



City of
Peterborough

To: Members of the Planning Committee

From: Jeffrey Humble, Director, Planning and Development Services

Meeting Date: August 28, 2017

Subject: Report PLPD17-041
Application for Draft Plan of Subdivision Approval 15T-16501
and Zoning By-law Amendment Z1605SB
Durham Building Corporation & 1517050 Ontario Ltd.
663, 689 and 739 Lily Lake Road

Purpose

A report to evaluate the planning merits of a Draft Plan of Subdivision and Zoning By-law Amendment application for the properties at 663, 689 and 739 Lily Lake Road.

Recommendations

That Council approve the recommendations outlined in Report PLPD17-041 dated August 28, 2017, of the Director, Planning and Development Services, as follows:

- a) That Draft Plan of Subdivision Approval for Plan 15T-16501, File No. 12-397 Durham Building Corp_DP of Subdivision dated July 31, 2017 by Innovative Planning Solutions, be granted, subject to the Conditions of Draft Plan Approval attached to Report PLPD17-041, as Schedule 1.
- b) That Section 396.3 d) ii) of Zoning By-law 97-123 be amended in accordance with Exhibit B of Report PLPD17-041.
- c) That Section 3.4 Alternative Regulations of Zoning By-law 97-123 be amended by adding regulations 5.p., 7.h. and 10.m. in accordance with Exhibit B of Report PLPD17-041.

- d) That Section 3.9 Exceptions of Zoning By-law 97-123 be amended by adding exceptions 315, 316, 317 and 318 in accordance with Exhibit B of Report PLPD17-041.
- e) That the subject property be rezoned from from A.2(Smith), A.2-158(Smith), A.2-211(Smith) and H(Smith) to SP.366,3n,5o,11j-315-318 – ‘H’, SP.366,3n,5o,11j-308-315-318 – ‘H’, R.1,1r,2r,5o,10m,11j-315 – ‘H’, R.1,5e,10m,11j-315 – ‘H’, R.1,1m,2m,5e,10m,11j-315 – ‘H’, SP.365,5p,7h-‘H’, SP.365,5p,7h-316 – ‘H’ – Residential Districts, SP.95,11m-317 – ‘H’ – Commercial District, PS.2 – ‘H’ – Public Service District, OS.1, and OS.2 – Open Space Districts in accordance with the Draft Plan of Subdivision and Exhibit B of Report PLPD17-041.
- f) That the City of Peterborough Utility Services Department Service Locations and Cross Sections attached to Report PLPD17-041 as Exhibit C be approved.

Budget and Financial Implications

External road improvements will be required to accommodate full build-out of the proposed draft plan of subdivision and the Lily Lake Secondary Plan area. Depending on the outcome of the City’s planning process for The Parkway, it is possible that the ultimate road improvements, which are expected to be subject to Class Environmental Assessment (EA) requirements, may not be identified in the Major Transportation Plan, may not be referenced in the City-wide Development Charge Background Study (Hemson Consulting, August, 2014), and may therefore not be included in the City-wide engineering services development charge.

The 2014 City-Wide Development Charge Background Study did anticipate a number of external road improvements related to the Lily Lake planning area, however, those projects are not considered eligible for development charge funding during the 2015 to 2031 period. Some of these anticipated improvements include signalization of the Lily Lake Road/Fairbairn Street intersection and urbanization/widening of Fairbairn Street, north of The Parkway. Accordingly, should any of these projects be required to accommodate growth in the Lily Lake Area, the City will need to review the City-wide Development Charge to ensure these projects are included in the calculation. This review could occur in 2019 when the City-wide Development Charge is scheduled for review.

Additionally, should other road improvements be required in lieu of The Parkway, staff will need to ensure that such improvements are included in the City-wide Development Charge By-law calculation. Implementation of road improvements in lieu of The Parkway may be eligible for funding from development charge funds collected for The Parkway, however the City-wide Development Charge will need to be updated to ensure that appropriate funds are being collected for the projects given that their collective cost may differ from that of The Parkway. Such an update can only occur once the City has

determined the fate of The Parkway and, if necessary, has identified the required alternatives to The Parkway and their cost. If this information is not available in 2019 for the next scheduled City-wide Development Charge review, staff may need to review the development charge again once the information is available.

Should external road improvements be required prior to their inclusion in the City-Wide Development Charge By-law and an approved capital budget, development proponents will be required to front-end the work and will be eligible for reimbursement once the projects are included in the development charge calculation and an approved capital budget.

Presently, the Lily Lake Area Specific Development Charge includes a component that is intended to fund the creation of centralized stormwater management facilities. Based on the preliminary stormwater management plan prepared by the Applicant, it is possible that all stormwater management facilities in the Lily Lake Planning Area will be designed to serve only the lands on which they are situated. Should this be the case, the Applicant will be eligible to receive development charge funding for their stormwater management facilities.

Background

The subject lands are approximately 114.8 hectares (284 acres) in size. The lands consist of three farm properties that are located along the south side of Lily Lake Road, at the north-west limit of the City. The lands are bounded by the City limit and the Jackson Creek East Provincially Significant Wetland (PSW) (including Lily Lake) to the west, Jackson Creek and its associated valley to the south, Lily Lake Road to the north, and adjacent rural/agricultural properties to the east. The site is approximately 700 metres west of the intersection of Fairbairn Street and Lily Lake Road and approximately 1.5km east of the intersection of Lily Lake Road and Ackison Road.

The lands extend south from Lily Lake Road to Jackson Creek, and they abut a rural residential property and a draft approved plan of subdivision to the east (File No. 15T-14502), and wetlands to the west. The Trans-Canada Trail is located at the south limit of the property, along Jackson Creek, within the Jackson Creek Valley, while the abutting rural and agricultural properties to the west and north of Lily Lake Road are located within the Township of Selwyn.

Presently, the subject properties are primarily agricultural in use. The site contains the west half of a drumlin near its centre. Consequently, most of the lands slope either in southwesterly direction toward the Jackson Creek Valley or in a northwesterly direction toward the Jackson Creek East PSW. An unnamed creek exists at the north limit of the property, along Lily Lake Road, that flows westerly to the Jackson Creek East PSW.

The majority of the lands located above the Jackson Creek Valley are designated for Low and Medium Density Residential uses on Schedule R – Lily Lake Secondary Plan of the Official Plan. The south, southwest, and north perimeters of the site are designated as Major Open Space on the Lily Lake Secondary Plan and the northwest corner of the site is identified as being located within 120 metres of a Provincially Significant Wetland. Additional uses designated on Schedule R for the lands include Medium-High Density Residential, Local Commercial, Public Service, and Parkland. The lands are recognized as Designated Greenfield Area on Schedule A1 – City Structure of the Official Plan in accordance with the provincial Growth Plan for the Greater Golden Horseshoe.

Pursuant to Section 51(25) of the Planning Act, Council has the authority to impose conditions to the approval of a plan of subdivision that are reasonable and have regard to the nature of the development proposed. Issues identified through the application review process that cannot be addressed specifically through the draft plan design or the Zoning By-law will be imposed as conditions of Draft Plan Approval. The proposed conditions of Draft Plan Approval for this development are detailed in Schedule 1. These conditions must be satisfied before the City can grant Final Approval to the plan of subdivision or any phase thereof. Once Final Approval is granted, the developer would be permitted to register the plan with the Land Registry Office and to begin selling individual lots.

Proposed Draft Plan of Subdivision

As illustrated in Exhibit A attached hereto, the Applicant is proposing a residential subdivision comprised of 861 single-detached dwellings with typical lot widths of 10.6m (35 feet), 12.2m (40 feet) and 15.2m (50 feet) and typical lot depths of 30m to 34m (100 to 111 feet). Additionally, the plan proposes the development of 441 street-fronting townhomes with a typical lot width of 6m (20 feet), and five blocks for medium-high density residential buildings (approximately 442 units).

Proposed non-residential uses include a local commercial plaza site that may accommodate up to 2000 square metres of commercial floor space, three parkettes located near the north, west and east limits of the site (1.11 ha or 2.7 acres in total), a 2.16 ha (5.35 acre) park located near the centre of the site and adjacent to a 2.58 ha (6.4 acre) block for an elementary school. The plan proposes to establish three trail corridors through the heart of the development lands: a north-south trail at the east limit of the site in conjunction with adjacent lands, a north-south trail near the centre of the neighbourhood, and an east-west roadside trail extending from the west limit of the property to the park/school site. Additionally, the application proposes a trail connection between the site and the Trans-Canada Trail through adjacent lands that are optioned by the Applicant in the Township of Selwyn.

The proposed local streets are illustrated as 18.5m (60.7 feet) wide road allowances and are generally laid out in a grid pattern. Two collector streets, Streets 'AA' and 'BB' enter the site from Lily Lake Road. These streets are illustrated as a 26m (85 feet) wide road

allowances along with collector street 'CC' which travels east-west between Streets 'AA' and 'BB' and connects to the adjacent lands to the east. South of Street 'CC', Streets 'AA' and 'BB' transition to a 23m (75.4 feet) road allowance and they lead to a second east-west collector street, Street 'FF', that also connects to the adjacent lands to the east. All collector streets within the plan are to be designed and built with on-street cycling facilities while all streets within the development are to have sidewalks or a combination of sidewalk and trail on both sides (unless exempted by the City's sidewalk policy).

Most of the planned higher density uses within the site are situated along Street 'CC' that will connect to the lands to the east where similar uses are planned. Together, these uses are intended to form a neighbourhood core along Street 'CC' consisting of a mix of medium density residential uses and local commercial uses.

Stormwater management for the site is proposed to be accommodated in two wet ponds located at the south limit of the property, adjacent to the Jackson Creek Valley, and at the west limit of the property, on lands situated in the Township of Selwyn.

Sanitary wastewater must be conveyed to the Parkhill Road Sewage Pumping Station located on Parkhill Road, near, Ravenwood Drive. To achieve this, the Applicant proposes to establish two sanitary sewer outlets for the site: one located at the west limit of the site that would cross adjacent lands in the Township of Selwyn to the west to join an existing trunk sewer located within the Trans-Canada Trail, and the other located at the south limit of the site that would descend into the Jackson Creek Valley to join the same trunk sewer.

Water must be extended to the site from an existing reservoir located along Towerhill Road, east of Fairbairn Street. The Applicants propose to extend a trunk watermain along Towerhill Road/Lily Lake Road, to the site that would then allow for the creation of a local distribution system within the plan.

An application for Official Plan amendment has been approved by the County of Peterborough (File No. 15OP-13007) and an application for Zoning By-law amendment has been approved by the Township of Selwyn (File No. C-02-13) to facilitate the development of the proposed western stormwater management pond, trail and sanitary sewer on the adjacent lands within the Township.

Land Use Summary		
Land Use	Lot/Block No.	Area (ha)
Residential Singles	Lots 1 to 861 (861 units)	36.5
Residential Townhomes	Blocks 862 to 931 (441 units)	9.59
Medium-High Density Residential	Blocks 932-936 (442 units)	6.31
Local Commercial	Block 937	0.90
Future Use	Block 938	0.17
Elementary School	Block 939	2.58
Parkland	Block 940	2.16
Parkette	Blocks 941-943	1.11
Trail	Blocks 944-954	2.46
Stormwater Management Pond	Blocks 955-957	4.17
Infrastructure Corridor	Block 958	0.29
Environmental Protection Area	Blocks 959-964	24.72
Streets		23.88
Total	1744 units	114.9

Analysis

Provincial Policy Statement, 2014

Any decision on the proposed Draft Plan of Subdivision and Zoning By-law amendment must be consistent with the Provincial Policy Statement, 2014 (PPS). 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 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, the PPS 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; and,
- promoting densities for new housing which efficiently use land, resources, infrastructure and public services, and support the use of active transportation and transit.

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

In staff's opinion, the proposed plan is consistent with this direction because it provides a variety of housing options and densities, provides connectivity to adjacent lands, and includes trail and cycling facilities that will promote active transportation. The development also promotes future transit service by planning for a mix of uses and increased densities in the core of the site. Until such time as full transit service is warranted in the developing neighbourhood, the City's Trans-Cab service will be provided to the area at an additional cost to the operating budget.

Additionally, the PPS requires municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and climate change adaptation by promoting:

- compact form;
- active transportation and transit in and between residential, employment and institutional uses and other areas; and,

- 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 is both compact and conducive to transit. The plan will facilitate active transportation both within the neighbourhood and to destinations beyond the neighbourhood such as downtown via the Jackson Creek Kiwanis Trail. In the future, as Lily Lake Road and Towerhill Road are re-built to accommodate growth, additional active transportation options will be provided between the site and the Chemong Road corridor to the east. With respect to vegetation, the plan will preserve trees where feasible, will include street trees in front of ground-oriented dwellings to promote shade, and will include significant tree planting in compensation for trees removed during the development process and for situations where street-tree planting is either not viable or is compromised due to utility, driveway or building setback constraints.

With respect to energy efficiency and conservation, all dwellings are required to meet the minimum efficiency standards of the Ontario Building Code (OBC). Presently, the OBC requires new homes to meet an energy efficiency rating of 80 (out of 100) on Natural Resources Canada's EnerGuide rating system. A rating of 80 and above is considered an energy efficient home. As of January 1, 2017, the OBC requires new homes to achieve an additional 15% increase in energy efficiency. Staff is satisfied that all housing to be developed in the proposed plan will be energy efficient.

Approximately 51% of the proposed single detached and townhouse dwellings are oriented in a north-south direction that would allow for the placement of larger windows toward the south in order to take advantage of passive solar heating opportunity. The remaining 49% of the proposed single detached and townhouse dwellings are oriented in an east-west direction which could potentially provide suitable south-facing rooflines for the future installation solar panels by homeowners should they wish.

With respect to stormwater management, the PPS requires municipalities to promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development (LID – measures that promote water infiltration). As a condition of approval, the Applicant will be required to establish and implement LID strategy to the satisfaction of the City and Otonabee Region Conservation Authority (ORCA).

Section 2.1.4 of the PPS prohibits development within significant wetlands (PSWs). The PPS also prohibits development on lands adjacent to PSWs (generally lands within 120 metres of a PSW) unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the

PSW or on their ecological functions. The subject lands are located within 120 metres of the Jackson Creek East PSW (Lily Lake).

As part of the application, the proponent has submitted an Environmental Impact Study (EIS) to assess the proposed development's potential impact on the adjacent PSW. The draft plan of subdivision proposes to establish a stormwater management pond along most of the boundary between the development and the adjacent wetland. According to the EIS, a buffer of 32 to 33 metres is to be provided between the wetland and the proposed pond. This buffer is carried on to the northwest corner of the plan where housing is proposed. ORCA has reviewed the EIS both on the City's behalf as a service provider of advice on Natural Heritage issues, and as a regulatory authority, and has advised that it is satisfied with the buffers proposed between the development and the adjacent PSW.

Section 2.1.5 of the PPS prohibits development and site alteration within significant woodlands and significant valleylands. The Parkway Corridor Municipal Class EA (AECOM, February 2014) identified the Jackson Creek Valley as a Significant Valleyland and areas within the valley as Significant Woodland. Similar to wetlands, the PPS also prohibits development on lands adjacent to significant valleyland and significant woodland unless it can be demonstrated that the development will not have a negative impact on the features and their functions.

As part of the application, the proponent completed an Erosion Hazard Limit Study and a Tree Inventory and Preservation Plan Report in addition to the EIS. The proposed development is situated above the established erosion hazard limit and above the treeline associated with the valley. ORCA has reviewed these documents and has advised that it concurs with the EIS's findings that the development will not pose a negative threat to ecological functions occurring within the valley.

Notwithstanding the above, the plan does envision stormwater and sanitary sewer outlets and potentially trail connections being installed both within the Jackson Creek Valley and within the lands adjacent to the Jackson Creek East PSW. Prior to any construction or site alteration for these facilities, the Applicant will be required to provide an update to the EIS to the City and ORCA's satisfaction to ensure any potential adverse impacts to the natural heritage features are mitigated or remediated.

The EIS prepared for the site identifies the presence of four species at risk within the vicinity of the site (Barn Swallow, Bobolink, Eastern Meadowlark, and Little Brown Bat). Section 2.1.7 of the PPS prohibits development and site alteration within the habitat of threatened and endangered species, except in accordance with provincial and federal requirements. The EIS recommends that where on-site work may affect these species, permits must be obtained from the Ministry of Natural Resources and Forestry pursuant to Ontario Regulation 242/08 of the Endangered Species Act. This requirement has been included as a condition of approval.

Overall, staff is satisfied that the proposed plan is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe, 2017

Any decision on the proposed Draft Plan must conform with the Growth Plan for the Greater Golden Horseshoe, 2017. 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.

When considering Designated Greenfield Areas, the Growth Plan states that such areas will be planned to:

- support the achievement of complete communities;
- support active transportation (e.g. walking, cycling); and,
- encourage the integration and sustained viability of transit services.

In staff's opinion, the proposed subdivision achieves these objectives.

Additionally, the Growth Plan also establishes a minimum density target for greenfield areas. Presently, the density target for Peterborough's greenfield areas is 50 persons and jobs per hectare, combined. The proposed plan achieves this density.

The Growth Plan also emphasizes the protection of water quality and quantity by requiring the design and servicing of new large scale developments such as plans of subdivision to be informed by a subwatershed plan or equivalent, to include LID measures and green infrastructure. To date, staff has reviewed a preliminary stormwater management report prepared for the site that is informed by a stormwater management assessment that was completed by the City as part of the Lily Lake Functional Planning Study in 2012. As a condition of approval, the Applicant will be required to prepare a detailed stormwater management report to the satisfaction of the City and ORCA that will include LID measures.

In staff's opinion, the proposed plan conforms with the direction of the Growth Plan.

Official Plan

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:

- proposed housing types;

- compatibility with surrounding land uses;
- adequacy of municipal services;
- traffic impacts;
- adequacy of amenities, parks and recreation opportunities;
- parking, buffering and landscaping; and,
- significant natural/environmental features.

Additionally, Section 10.9 - Lily Lake Secondary Plan – of the Official Plan applies to this development. A detailed review of the proposed development's Official Plan Conformity is attached hereto as Exhibit F.

Generally, staff is satisfied that the proposed development conforms to the Official Plan. The plan provides for a variety of housing forms and densities, will be municipally serviced, and provides adequate protection to the key natural features on the site, namely the Jackson Creek East PSW, the Jackson Creek Valley, and the creek at the north limit of the property. However, it should be noted that the proposed plan does face unique challenges with respect to transportation planning.

With respect to transportation planning, traffic impact studies prepared for both the subject draft plan of subdivision and the adjacent draft plan of subdivision to the east show that significant external road network improvements are required to accommodate not only growth in background traffic but also traffic generated by development of the Lily Lake area. Generally, it is staff's opinion that The Parkway as recommended by the Parkway Corridor Class EA (February, 2014) is required to accommodate full build-out of the proposed plan and the Lily Lake planning area. However, given that the City received an order in 2016 to complete an individual EA for the Parkway, the long term status of that project is uncertain.

In light of this uncertainty, the Applicant, in conjunction with the neighbouring developer, has assessed the feasibility of allowing an initial phase of 600 total units to proceed in the Lily Lake area. While it is acknowledged that development will result in deterioration of service levels on area roadways, the assessment recommended that an initial phase of 600 units could proceed in the Lily Lake area subject to completion of improvements to the Lily Lake Road / Fairbairn Street intersection and the installation of temporary traffic signals at the intersection of Fairbairn Street and Highland Road. Staff is prepared to support a phased approach to developing the Lily Lake area that ensures development proceeds in conjunction with necessary road improvements.

Because the future of The Parkway remains uncertain, staff is proposing that a development cap of 600 total units be placed on the entire Lily Lake Planning Area. To implement this cap, every Draft Plan of Subdivision in the Lily Lake area will be subject to conditions of approval that will require either The Parkway to be approved and included in an approved capital budget for construction or, if The Parkway is not proceed, that alternative transportation improvements be identified to the City's satisfaction, approved, and included in an approved capital budget for construction.

Additionally, because development opportunity is proposed to be limited to 600 units total until broader road network improvements are made, the development proponents in the Lily Lake area will be required through conditions of approval to demonstrate that they have reached an agreement with the developers of all other draft-approved plans of subdivision and/or Draft Plan applicants in the area concerning the allocation of those 600 units prior to Final Approval of any phase of development.

Although the proposed development faces unique transportation challenges, staff is of the opinion that these challenges can be adequately addressed through conditions of approval and therefore that the plan is in conformity with the Official Plan.

In September 2017, staff will present a report to Council exploring options for both responding to the Minister's Order to complete an Individual EA for The Parkway and addressing the planning and development uncertainty that the Order creates for areas such as Lily Lake.

Proposed Zoning By-law

To implement the proposed plan of subdivision, the Applicant has requested that the Zoning By-law be amended as follows:

Lot/Block	Existing Zoning	Proposed Zoning	Land Use Type	Minimum Lot Width	Number of Units	Maximum Height (Storeys)
Blocks 862-931	A2 (Smith) and A2-158 (Smith)	SP.366, 3n,5o,11j-315 + Exception 308(where abutting Street 'CC')	Street Fronting Townhome	6 metres	441	3
Lots 50-73, 88-102, 202-222, 320-339, 346-360, 436-861	A2 (Smith), A2-158 (Smith) and H (Smith)	R.1, 1r,2r,5o,10m, 11j-315	Single Detached	10.6 metres	521	3
Lots 45-49, 74-87, 103-201, 223-275, 291-308, 402-435	A2 (Smith), A2-158 (Smith), A2-211 (Smith) and H (Smith)	R.1,5e,10m, 11j-315	Single Detached	12 metres	223	3
Lots 1-44, 276-290, 309-319, 340-345, 361-401	A2 (Smith), A2-158 (Smith), A2-211 (Smith), H (Smith)	R.1, 1m, 2m,5e,10m, 11j-315	Single Detached	15 metres	117	3

Lot/Block	Existing Zoning	Proposed Zoning	Land Use Type	Minimum Lot Width	Number of Units	Maximum Height (Storeys)
Blocks 932-936	A2 (Smith), A2-158 (Smith)	SP.365,5p,7h + Exception 316(Block 936 only)	Medium-High Density Residential	45 metres	442	6
Block 937	A2-158 (Smith)	SP.95,11m-317	Local Commercial			5
Block 938	A2 (Smith)	OS.1	Future Use (retained by owner)			
Block 939	A2 -158 (Smith)	PS.2	Elementary School			
Blocks 940 - 954	A2 (Smith), A2-158 (Smith), H (Smith)	OS.2	Parkland, Parkettes, Trail			
Blocks 955-957	A2 (Smith), H (Smith)	OS.2	Stormwater Management			
Block 958	H (Smith)	OS.2	Infrastructure Corridor			
Blocks 959-964	A2 (Smith), A2-158 (Smith), A2-211 (Smith), H (Smith)	OS.1	Natural Heritage Protection / Open Space			

For both single detached and townhouse dwellings, the Applicant has requested that the minimum building setback from the streetline for both local and collector streets be reduced from the typical 6 metres to 3 metres (garages and carports would remain at a 6 metre setback). A similar setback of 3 metres to the house, 1.5 metres to an unenclosed verandah and 6 metres to a garage/carport has been implemented in Mason Homes' Parklands subdivision located along Chemong Road. In staff's experience at that location, conflicts have arisen with respect to finding suitable locations for planting street trees because, in part, of the reduced setbacks.

Generally, City and Provincial planning policy requires increased housing density in new development throughout the City. Since 2006, the development community has explored many options for increasing density in their developments and one of the most popular has been to decrease road allowance widths and reduce building setbacks in new draft plans of subdivision. Although staff agrees with the principle of bringing homes and porches closer to the street both as a means of increasing density and as a means of fostering human interaction with the street, staff has struggled to balance this principle with the need for providing street trees and adequate space in road allowances for utilities.

Because the demand for increased density in new development is a policy mandate, staff has looked at options for adjusting the City's standard street cross sections to help alleviate the competition for green space in both the road allowance and front yards. Utility Services has developed a set of proposed City street cross sections attached hereto as Exhibit C that, if approved, will help to create additional green space within City road allowances for street trees. Staff recommends that these cross sections be approved in conjunction with this development. With the approval of these cross sections, staff have no objection to the Applicant's request for reduced building setbacks from streetlines. The Applicant's requested streetline building setbacks have been included in the proposed Zoning By-law as new Zoning By-law Exception No. 315.

Additionally, for single detached and townhouse dwellings the Applicant is seeking to implement a 3 storey building height limit rather than the typical 2 storey limit. The Applicant has advised that it is not their intent to build 3 storey homes throughout the site however they want to maintain flexibility for providing a variety of roof styles and walkout lot options. In some existing developments, builders are challenged to meet a 2 storey height limit because of property grades when they are building a house that has a walkout basement. To address this, some builders are able to carefully grade their properties to ensure that the house meets the Zoning By-law definition of a 2 storey building while other builders require minor variances to address the situation. Staff supports the Applicant's request and have reflected the request in the recommended Zoning By-law.

For all single detached lots, the Applicant has requested a reduction in the minimum rear lot line setback from 7.6 metres to 7 metres. Staff has no objection to this request and has reflected the request as a new alternative regulation, Regulation 10m, in the

recommended Zoning By-law. Additionally, for single detached lots, the Applicant has requested that the maximum building coverage be increased to 50% for lots 12.19 metres wide and greater and to 55% for 10.6 metre wide lots. Staff has no object to this request and has reflected the requested in the recommended Zoning By-law.

For townhouse dwellings, the Applicant is proposing to use the SP.366 zoning district which was established through the approval of the adjacent plan of subdivision in 2016. For Blocks 879, 880, 887, 888, 895, 896, 901, 902, 908 to 913, and 920 which front and flank Street 'CC', the Applicant is proposing to apply Zoning By-law Exception No. 308 which would permit a home based business to have one employee who is not a resident of the dwelling provided that off-street parking is available for the employee. Exception 308 is intended to address direction in the Lily Lake Secondary Plan to encourage residential uses along Street CC to integrate small scale commercial uses and home-based businesses.

Additionally, for townhouse dwellings, the Applicant is seeking permission to construct buildings in groupings of up to 8 units, to reduce the minimum lot area per unit from 200 square metres to 185 square metres, and to reduce the minimum setback from a rear lot line from 7.6 metres to 7 metres and from 9 metres to 7 metres where abutting an R.1 district. Staff have no objection to the Applicant's request to build townhomes in groupings of up to 8 units or to the request for a reduced minimum lot area per unit. These requests have been reflected in the recommended Zoning By-law.

In reviewing the SP.366 zoning district, staff note that the district appears to contain an error. Specifically, the district requires a minimum setback of 7.6 metres from a rear lot line (9 metres where abutting a R.1 district) however the staff report which introduced the district, Report PLPD16-077 (page 12, dated October 11, 2016) described implementing a 6 metre setback from the rear lot line except where abutting a R.1 district. To address the Applicant's request for a reduced rear lot line setback, staff recommend that the SP.366 district be amended to implement the 6 metre rear lot line setback as described in PLPD16-077. This recommendation has been reflected in the proposed Zoning By-law.

In other instances where Applicants have requested a reduced rear lot line setback for townhomes that abut R.1-zoned lots (single detached dwellings), staff has recommended maintaining a 9 metre setback consistent with other townhouse zones. Recent examples of this include the Jackson Creek Meadows subdivision on Parkhill Road West and the adjacent plan of subdivision to the east. For this plan, staff recommend that the 9 metre rear lot line setback established in the SP.366 district remain for townhomes that abut a R.1 district. This will affect Blocks 923 to 929 which are illustrated to be approximately 34 metres deep. On these blocks, potential would exist to develop a townhouse dwelling that is approximately 22 metres (72 feet) deep, subject to building coverage limits.

For medium-high density Blocks 932 to 936 inclusive, the Applicant proposes to use the SP. 365 zoning district which was also created through the approval of the adjacent plan

of subdivision. SP.365 provides permission for a variety of housing forms including multi-unit dwellings, apartments, multi-suite residences, and nursing homes. Additionally, the district provides an ability to accommodate a limited amount of small-scale commercial uses on the ground and basement floors of such buildings that would be intended to serve residents of the building and the immediate area. The district also reduces the amount of parking required for residential uses by requiring 1.5 spaces per dwelling unit and 0.75 spaces per residential suite instead of 1.75 spaces per unit.

To provide greater flexibility for development on these blocks, the Applicant has requested that the maximum building coverage be increased from 40% to 45% and that the maximum coverage by open parking areas, driveways and vehicle movement areas be increased from 35% to 45%. Staff has no objection to these requests and have reflected them in the recommended Zoning By-law as alternative regulations 5p and 7h.

Additionally, for Blocks 932 to 936, the Applicant has requested that the building setback from side lot lines be reduced from 6 metres or 3 metres per storey (whichever is greater) to 3 metres and that the building setback from rear lot lines be reduced from 12 metres or 6 metres per storey (whichever is greater) to 6 metres. For Blocks 932 to 935, staff do not support this request. These blocks, because of their configuration, are only subject to side lot line setbacks and streetline setbacks. In staff's opinion, the existing side lot line setback in the SP.365 zoning district between the proposed buildings and adjacent single detached and townhome uses.

For Block 936, staff believes that the building setbacks in the SP.366 district will significantly limit that block's ability to develop to the density expectation of the district. Block 936 is located adjacent to the Applicant's proposed commercial plaza site and open space and adjacent to and anticipated open space/trail corridor on the abutting lands to the east. In staff's opinion, it is appropriate to reduce the side and rear lot line setbacks for this block. However, rather than implement a firm setback of 3 metres (side lot line) and 6 metres (rear lot line) as requested, staff recommend that the setbacks continue to vary based on building height: 6 metres or 2 metres per storey, whichever is greater. These setbacks are proposed in Exception No. 316.

Block 937 is intended to be a local commercial block. The Applicant is proposing to use the SP.95 district which has been used for several local commercial sites in the city. With staff's encouragement, the Applicant is also proposing to establish a new Zoning By-law Exception, Exception No. 317, which would exclude a service station as a permitted use, implement a minimum commercial floor area of 700 square metres and a maximum of 2000 square metres, and increase the maximum floor area per commercial use to 200 square metres.

Additionally, to address the Lily Lake Secondary Plan which calls for a mix of small scale institutional, cultural uses (excluding cinemas and theatres), and residential uses to be included in the area's local commercial facilities, Exception 317 would permit the following

additional uses: personal service establishment; public administration establishment; an art school, music school, dance school or fine arts school; a church; a place of assembly; a recreation centre; a day nursery; and a gymnasium or health club/fitness studio. Furthermore, the exception would allow the amount of residential floor area to exceed that of the commercial area. Exception 317 will be used in conjunction with alternative regulation 11m to allow buildings up to 5 storeys in height.

The proposed elementary school site, Block 939, is proposed to be zoned PS.2 – public service district. The PS.2 district permits a wide range of public services uses. Should the local school boards forego their option to develop the school site, a number of alternative development options are permitted under the PS.2 district. The applicant has also provided an alternative lotting concept for Block 939 in the event that it is to be developed residentially in the future. If that occurs, a Zoning By-law amendment and potentially a plan of subdivision application would be required.

Lands that are intended to be used for parkland, parkette, trail and stormwater management purposes will be zoned OS.2 – open space district while lands that are intended to be set aside for environmental protection purposes (e.g. the Jackson Creek Valley and the creek along the north limit of the site) will be zoned OS.1 which is a more restrictive open space district.

Block 938 is identified as Future Use on the plan. This block is affected by floodplain associated with the creek along the north limit of the site. Accordingly, development of the lands is regulated by ORCA. At this time the block is proposed to be zoned OS.1 to recognize the floodplain condition and will be retained by the owner. Any future development of this block will be subject to the approval of ORCA and a Zoning By-law amendment.

As is customary with plans of subdivision, a Holding Symbol will be placed on the zoning for areas to be developed that will only be removed upon registration of the plan at the Land Registry Office.

Responses to Notice

A detailed review of agency and public responses to the proposed development is attached hereto as Exhibit G.

Summary of 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 January 8, 2016 and on December 12, 2016. Additionally, notice of the Public Meeting was provided to the prescribed agencies on July 28, 2017.

Agency comments were received from: the Utility Services Department; the City of Peterborough Arts, Culture and Heritage Advisory Committee; Bell Canada; Canada Post; County of Peterborough; Curve Lake First Nation; Enbridge Gas Distribution Inc.; Hiawatha First Nation; Hydro One Networks Inc.; Kawartha Pine Ridge District School Board (KPRDSB); Mississaugas of Scugog Island First Nation; Ontario Power Generation; ORCA; Peterborough Accessibility Advisory Committee (AAC) – Transportation Sub-committee; Peterborough Architectural Conservation Advisory Committee (PACAC); Peterborough Bicycle Advisory Committee; Peterborough Green-Up; Peterborough Public Health; Peterborough Utilities Services Inc.; the Township of Selwyn; and the Trent-Severn Waterway.

Agency comments were generally supportive of the proposed development with some agencies requesting that conditions of approval be imposed. Some agencies made comments and suggestions regarding the need to ensure proper road, sidewalk and trail connectivity both within the site and to surrounding areas, the need for preservation and enhancement of natural areas and the need to include facilities in the development that support complete communities. Generally, staff is satisfied that the various agency comments have either been addressed through the design of the proposed subdivision and the proposed zoning by-law, or will be addressed as conditions of approval.

Summary of Public Responses

Notice of a Complete Application was published in the Peterborough Examiner on January 18, 2016 in accordance with the Planning Act.

On December 8, 2016 the Applicant hosted a neighbourhood open house at Westmount Public School. The Applicant delivered a notice of the meeting to all persons that own property within 120m of the site and additional properties beyond 120 m along Lily Lake Road, Eastwood Road, Fairbairn Street and Parkview Drive. Additionally, staff circulated the open house notice via email to a mailing list of individuals that was gathered through the City's preparation of the Lily Lake Secondary Plan. The meeting was attended by approximately 70 people.

A Notice of Public Meeting was mailed on July 28, 2017 to all property owners within 120 metres of the subject property, to additional properties beyond 120 m along Lily Lake Road, Eastwood Road, Fairbairn Street and Parkview Drive, and to 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 July 31, 2017.

A number of public comments have been received that question:

- The plan's conformity with the Lily Lake Secondary Plan including, in particular, the neighbourhood core and urban design policies;

- The need for additional services in the site such as professional offices, shopping, and childcare;
- The appropriateness of utilizing the City's existing Official Plan to evaluate new development
- The need for solutions to address potential traffic impacts generated by the plan;
- The need for strict development phasing in light of traffic-related development restrictions in the Lily Lake area and the need to ensure that the initial development of the area is clustered in a way that facilitates consolidation of servicing and a sense of community;
- The timing for the creation of pedestrian and cycling connections to external locations;
- The adequacy of environmental protection included in the plan, including the adequacy of the plan's setback from the Jackson Creek East PSW, potential impacts on the Jackson Creek Valley, impacts on existing tree cover and woodlands, and impacts on species at risk;
- The adequacy of the proposed stormwater management regime and the need for a detailed plan regarding Low Impact Development (LID);
- The adequacy of trails and parkland being provided in the plan and their connectivity to nearby natural features such as the Jackson Creek Valley; and,
- The need for enhanced building and development standards that foster energy efficiency over and above standards in the Ontario Building Code.

In staff's opinion, the proposed plan has either addressed these concerns through its design and proposed zoning, or can address these concerns through conditions of approval.

Summary

In staff's opinion, the proposed Draft Plan of Subdivision has been planned in accordance with the Lily Lake Secondary Plan. Accordingly, staff recommends that approval be granted for the proposed Draft Plan of Subdivision and Zoning By-law Amendment for the following reasons:

1. The plan 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;
2. The plan facilitates the planned build-out of the Lily Lake Secondary Plan area;
3. The plan is consistent with the matters of Provincial Interest as established under the Planning Act, does not conflict with any Provincial Plan, and complies with the City Official Plan; and,
4. The plan 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,

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Attachments:

Schedule 1 – Conditions of Draft Plan of Subdivision Approval
Exhibit A – Draft Plan of Subdivision 15T-16501
Exhibit B – Draft Zoning By-law Amendment
Exhibit C – Proposed City of Peterborough Service Location and Cross Sections
Exhibit D – Land Use Map
Exhibit E – Notice of Public Meeting
Exhibit F – Detailed Review of Official Plan Conformity
Exhibit G – Detailed Review of Agency and Public Comments