolution was deliberately written with flexibility in case the review process exceeded 120 days.

At the time when 120 days was nearing expiry (October 2015), staff was receiving cooperation from the Applicants in their attempt to bring a plan forward that could address staff's previous concerns. However, because some of the concerns that the Applicants were attempting to address required additional field investigation and/or more detailed explanation from their technical consultants, a significant amount of the review time was spent waiting for the submission of updated technical reports and their subsequent review. In staff's opinion, the spirit of cooperation shown by the Applicants in this process justified seeing Council's referral period through to completion. Had the Applicants shown an unwillingness to make meaningful changes to the plan that would address staff's previous concerns, staff would have brought the plan back to Council shortly after expiration of the 120 period and would have recommended that the applications be denied.

## **Community Consultation**

Some area residents expressed disappointment and concern with the level of communication from staff during the period since the 2015 Public Meeting. In staff's opinion, the level of community consultation conducted during the supplementary review period has mirrored that of the original plan submission and has exceeded that of a typical subdivision application.

In consideration of the revised plan, a new public open house had been held as well as a new formal Public Meeting. Since June 2015, staff have emailed area residents on several occasions to either share new information or provide an update on the status of

the review and have made full copies of the Applicants' technical reports available for review. In staff's opinion, the level of consultation completed for this development has exceeded the standard required by the Planning Act.

### **Environmental Impact Study**

In May 2015, staff received detailed comments regarding the Environmental Impact Study prepared by Niblett Environmental Associates Inc. that was submitted in conjunction with the proposed development. The comments came from an area resident who has professional expertise in the field of aquatic biology. In the resident's opinion, the Environmental Impact Study contains a number of flaws that should prompt the City to question its validity. In particular, the resident summarizes that:

"the EIS by NEA Inc. oversimplifies or ignores the relevant local policies affecting the marsh, provides inadequate data concerning the possible effects of the subdivision, and arrives at its conclusion without adequate support."

Staff have provided these comments to both the Applicant for review and to ORCA who provides the City with technical advice on, among other things, matters related to natural heritage. To date, the City has not received a formal response to these comments from the Applicants or their natural heritage consultant. However, through the development review process, ORCA has provided the City with detailed comments regarding the Applicants' study on 4 separate occasions (June 2014, March 2015, May 2015 and December 2015). Each set of comments provided by ORCA were issued in response to an Environmental Impact Study submission made by the Applicants. Throughout the review process, ORCA has outlined specific information requirements which prompted the Applicants to update their Environmental Impact Study three times following their original submission.

In their most recent general comments dated February 25, 2016, ORCA advised that it was satisfied that the Applicants have met the natural heritage policies that are relevant to the proposed development. Based on this advice, staff is satisfied that the plan, aided by its supporting technical reports, has met the requirements of applicable policy.

Notwithstanding that ORCA has now expressed its satisfaction with the plan, ORCA does recommend that the Applicants respond directly to the resident's detailed comments. Staff concurs with this recommendation.

### **Regard to City and Provincial Natural Heritage Policies**

The City's land use policies for the subject properties and the broader Jackson Creek Secondary Plan area are based on the recommendations of the Loggerhead Marsh Management Plan. Throughout the Draft Plan of Subdivision review process, staff has maintained an expectation that, at a minimum, that the recommendations of the Loggerhead Marsh Management Plan be implemented. Based on advice received from

ORCA dated February 25, 2016, staff is satisfied that the proposed plan meets all relevant natural heritage policies.

### **Tree Protection**

Many residents have expressed a desire to protect as many trees as possible on site including the central woodlot and the hedgerow along the east limit of the site. Staff note that the revised Draft Plan of Subdivision now protects almost the entire central woodlot save and except for some trees at its perimeter and a pathway for the proposed sanitary sewer. While many residents recognize the gains that have been made for the woodlot compared to the previous version of the plan, they fear that development, particularly sewer construction could remove more trees than planned due to either construction error or willful neglect. To address this concern, the Applicants will be required to clearly delineate development areas using snow and silt fencing and to prepare and implement a tree preservation plan complete with monitoring requirements.

With respect to eastern hedgerow, the Applicants will be required to preserve as many trees as possible and to implement a program to plant trees at strategic locations throughout the site to compensate for trees that need to be removed.

### **Density of Proposed Condominium/Apartment Block**

Following the January 20, 2016 open house, some residents felt confused and concerned about the density potential for the proposed condominium/apartment block. The confusion arose from conflicting information presented by staff at the meeting (development potential of 26 units) compared to the information initially circulated to residents prior to the meeting (development potential of 16 units). Between the time that the open house was advertised and the meeting itself, there was some discussion between the Applicants and staff regarding the zoning that would be sought for the block.

Following the meeting, staff received confirmation from the Applicants that they would seek the R.31, 3x, 5f zone which is essentially the same zone that is applied to an undeveloped site on Ireland Drive, south of the Loggerhead Marsh. Based on the regulations of the proposed zone, the condominium/apartment block might accommodate up to 18 units however the final unit count will be determined through a future site plan approval process. Area residents have expressed their desire to see the density of this site kept as close to the original estimate as possible.

### **ORCA's Position on Buffer Requirements from Loggerhead Marsh**

Several residents have questioned the policy basis and rationale behind ORCA's support for buffers from Loggerhead Marsh that are lesser in width than their original recommendation of 30m. While staff is unable to address questions regarding ORCA's rationale for supporting the proposed plan, staff can advise that ORCA's Watershed Planning and Regulations Policy Manual does provide flexibility to support residential development within 30m of a non-Provincially Significant Wetland (such as Loggerhead

Marsh) provided that site specific study can demonstrate no negative impact on the hydrologic and ecological function of the wetland.

### **Nornabell Avenue and the Western Street Connection**

A property owner to the west has expressed opposition to the proposed shift of the future Nornabell Avenue extension further west and potentially onto their lands and to the proposed street connection from the Batten-White Subdivision. In the neighbour's opinion, the planned extension of Nornabell Avenue should remain in the Batten-White subdivision as currently illustrated in the Official Plan and that if a road connection is made from the subdivision, "Davenport Road" as illustrated on the plan should be extended rather than "Street A".

The neighbour has suggested that it is unfair for one landowner to potentially be made responsible for the construction of Nornabell Avenue due to the additional land required to construct it as a collector street. Additionally, the neighbour has suggested that the extension of "Davenport Road" to the west will better serve development opportunity to the west.

Section 10.5.3.2 of the Official Plan specifies that the location of streets shown on the Jackson Creek Secondary Plan are approximate and that adjustments to their location can be made without amendment to the Official Plan provided that the general intent and purpose of the Secondary Plan is maintained. Furthermore, the section states that "the location and alignment of streets will be determined at the time of subdivision approval without amendment to the Secondary Plan." In the case of Nornabell Avenue, it is staff's opinion that the intent of the Official Plan is to implement a collector street between Ireland Drive and Parkhill Road, approximately half-way between Ravenwood Drive and Brealey Drive.

As noted previously, Utility Services would prefer the future Nornabell Avenue to align with Chandler Crescent but has acknowledged that a shift of Nornabell Avenue to the west can also serve the road's intended purpose with certain additional measures in place (e.g. walkways and local street connections). Nornabell Avenue is illustrated as a Low Capacity Collector Street in the Official Plan. In accordance with Section 5.4 of the Official Plan, low capacity collector streets may range in width from 20m to 23m while local streets are typically 18.5m to 20m wide. In the immediate neighbourhood, low capacity collector streets have been built as 21.3 and 22m allowances (e.g. Denure Drive and Chandler Crescent respectively) however it is acknowledged that the existing segment of Nornabell Avenue has been constructed as a 26m road allowance.

Staff have reviewed preliminary development concepts for the lands to the west of the subject site and note that, regardless of the location of Nornabell Avenue, a street connection to Parkhill Road is likely required. In staff's opinion, the incorporation of Nornabell Avenue on lands further west through a future plan of subdivision process will not cause adverse impacts on development potential or excessive burden on neighbouring properties. An extension of Nornabell Avenue on lands to the west, in

staff's opinion, would likely replace a local road connection to Parkhill Road that would otherwise be required. Furthermore, because of the road curve that would be required to align Nornabell Avenue with Chandler Crescent, shifting Nornabell Avenue to the west may actually create more flexibility for the development of those lands.

With respect to whether "Davenport Road" or "Street A" is extended to the west, it is staff's opinion that either option would provide sufficient opportunity to integrate with the adjacent lands and that neither option would have a significant adverse impact on the development potential of those lands. In staff's opinion, both options are technically supportable. The Applicants, however, maintain that extending "Davenport Road" to the west will adversely affect their ability to maintain quality of life at the existing farmhouse on the property.

## Summary

In staff's opinion, the proposed Draft Plan of Subdivision has sufficiently addressed the concerns described to Council in Report PLPD15-030 being:

- City concerns regarding housing density and mix, street connectivity, development relationship to adjacent properties, and woodlot preservation;
- ORCA concerns regarding environmental buffer widths from Loggerhead Marsh, its creek outlet, and wetland pockets along that creek;
- The need to assess an intermittent watercourse on the property at 1289 Parkhill Road West in light of *ORCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation; and
- The need to confirm a sanitary servicing solution that is acceptable to the City.

In staff's opinion, it is now appropriate to support the revised Draft Plan of Subdivision illustrated in Exhibit A. It is staff's belief that the proposed Draft Plan of Subdivision:

- i. Will provide additional residential land for the City thus helping to ensure that the City has an appropriate lot inventory pursuant to the Provincial Policy Statement;
- ii. Facilitates the planned build-out of the Jackson Creek Secondary Plan area;
- iii. Is consistent with the matters of Provincial Interest as established under the Planning Act, does not conflict with any Provincial Plan, and, if approved, will comply with the City Official Plan; and,
- iv. Has addressed all matters considered during the review pursuant to Section 51(24) of the Planning Act and/or will address any outstanding matters through the Conditions of Draft Plan Approval prior to the issuance of Final Approval.

Submitted by,

Ken Hetherington  
Manager, Planning Division

Prepared by,

Concurred with,

Brad Appleby  
Planner, Subdivision Control  
& Special Projects

Malcolm Hunt, Director  
Planning & Development Services

**Contact Name:**

Brad Appleby  
Planner, Subdivision Control  
& Special Projects  
Phone: 705-742-7777, Extension 1886  
Toll Free: 1-855-738-3755  
Fax: 705-742-5218  
E-mail: bappleby@peterborough.ca

**Attachments:**

Schedule 1 – Conditions of Draft Plan of Subdivision Approval  
Exhibit A – Draft Plan of Subdivision 15T-14501  
Exhibit B – Draft Official Plan Amendment  
Exhibit C – Draft Zoning By-law Amendment  
Exhibit D – Draft Plan of Subdivision Previously Considered in Report PLPD15-030  
Exhibit E – Land Use Map  
Exhibit F – Notice of Public Meeting  
Exhibit G – Map of Environmental Constraints and Development Setbacks



**Draft Plan of Subdivision Application 15T-14501  
LTM Land Corp., William and Roger White  
1225, 1261 and 1289 Parkhill Road West  
File Numbers 15T-14501, Z1410SB, O1403**

### **Conditions of Draft Plan of Subdivision Approval**

The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this Subdivision File No. 15T-14501 are as follows:

#### **Identification**

1. That this approval applies to the Draft Plan of Subdivision 15T-14501, Drawing No. 4456-DP dated July, 2015 (revised March 1, 2016) by M.J. Davenport & Associates Ltd., which shows the following:

Lot/Block No.	Land Use	Unit Count
Lots 1 to 159	Single detached residential (12m to 15m typical lot widths)	159 units
Blocks 160 to 169	7.3m Street-fronting townhouse	40 units
Block 170	Condominium / Apartments	Up to 18 units
Block 171	Emergency Access	
Blocks 172 and 173	5.18m Road Widening	
Blocks 174, 176, 177, 179	Parkland & Open Space	
Blocks 175 and 178	Stormwater Management	
Block 180	Floodplain & Open Space	

2. That if Final Approval is not given to this Plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse.
3. That prior to Final approval, the City Engineer will confirm the servicing allocation for this Plan as services are allocated on a “first-come, first-served” basis.

#### **Public Roads and Walkways**

4. That the road allowances included in this Draft Plan shall be shown on the Final Plan and dedicated as public highways.
5. That the streets be named in accordance with the City's naming policy to the satisfaction of the City of Peterborough.
6. That any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves, including the frontage along Parkhill Road West, to be conveyed to and held, in trust, by the municipality.

7. That temporary turning circles be established at the termination of road allowances as directed by the City of Peterborough with the exception of the west termination of Street A.
8. That prior to Final Approval, the Owner shall agree in the Subdivision Agreement to construct sidewalks in accordance with the City's Sidewalk Policy.
9. That Chandler Crescent, at its intersection with Parkhill Road, include a left egress turning lane and exclude a centre median to the satisfaction of the City Engineer.
10. That Blocks 172 and 173 be conveyed to the City of Peterborough as public highway within 30 days of Draft Plan of Subdivision Approval being granted by the City Council.

### **Other Municipal Conditions**

11. That the Owner agree in writing to convey parkland dedication to the City in accordance with the Planning Act and Official Plan policy. Blocks 174, 176, 177 and 179 will be considered for parkland dedication however lands within the regional floodplain, lands required as an environmental setback, and lands required for stormwater management purposes shall not constitute any portion of the parkland dedication and shall instead be conveyed to the City for open space purposes at no charge.
12. That the Owner agree that any conveyance of Blocks 174, 176, 177 and 179 to the City in excess of the City's parkland dedication entitlement, excepting floodplain, environmental setbacks, and stormwater management facilities, will be subject to compensation from the City at a rate to be secured in the Subdivision Agreement.
13. That Blocks 175 and 178 be conveyed at the owner's expense to the City of Peterborough for Stormwater Management purposes.
14. That Block 179 be conveyed at the owner's expense to the City of Peterborough for Floodplain/Open Space purposes.
15. That Block 171 be conveyed to the City of Peterborough for Emergency Access purposes. Furthermore, the Applicant shall agree to construct a permanent emergency access over Block 201 to the satisfaction of the City Engineer.
16. That the Owner agree in the Subdivision Agreement to construct a trail/walkway over Block 174, from "Davenport Road" as illustrated on the Draft Plan of Subdivision, to Street "A", and to the sanitary sewer alignment adjacent to Lot 59, to the satisfaction of the City Engineer.

17. That the Owner agree in the Subdivision Agreement to construct a trail/walkway from the sanitary sewer alignment within Block 174, to the south limit of the property in Block 179, as generally illustrated on the Draft Plan of Subdivision, to the satisfaction of the City Engineer and the Otonabee Region Conservation Authority.
18. That the Owner agree in the Subdivision Agreement to decommission any existing drinking water wells or private septic systems within the Draft Plan in accordance with applicable legislation concurrent with servicing of the site to the satisfaction of the City Engineer.
19. That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Peterborough concerning the provision of roads, installation of services and drainage.
20. The Owner acknowledges that all works undertaken on site shall comply with current applicable law in effect at the time of the detailed design review process for each phase of the subdivision.
21. That such easements as may be required for temporary access, utility, or drainage purposes, including snow storage at the end of all “stub” streets, shall be granted to the appropriate authority, prior to the registration of the Subdivision Agreement and Final Plan of Subdivision.
22. That the Owner agree in the Subdivision Agreement to replace topsoil with screened topsoil throughout the site to the satisfaction of the City Engineer.
23. That prior to Final Approval, the Owner shall secure all necessary approvals and easements to convey sanitary wastewater from the lands to the Parkhill Road West Sanitary Wastewater Pumping Station to the satisfaction of the City Engineer subject to the following:
  - i) That a gravity-based sanitary sewer be constructed along the south limit of the site as generally illustrated on the Draft Plan of Subdivision that maximizes opportunity for servicing adjacent lands both east and west of the site while maintaining required setbacks from adjacent environmental features and stormwater management facilities;
  - ii) That any proposal to install a sanitary sewer across external private property be accompanied with an Archaeological Assessment to the City’s satisfaction and an Environmental Impact Study assessing the potential impact of the proposed work to the satisfaction of the City Engineer, Otonabee Region Conservation Authority and/or others, as required;

- iii) That the installation of a temporary sewage pumping station on site will only be considered upon completion of a gravity-based sanitary sewer along the south limit of the site and upon demonstration that all other reasonable opportunities for establishing a 100% gravity-based sewage system have been exhausted;
  - iv) That the financing, design, operation, maintenance, and decommissioning of any temporary sewage pumping station to be considered on site be to the satisfaction of the City Engineer and, as applicable, the Ministry of the Environment and Climate Change;
  - v) That the Applicants agree to pay their proportionate share of any downstream sanitary wastewater facilities that have been or are being financed by Area Specific Development Charges if the development is not already contributing to the financing of those facilities through the Jackson Area Specific Development Charge.
24. Prior to Final Approval, the Owner shall prepare an overall Composite Utility Distribution Plan that allows for the safe installation of all utilities, including required separation between utilities and driveways to the satisfaction of the City Engineer and all affected utility authorities. Where an electrical transformer is to be located in proximity to a residential side lot line, the plan will ensure that a minimum side lot line building and driveway setback of 1.2m is provided on each lot abutting the said lot line. Proposed Street Trees shall also be shown on the plan. The Owner shall agree in the Subdivision Agreement to construct all streets and services in accordance with the approved composite utility plan and to advise all builders of the approved composite utility plan requirements and standards in writing.
25. That the Owner register a restrictive covenant on title of all lots/blocks where the Zoning By-law may permit a minimum separation of less than 2.4 metres between buildings on adjacent lots/blocks, to ensure that the area remains free of encumbrances for the purpose of facilitating property maintenance.
26. That prior to Final Approval, the Owner shall agree in the Subdivision Agreement to prepare a Capital Asset Table for the infrastructure installed and/or removed and/or impacted in a format approved by the City Engineer at the time of Interim Acceptance. The information on infrastructure shall be separated into its various components and assigned construction costs for individual items.
27. That the Owner agree in the Subdivision Agreement that the residential units constructed on Lots 1 to 6 and 91 to 93 inclusive and on Blocks 160 to 169 inclusive will be constructed with a forced air-ducted heating system suitably sized and designed to permit the further installation of a central air conditioning system by the occupants.

28. That for Lots 1 to 6 and 91 to 93 inclusive and Blocks 160 to 169 inclusive, the Owner shall agree in the Subdivision Agreement to include following clause in the offers to purchase or rental agreements:
- "Due to its proximity to Parkhill Road, projected noise levels on this property exceed the Ministry of the Environment and Climate Change's Noise Criteria and may cause concern to some individuals. Moreover, this dwelling has been fitted with a forced air-ducted heating system suitably sized and designed to permit the future installation of a central air conditioning system by the occupants, Installation of central air conditioning by the occupant will allow exterior windows and doors to remain closed, thereby helping to ensure that indoor sound levels are within the Ministry of Environment and Climate Change's Noise Criteria. The location and installation of the outdoor air conditioning device should be done in compliance with Ministry of Environment Publication NPC-216, Residential Air Conditioning Devices, to minimize noise impacts both on and in the immediate vicinity of the subject property."
29. That prior to Final Approval, the City Engineer must have reviewed and approved a geotechnical/hydrogeological report to assess soil types, road construction, water balance, house footing designs etc. as well as ground water levels relative to establishing elevations for houses, the applicability of gravity foundation drainage services and opportunities for implementation of Low Impact Development stormwater management techniques.
30. That the Owner erect a sign, to the satisfaction of the City, depicting the approved plan of Subdivision and zoning within 90 days of the date of Draft Plan Approval.
31. That the Owner agree in the Subdivision Agreement to undertake Quality and Quantity Monitoring of the proposed stormwater management facilities to the satisfaction of the City Engineer for the duration of draft plan construction and until such time as the facilities have been assumed by the City.
32. That concurrent with Final Approval, the Owner shall fulfill any obligations associated with the existing Loggerhead Marsh Management Plan Local Services Agreement that applies to the property at 1289 Parkhill Road West and shall enter into a Local Services Agreement with the City for the properties at 1225 and 1261 Parkhill Road West, if deemed applicable by the City.
33. That the Owner shall enter into an agreement with Peterborough Distribution Inc. and Peterborough Utilities Commission for electrical and water servicing respectively.

**Other Agency Conditions**

34. That the Owner agree to not undertake any clearing, grading and grubbing of the site during the main bird breeding season of May 1st to July 31<sup>st</sup> to the satisfaction of the Otonabee Region Conservation Authority and the City.
35. That the Owner agree to clearly delineate the boundary of the development envelope, including the limit of any sanitary sewer and stormwater management construction, prior to any site preparation or construction activities to the satisfaction of the Otonabee Region Conservation Authority and the City. Snow and silt fencing shall be installed and maintained along all development envelopes and along all required the wetland buffer limits prior to any site preparation and all sediment and erosion control measures shall be in place prior to site preparation.
36. That the Owner agree to consult with the Otonabee Region Conservation Authority and the City to establish a timeline for grading that avoid periods of high runoff volumes (spring and fall) and minimizes changes in land contours to the satisfaction of the Otonabee Region Conservation Authority and the City. All disturbed areas of the site should be stabilized and revegetated immediately.
37. Prior to Final Approval, the Owner shall submit, and agree to implement, a tree inventory and preservation plan prepared by a qualified Arborist to the satisfaction of the Otonabee Region Conservation Authority and the City. The plan shall include pre-, during, and post-development monitoring.
38. That prior to Final Approval, the Owner shall submit and agree to implement a landscaping and vegetation plan to the satisfaction of the Otonabee Region Conservation Authority and the City that includes:
  - i) Details for planting street trees in accordance with City's Urban Forest Strategic Plan including proposed street tree planting locations, species, and street cross sections containing boulevard width, utility locations and depth of topsoil, as alternative planting locations where boulevard planting is not viable and additional compensatory plantings on lots where street tree species are limited to smaller, space-tolerant species;
  - ii) Details for plantings to compensate for trees approved to be removed from the site;
  - iii) Details for revegetation of the sanitary sewer construction envelope through Blocks 174 and 180;
  - iv) Details for enhancing the open space corridor along the west limit of the site in Blocks 176 and 177 as well as buffer areas associated with the Loggerhead Marsh, its creek outlet, and the associated wetland pockets along that creek;

- v) Details for landscaping associated with stormwater management facilities, slope stabilization and streetscaping; and,
- vi) A screen of eastern white cedars to be planted along the northern edge of the woodlot in Block 174 to protect the woodlot from natural and human disturbance.

Surrounding areas shall be kept natural to prevent the spread of invasive vegetation and all recommended plantings shall consist of native plants and trees.

- 39. That the Owner shall agree in the Subdivision Agreement to design and construct permanent fencing along the mutual boundary between any residential lot/block and any abutting walkway, emergency access, open space, stormwater management, or parkland area as deemed necessary by the City Engineer. Fencing abutting the Northeast Forest within Block 174 and the Open Space corridor within Blocks 176 and 177 shall be of a sufficient height to prevent property encroachment and dumping of yard waste and shall be free of gates to the satisfaction of the Otonabee Region Conservation Authority and the City.
- 40. That the seep area located in Community 1 as identified by the Environmental Impact Study prepared by Niblett Environmental Associates Inc. dated September, 2015 be maintained and/or its water be collected and directed toward the Loggerhead Marsh outlet creek to the satisfaction of Otonabee Region Conservation Authority and the City.
- 41. That the Owner provide plans to the satisfaction of the Otonabee Region Conservation Authority and the City for maintaining wildlife connectivity under Street 'A' within the western open space/wildlife corridor. Furthermore, the Owner shall agree to pay all costs associated with the future extension of Street 'A' to the limit of the Draft Plan of Subdivision to the satisfaction of the City.
- 42. That the Owner agree in the Subdivision Agreement to distribute a "HomeOwner Natural Systems Stewardship Brochure" as a schedule to all Agreements of Purchase and Sale, and registered on title, for all subsequent prospective purchasers of all Lots with in the subdivision. The brochure will be based on an existing template developed by the Otonabee Region Conservation Authority, the City of Peterborough and the County of Peterborough, and shall be customized to the development at the Owner's expense to the satisfaction of the Otonabee Region Conservation Authority and the City.
- 43. That the outfall for all stormwater management facilities be designed in consultation with a qualified biologist, the Otonabee Region Conservation Authority and the City.

44. That prior to final registration of the Plan of Subdivision and any on-site grading or construction, Otonabee Conservation and the City must have reviewed and approved reports describing/containing:
- a) the intended means of controlling stormwater runoff in terms of quantity, frequency and duration for all events up to and including the 1:100 year storm;
  - b) the intended means of conveying storm water flow through and from the site, including use of storm water management water quality measures, both temporary and permanent, which are appropriate and in accordance with the Ministry of the Environment (MOE) "Stormwater Management Planning and Design Manual", March 2003 and the Credit Valley Conservation and Toronto and Region Conservation Authority "Low Impact Development Stormwater Management Planning and Design Guide", 2010. Wet pond permanent water quality control facilities will not be permitted to service catchment areas of less than 5.0 hectares;
  - c) the means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction. These means should be in accordance with the Greater Golden Horseshoe Area "Erosion and Sediment Control Guidelines for Urban Construction", December 2006. At a minimum, the erosion and sediment control plan shall incorporate:
    - i. A proactive, multi-barrier approach to erosion and sediment control, with an emphasis of preventing erosion on site during all phases of construction;
    - ii. A phased approach whereby the extent of grading and disturbed area is limited to only those areas necessary for immediate construction; and,
    - iii. Detailed construction staging plans, including installation details, inspection, repair and maintenance requirements, a spill management and contingency plan for additional measures.
  - d) site soil conditions, including grain size distribution profiles, infiltration capabilities, erosion potential, as well as bedrock and groundwater elevations;
  - e) site grading plans; and,
  - f) means of maintaining a pre-development water balance on the site.

45. The Subdivision Agreement between the Owner and the City of Peterborough shall contain the following provisions in wording acceptable to Otonabee Conservation and the City Engineer:
- a) That the Owner agrees to implement the works referred to in Condition No. 44. The approved reports should be referenced in the Subdivision Agreement.
  - b) That the Owner agrees to maintain all stormwater management, erosion and sedimentation control structures operating and in good repair during the construction period. During construction and on an ongoing basis, inspection and monitoring of the installation, maintenance and performance of all erosion and sediment controls shall be conducted by a quality environmental consultant.
  - c) That the Owner agrees to provide the Authority for review, all relevant inspection and testing reports related to the construction of the stormwater management facilities.
  - d) That the Owner notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.
46. a) Bell Canada shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Bell Canada for the installation of Bell Canada facilities to serve this Draft Plan of Subdivision.
- b) The Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.
  - c) If there are any conflicts with existing Bell Canada facilities or easements, the Owner shall be responsible for re-arrangements or relocation.
47. a) Cogeco Cable Solutions shall confirm that satisfactory arrangements, financial and otherwise have been made with Cogeco Cable Solutions for any Cogeco Cable Solutions' facilities serving this Draft Plan of Subdivision which are required to be installed underground, a copy of such confirmation shall be forwarded to the City of Peterborough.
- b) The Owner shall agree in the Subdivision Agreement, in words satisfactory to Cogeco Cable Solutions, to grant to Cogeco Cable Solutions any easements that may be required for telecommunication services.
  - c) If there are any conflicts with existing Cogeco Cable Solutions' facilities or easements, the Owner shall be responsible for re-arrangements or relocation.

48. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:
- i) Inform all prospective purchasers, through a clause in all Agreements of purchase and sale, as to those lots identified for potential Community Mailbox, mini-park and/or locations.
  - ii) Provide, at the Owner's expense, curb depressions at the Community Mailbox location 2 metres in width and no higher than 25 mm and a poured concrete pad to City of Peterborough sidewalk specifications.
  - iii) Provide, at the Owner's expense, a paved lay-by at the Community Mailbox location when required by the municipality.
  - iv) If a grassed boulevard is planned between the curb and the sidewalk where the Community Mailbox is located, install at the Owner's expense, a walkway across the boulevard. The walkway is to be 1.0 metre in width and constructed of a material suitable to the municipality (e.g. interlock, asphalt, concrete etc.) in addition, the developer shall ensure, by forming or cutting the curb, that this walkway is handicapped accessible by providing a curb depression between the street and the walkway. This depression should be 1.0 metres wide and no higher than 25mm.
49. That the Owner make satisfactory arrangements with Enbridge Gas Distribution Inc. for the provision of gas service to the site and that the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Enbridge Gas Distribution Inc. and the City Engineer:
- i) To grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
  - ii) To provide easements at no cost to Enbridge Gas Distribution Inc. in the event that it is not possible to install the natural gas distribution system within the proposed road allowances.

## **Clearances**

1. Prior to final approval, the Director of Planning & Development Services shall be advised by the Otonabee Region Conservation Authority that Conditions 17, 23, and 34 to 45 inclusive have been carried out to the their satisfaction. The letter from the Authority shall include a brief but complete statement detailing how each condition has been satisfied.

2. Prior to final approval, the Director of Planning & Development Services shall be advised by Bell Canada that Conditions 21, 23 and 46 have been carried out to the their satisfaction. The letter from Bell shall include a brief but complete statement detailing how each condition has been satisfied.
3. Prior to final approval, the Director of Planning & Development Services shall be advised by Cogeco Cable Solutions that Conditions 21, 24 and 47 have been carried out to their satisfaction. The letter from Cogeco shall include a brief but complete statement detailing how each condition has been satisfied.
4. Prior to final approval, the Director of Planning & Development Services shall be advised by Canada Post that Conditions 24 and 48 have been carried out to the their satisfaction. The letter from Canada Post shall include a brief but complete statement detailing how each condition has been satisfied.
5. Prior to final approval, the Director of Planning & Development Services shall be advised by the Enbridge Gas Distribution Inc. that Conditions 21, 24 and 49 have been carried out to the their satisfaction. The letter from the Enbridge shall include a brief but complete statement detailing how each condition has been satisfied.
6. Prior to final approval, the Director of Planning & Development Services shall be advised by Peterborough Utilities Services Inc. (PUSI) that Conditions 21, 24 and 33 have been carried out to the their satisfaction. The letter from PUSI shall include a brief but complete statement detailing how each condition has been satisfied.

Otonabee Conservation 250 Milroy Drive Peterborough ON K9H 7M9	Systems Planner Cogeco Cable Solutions P.O. Box 2290 1111 Goodfellow road Peterborough ON K9J 7A4
Manager, Access Network Bell Canada 183 Hunter St. W., Floor 2 Peterborough ON K9H 2L1	Delivery Planner Canada Post Corporation 1424 Caledon Place Box 25 Ottawa ON K1A OC1
Enbridge Gas Distribution Inc. Attention: Land Services P. O. Box 650 Scarborough, Ontario	Peterborough Utilities Services Inc. 1867 Ashburnham Drive PO Box 4125, Station Main Peterborough, ON K9J 6Z5

## Notes to Draft Approval

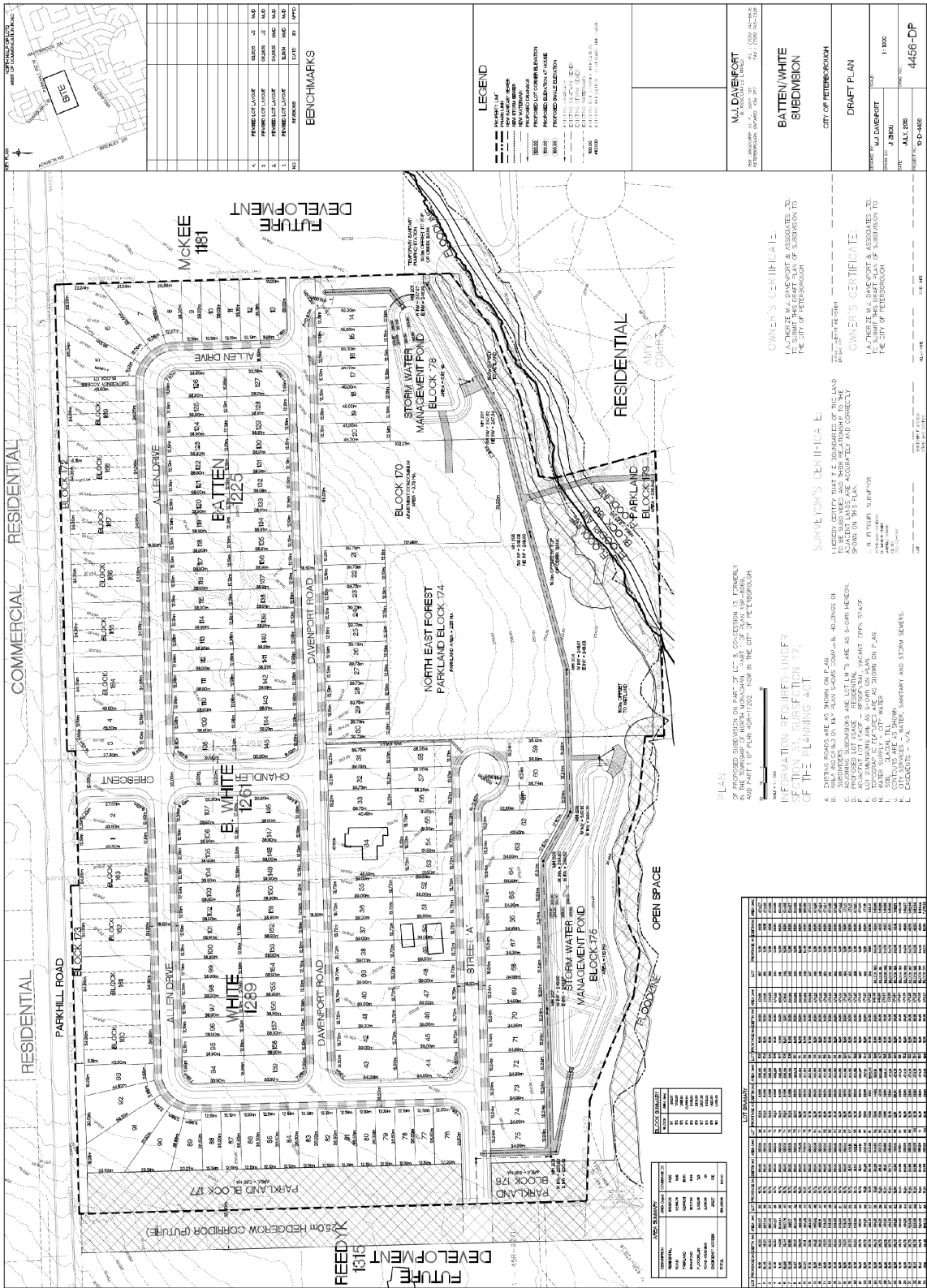
1. It is the Owner's responsibility to fulfill the Conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Peterborough Planning Division quoting the City file numbers.
2. We suggest that you make yourself aware of Section 144 of the Land titles Act and subsection 78(10) of the *Registry Act*.

Subsection 144(1) of the *Land Titles Act* requires that a Plan of Subdivision of land that is located in a land titles division be registered under the *Land Titles Act*. Exceptions to this provision are set out in subsection 144(2).

Subsection 78 (10) of the *Registry Act* requires that a Plan of Subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless that title of the Owner of the land has been certified under the *Certification of Title Act*.

Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

3. If the Owner wishes to request an extension to Draft Approval, a written explanation must be submitted for Council approval prior to the lapsing date. Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.
4. The City of Peterborough and the Peterborough Utilities Commission have established a Development Control Monitoring Program for the purpose of managing sanitary and water services City-wide. Draft Approval does not assign a servicing allocation to the Plan of Subdivision. Services will be allocated on a "first-come" "first-served" basis in response to bonafide development pressure.
5. It is the Owner's responsibility to advise the City of Peterborough Planning Division of any changes in Ownership, agent, address, and phone and fax number.





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

### **By-Law Number 16-**

Being a By-law to Adopt Amendment Number .... to the Official Plan of the City of Peterborough to Amend Schedules “B” – Roadway Network, “E” – Residential Density, and “G” – Jackson Creek Secondary Plan for the properties at 1225, 1261 and 1289 Parkhill Road West

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

1. Schedule ‘B’ – Roadway Network of the Official Plan of the City of Peterborough is amended to shift the Low Capacity Collector designation associated with Nornabell Avenue west along Parkhill Road in accordance with the Schedule ‘A’ attached hereto.
2. Schedule ‘E’ – Residential Density of the Official Plan of the City of Peterborough is amended to designate a portion of the lands for Medium Density purposes in accordance with the Schedule ‘B’ attached hereto.
3. Schedule ‘G’ – Jackson Creek Secondary Plan of the Official Plan of the City of Peterborough is amended to designate a portion of the lands for Medium Density purposes and to shift the Low Capacity Collector designation associated with Nornabell Avenue west along Parkhill Road in accordance with the Schedule ‘C’ attached hereto.

By-law read a first, second and third time this 4th day of April, 2016.

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Daryl Bennett, Mayor

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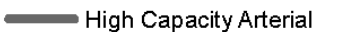
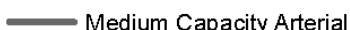



John Kennedy, City Clerk

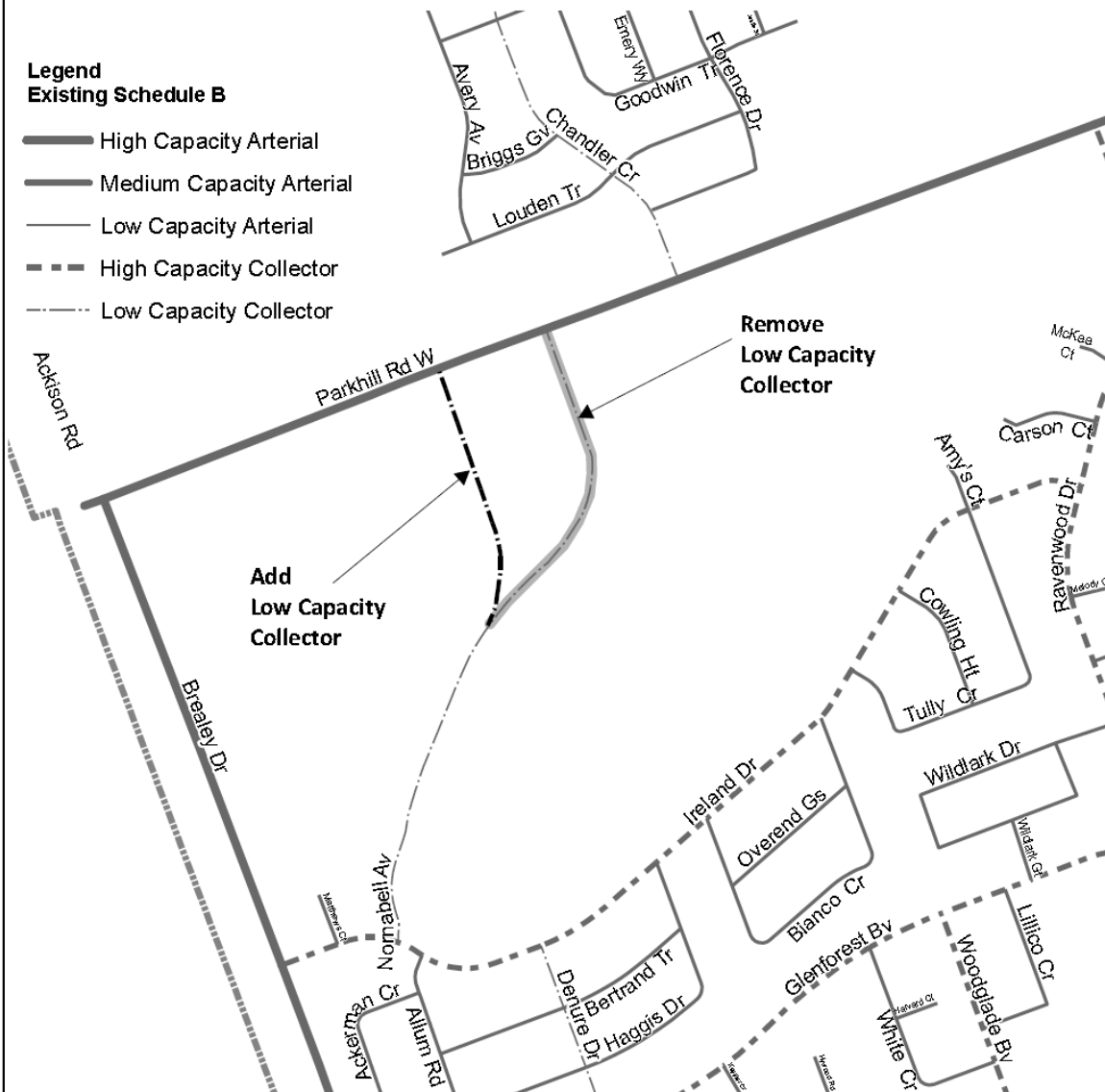
Schedule A

# Official Plan Amendment to Schedule - B Roadway Network

**Legend**

**Existing Schedule B**

-  High Capacity Arterial
-  Medium Capacity Arterial
-  Low Capacity Arterial
-  High Capacity Collector
-  Low Capacity Collector



**City of  
Peterborough**

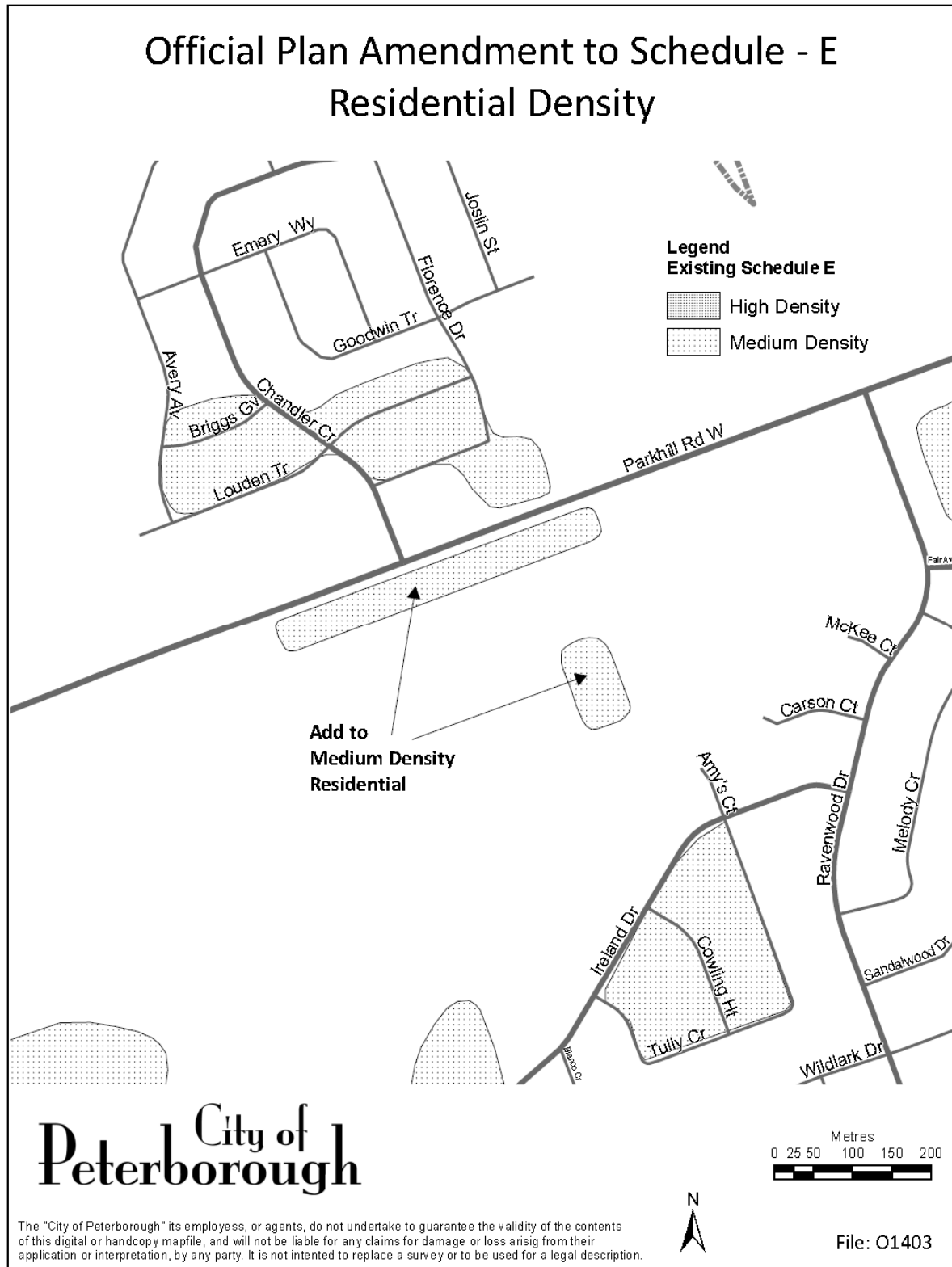
The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a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



Metres  
0 2550 100 150 200

File: O1403

Schedule B

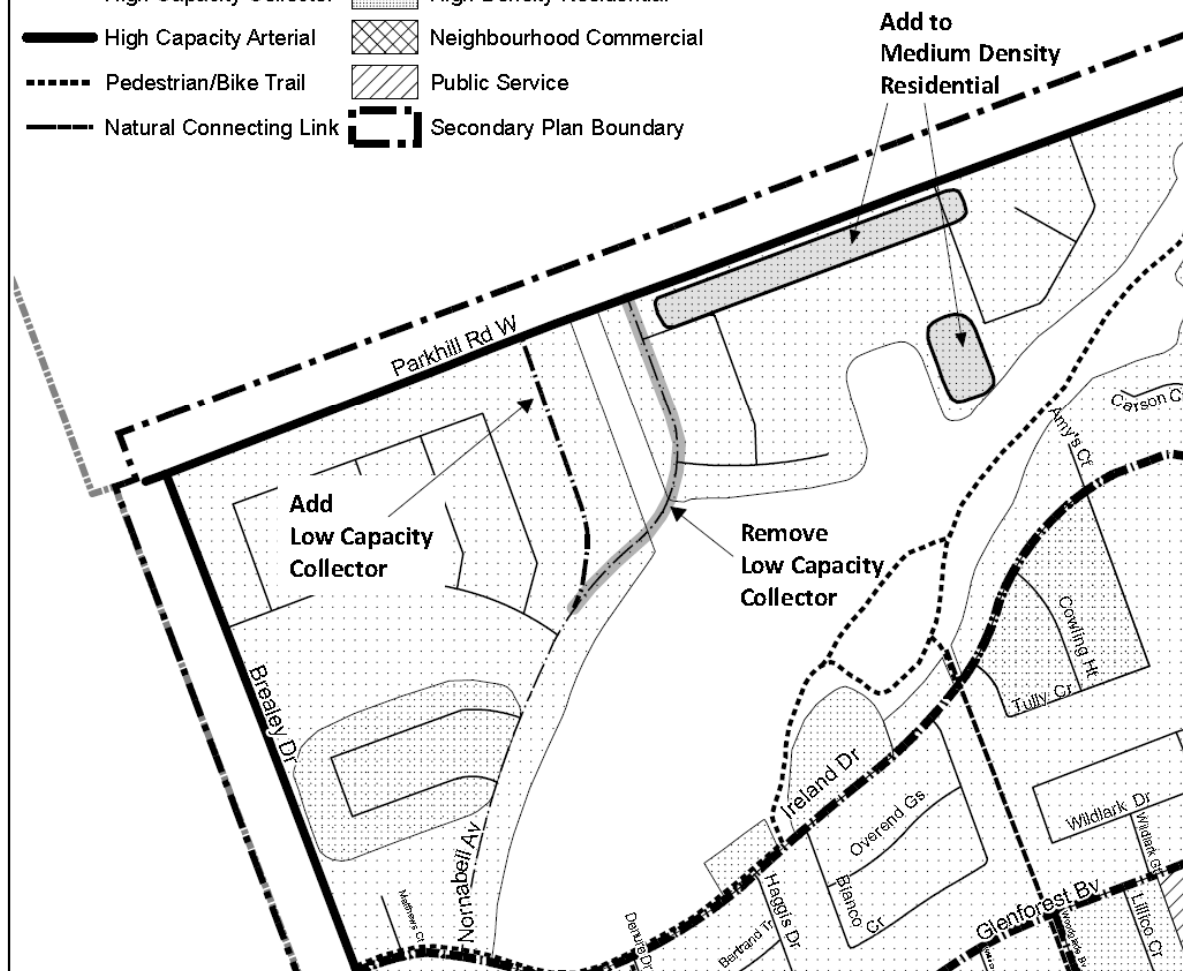


## Schedule C

# Official Plan Amendment to Schedule - G Jackson Creek Secondary Plan

**Legend****Existing Schedule B**

— Local	Low Density Residential
- - - Low Capacity Collector	Medium Density Residential
■ ■ ■ High Capacity Collector	High Density Residential
— High Capacity Arterial	Neighbourhood Commercial
..... Pedestrian/Bike Trail	Public Service
— Natural Connecting Link	Secondary Plan Boundary



City of  
**Peterborough**

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Metres  
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File: O1403



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

### **By-Law Number 16-**

Being a By-law to Amend the Zoning By-law for the properties at 1225, 1261 and 1289 Parkhill Road West

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

1. Section 3.9 Exceptions of By-law 97-123 is amended by adding the following:  
“.302 The provisions of Subsections 303.3 d) ii) and 303.3 l) related to building setbacks and open space along lot lines abutting an R.1 district shall not apply.”
2. Subsection (13) Parkhill Road of Section 6.8 Exceptions (Building Setback – Arterial Streets) of By-law 97-123 is hereby amended by adding the following:  
“(c) First lot east and west of Chandler Crescent, south side 30 metres”
3. Map 9 forming part of Schedule 'A' to By-law 1997-123 is amended by changing the area shown on the sketch attached hereto as Schedule 'A' from D.2 and SP.238 to R.1,8z-162-“H”; R.1,8z,10e-162-“H”; R.31,3x,5f-“H”; SP.273,10e,16h-302-“H”; OS.1; and OS.2.
4. The “H” – Holding Symbol will be removed upon registration of the Plan of Subdivision in the Land Registry Office.

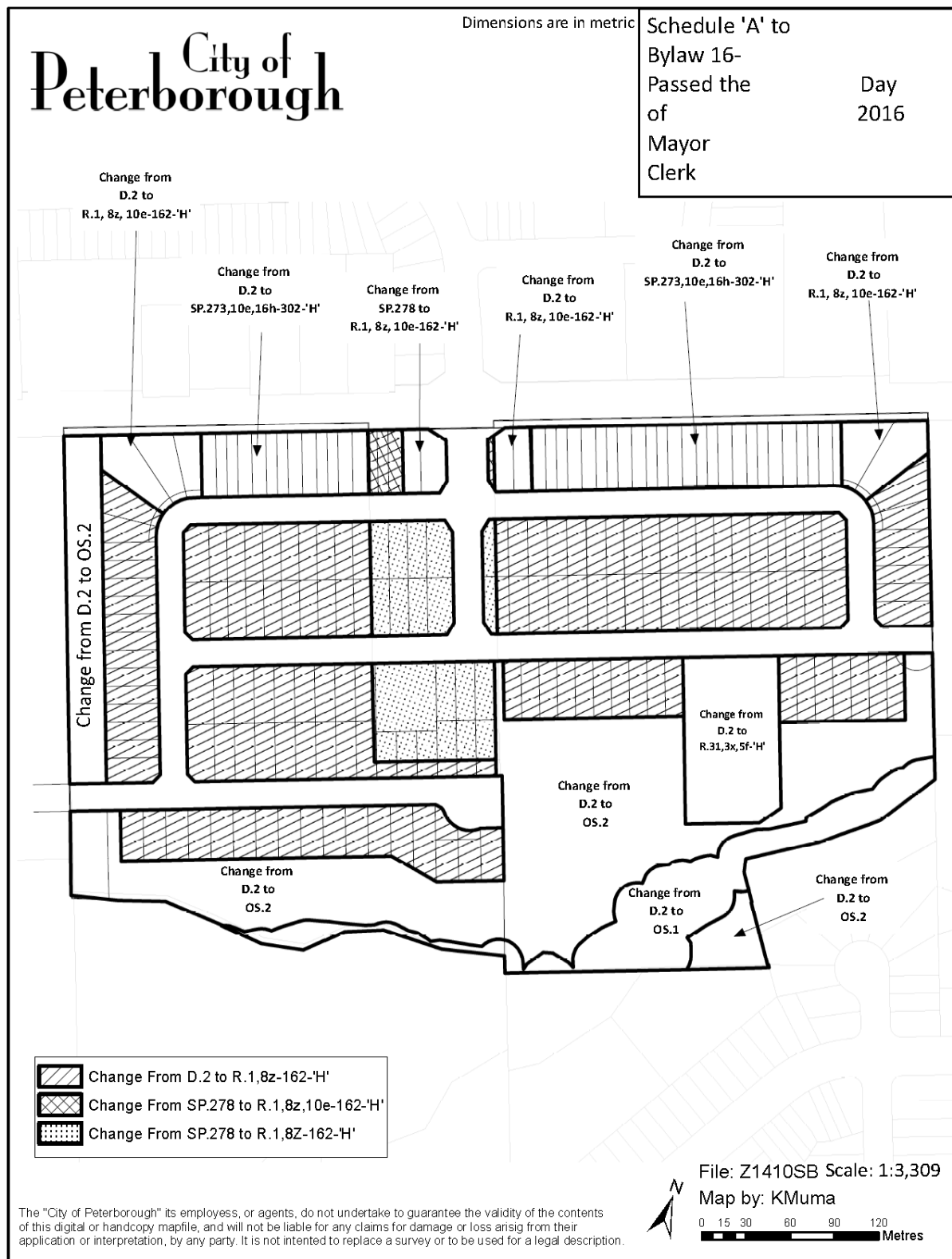
By-law read a first, second and third time this 4th day of April, 2016.

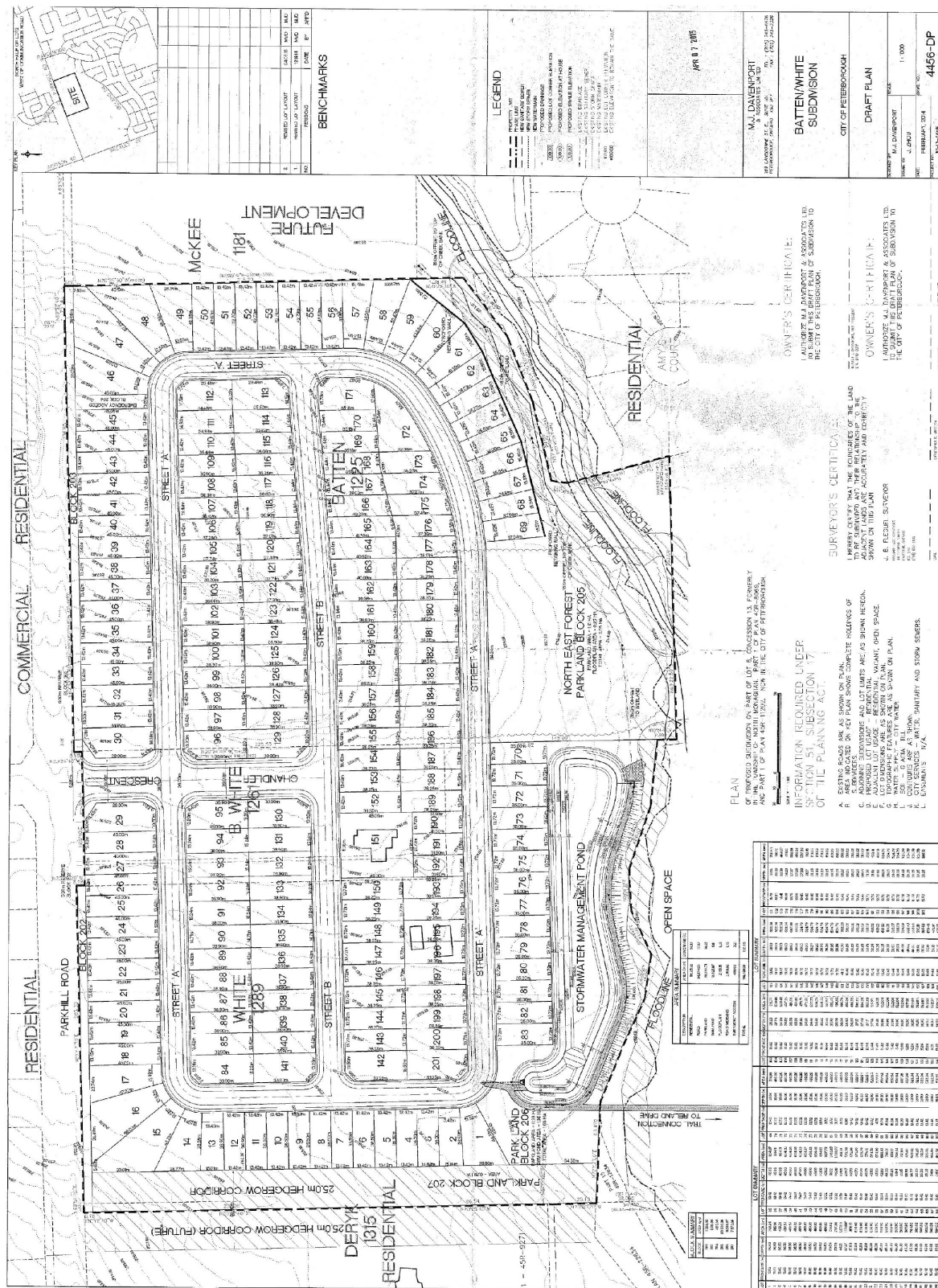
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Daryl Bennett, Mayor

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John Kennedy, City Clerk

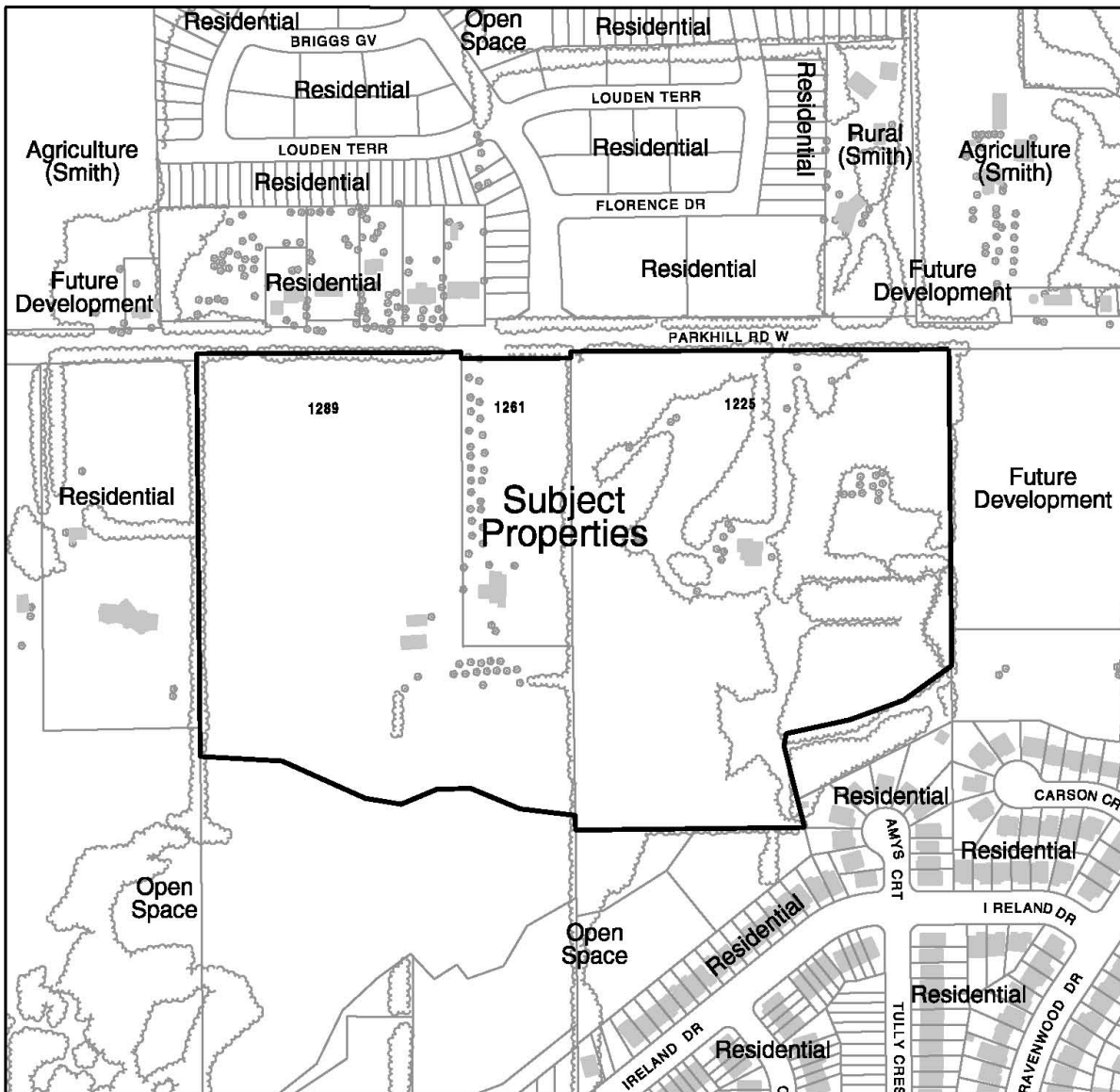




# Land Use Map

File # z1410sb

Property Location: 1225,1261,1289 Parkhill Rd W



The City of Peterborough Planning Division

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Date - April 2014

Dwg. by - CBerry



## Notice of Public Meeting

**Take Notice** that the City of Peterborough has received the following applications and pursuant to the *Planning Act*, R.S.O., 1990, c.P.13, the Planning Committee will hold a public meeting in the Council Chambers, City Hall at 6:30 p.m. on **Monday, March 21, 2016**, to consider the following application under Sections 17, 34 and 51 of the *Act* :

- File:** 15T-14501, O1403, Z1410sb  
**Address:** 1225, 1261, 1289 Parkhill Road West  
**Owner/Applicant:** LTM Land Corp., William White, Roger White  
**Agent:** M.J. Davenport & Associates Ltd.

The applicant is proposing to develop a plan of subdivision consisting of 159 single detached residential units, 40 street fronting townhouse units, up to 18 condominium or apartment units, two stormwater management ponds, and land for parkland/open space purposes. To facilitate the development, the applicants are proposing to amend the Official Plan to permit medium density housing and relocate the planned Normabell Avenue extension, and to rezone the lands for residential and open space purposes.

- File:** Z1516  
**Address:** 850 Lansdowne Street West  
**Owner/Applicant:** Duane Cummiskey Holdings Inc.  
**Agent:** Nicole Truman, Fox Law Professional Corporation

The applicant is proposing to amend the zoning of the property from the C.4 – Commercial District to the SP.268 – Special Commercial District with an exception .244 to permit the use of the lands for Service Commercial purposes including a bank, financial institution or a loan company, together with an alternative regulation to recognize the existing building coverage of the lands.

- File:** Z1607  
**Address:** 844 Rye Street  
**Owner/Applicant:** Seabrooke Holdings Limited  
**Agent:** Seabrooke Holdings Limited, c/o Glen Seabrooke

The applicant is proposing to amend the SP.268-151-157(F) Special Commercial Zoning District to include a bank, financial institution or loan company as a permitted use, in accordance with the Service Commercial policies of the Official Plan.

Any Person may attend the above Public Meeting and/or make written or verbal representation either in support of or in opposition to the Amendment (please quote the file numbers).

**Be Advised** that if a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Peterborough in respect of the proposed applications before the proposed official plan amendment is adopted, the zoning by-law is passed, and/or the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of City of Peterborough Council to the Ontario Municipal Board.

**Be Advised** that if a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Peterborough in respect of the proposed applications before the proposed official plan amendment is adopted, the zoning by-law is passed, and the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

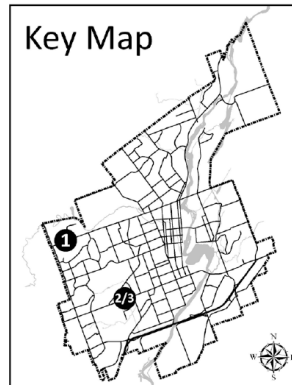
If you wish to be notified of adoption of the proposed Official Plan Amendment, or of the refusal of a request to amend the official plan, the passing of the proposed zoning by-law, or of the decision of the City of Peterborough Council in respect of the proposed plan of subdivision, you must make a written request to the City Clerk at the address below.

**Additional Information** relating to these applications may be obtained from the Planning Division, City Hall, (8:30 a.m. to 4:30 p.m., Monday to Friday), or by contacting the Planning Division at 705-742-7777 – Files: 15T-14501, O1403, Z1410sb – Brad Appleby at ext. 1886 (email: [bappleby@peterborough.ca](mailto:bappleby@peterborough.ca)); Files: Z1516 and Z1607 – Caroline Kimble at ext. 1735 (email: [ckimble@peterborough.ca](mailto:ckimble@peterborough.ca)).

A Staff report will be available by 12 Noon on Friday the 19<sup>th</sup> day of March, 2016.

Dated at the City of Peterborough this 1<sup>st</sup> day of March, 2016.

### Key Map



John Kennedy, City Clerk  
City of Peterborough, City Hall  
500 George Street North  
Peterborough, Ontario  
K9H 3R9  
[jkennedy@peterborough.ca](mailto:jkennedy@peterborough.ca)

