



**Schedule 1**  
**Draft Plan of Subdivision Application 15T-16501**  
**Durham Building Corporation & 1517050 Ontario Inc.**  
**663, 689 and 739 Lily Lake Road**  
**File Numbers 15T-16501, Z1605SB**

**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-16501 are as follows:

**Identification**

1. That this approval applies to the Draft Plan of Subdivision 15T-16501, File No. 12-397 Durham Building Corp\_DP of Subdivision dated July 31, 2017 by Innovative Planning Solutions, which shows the following:

Land Use	Lot/Block No.	Estimated Unit Count
Residential Singles	Lots 1 to 861	857
Residential Townhomes	Blocks 862 to 931	441
Medium-High Density Residential	Blocks 932-936 (442 units)	442
Local Commercial	Block 937	
Future Use	Block 938	
Elementary School	Block 939	
Parkland	Block 940	
Parkette	Blocks 941-943	
Trail	Blocks 944-954	
Stormwater Management Pond	Blocks 955-957	
Infrastructure Corridor	Block 958	
Environmental Protection Area	Blocks 959-964	

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 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.
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 Blocks 944 to 954 be conveyed to the City for trail purposes.
10. That, if deemed necessary by the City Engineer due to phasing, the Owner shall establish and maintain a secondary emergency vehicular access to the satisfaction of the City Engineer until such time as a second permanent vehicular access is available.
11. That the Owner implement on-road cycling facilities on Streets AA, BB, CC, DD, EE and FF to the satisfaction of the City Engineer.
12. That the Owner acknowledge in the Subdivision Agreement that on-street parking may be restricted and/or prohibited at the discretion of the City Engineer.
13. That the Owner construct the intersections of Streets AA and BB and Lily Lake Road to the satisfaction of the City Engineer which shall include traffic signals, separate left and right turn lanes on Lily Lake Road, and separate left and right turn lanes on the approach to Lily Lake Road. The design of these intersections shall be prepared in consultation with the Township of Selwyn and shall explore opportunities for providing safe connections from the development to trails within the Township.

14. That prior to Final Approval of the first phase of development, the intersection of Lily Lake Road, Fairbairn Street and Towerhill Road shall either be improved, or the required improvements shall be included for construction in an approved Capital Budget, as follows:

- i) Installation of traffic signals;
- ii) Addition of separate left turn lanes on all approaches; and,
- iii) Addition of separate right turn lanes on the northbound and eastbound approaches to the intersection.

Should the Owner wish to seek Final Approval prior to completion or budget approval of the required improvements, the Owner shall make arrangements with the City to fund the work.

15. That prior to Final Approval of the first phase of development, the Owner shall agree to install temporary traffic signals at the intersection of Fairbairn Street and Highland Road and a temporary pedestrian facility along the west side of Fairbairn Street, between Parkview Drive and Highland Road, to the satisfaction of the City Engineer prior to the availability of building permits. Responsibility for funding for these temporary facilities shall be shared among development proponents in the Lily Lake Secondary Plan area.

16. The Owner shall agree that Final Approval will not be granted for more than 600 cumulative residential units in the Lily Lake Secondary Plan area until:

- i) Final approval has been issued for The Parkway Environmental Assessment and the road work is included in an approved capital budget for construction; or,
- ii) The Owner has prepared a traffic study to the satisfaction of the City Engineer and the County of Peterborough, to the extent that any County of Peterborough infrastructure is affected, that confirms the long-term road network improvements required to accommodate build-out of the Lily Lake area based on scenarios that include and exclude The Parkway, and that identifies the require timing of those improvements relative to build-out levels in the Lily Lake area; and,
- iii) Any road network improvements required to permit development beyond 600 cumulative units in the Lily Lake area have been planned in accordance with the timing recommendations of the approved traffic study noted in ii) above, have received all necessary approvals and have either been constructed or included in an approved Capital Budget for construction (where implementation is a City responsibility), or have been secured for

implementation at the Owner's expense (subject to any applicable cost-sharing with other Lily Lake-area development proponents and the City, where applicable) where implementation is a developer responsibility.

Should the Owner wish to seek Final Approval prior to completion or budget approval of required improvements, the Owner shall make arrangements with the City to fund the work and to provide for recovery of such expenditures from other parties and/or the City where applicable.

17. That the Owners acknowledge that should the City-wide development charge be updated to replace The Parkway with other road improvement projects, all building permits issued subsequent to that update will be subject to the updated development charge.
18. That until traffic-related development phasing restrictions are removed from the Lily Lake area, the Owner shall demonstrate prior to Final Approval of each phase of development that an agreement has been reached with the Owner of any other Draft Approved Plan of Subdivision or complete application for Draft Plan of Subdivision Approval in the Lily Lake area regarding the allocation of development units that are available at the time.
19. That Streets I and N be designed as an 18.5 metre wide road allowance that is offset to one side of the road allowance to allow the remaining road allowance width to be utilized as a roadside trail corridor to the satisfaction of the City Engineer.

### **Other Municipal Conditions**

20. That the Owner agree in writing to convey parkland dedication to the City in accordance with the Planning Act and Official Plan policy. Blocks 940 to 954 will be considered for parkland dedication. Lots 365, 366, 383 and 384 shall also be conveyed to the City for parkland dedication. Any City parkland dedication entitlement over and above the land to be conveyed shall be conveyed to the City cash-in-lieu of parkland. For calculation purposes, lands within floodplain, natural hazards, buffers associated with natural heritage features, and lands designated for stormwater management purposes shall not constitute any portion of the parkland dedication.
21. That Blocks 955 to 957 and the 4.46 hectare parcel west of the subdivision at 645 Lily Lake Road, within the Township of Selwyn, be conveyed at the owner's expense to the City of Peterborough for Stormwater Management purposes. The Owner shall ensure that the Zoning By-law Holding Symbol applied to the lands within the Township of Selwyn is removed prior to their conveyance to the City.
22. That Blocks 959 to 964 be conveyed at the owner's expense to the City of Peterborough for Open Space purposes.

23. That the Owner agree in the Subdivision Agreement to construct a trail system generally in accordance with the Lily Lake Secondary Plan for the site. The system may be located within Blocks 940, 942 to 964, within Streets I and N, and across the adjacent property at 645 Lily Lake Road, within the Township of Selwyn subject to receiving all necessary approvals. All trails shall be constructed to the satisfaction of the City Engineer and shall conform with the standards of Ontario Regulation 191/11 – Integrated Accessibility Standards, wherever possible. Trail construction on Blocks 953, 954 and 964 shall be coordinated to ensure continuity with trails constructed on, or to be constructed on, adjacent properties to the satisfaction of the City Engineer.
24. 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.
25. 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.
26. 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.
27. That such easements as may be required for temporary access, utility, or drainage purposes, including snow storage at the end of all “stub” streets and easements to facilitate servicing of adjacent lands, shall be granted to the appropriate authority, prior to the registration of the Subdivision Agreement and Final Plan of Subdivision.
28. That the Owner agree in the Subdivision Agreement to place topsoil throughout the site that meets the City’s Engineering Design Standards (March 2016, as amended) to the satisfaction of the City Engineer.
29. That prior to any development, site alteration, topsoil stripping or earth movement, the Applicant shall prepare a phasing plan for all earth works to the satisfaction of the City Engineer that includes methods for dust suppression and timelines for revegetation of disturbed areas.
30. That prior to Final Approval, the Owner shall ensure all necessary approvals and easements are secured to construct the stormwater management facilities and their outlets, and to construct the required sanitary sewers for conveying sanitary wastewater to the Parkhill Road West Sanitary Wastewater Pumping Station, to the satisfaction of the City Engineer.

31. That prior to Final Approval of each phase of development, the Owner shall demonstrate to the City's satisfaction that an agreement has been reached with the Owner of the adjacent lands to the east (821, 825, and 829 Lily Lake Road) regarding the fair and equitable sharing of costs that may be incurred by the Owner to the benefit of the adjacent lands and/or costs that may be incurred by the adjacent landowner to the benefit of Draft Plan of Subdivision 15T-16501. Such costs could relate to the provision of infrastructure, parkland, schools, and other public recreational facilities.
32. 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, driveways, and street trees to the satisfaction of the City Engineer and all affected utility authorities in accordance with the City's approved engineering cross sections. Street lighting photometric designs as per TAC or equivalent standards using LED lighting consistent with locations outlined on the Composite Utility Distribution Plan shall also be prepared. 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.
33. 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.
34. 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 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.
35. 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.
36. That the Owner agree in the Subdivision Agreement to undertake Quality and Quantity Monitoring of the proposed stormwater management facilities, which may include sediment removal, if necessary, 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.
37. For all Lots and Blocks developed with Low Impact Development stormwater management features, the Applicant agrees to register a restrictive covenant on

title to advise purchasers of the feature(s), their function, and of homeowners' responsibility to maintain the feature(s).

38. That prior to Final Approval, the Owner shall design and agree to implement a program to monitor the effects of the proposed development on groundwater quality and quantity for well users in the area. The program shall also contain provisions for future mitigation should the program results demonstrate a causal relationship between the proposed development and unacceptable levels of groundwater impact as deemed by the Owner's Hydrogeologist, all to the satisfaction of the City Engineer.
39. That the Owner shall enter into an agreement with the Peterborough Utilities Commission for the provision of water service.
40. That prior to Final Approval of each phase, the City shall be satisfied that proposed phase is in keeping with the City's residential land supply obligations pursuant to Provincial Policy.
41. That prior to Final Approval, the Owner shall prepare a detailed urban design program for development along Street CC, east of Street M to the satisfaction of the City's Planner, Urban Design, based on the following principles:
  - i) Limited driveway access and off-street parking exposure the street;
  - ii) Orientation and proximity of buildings, building entrances and architectural stylings toward the street;
  - iii) Inclusion of both on-street parking and protected on-street cycling opportunities;
  - iv) Inclusion of adequate tree-planting along the street;
  - v) Consideration for wider sidewalk opportunities coupled with strategically placed street furniture and enhanced pedestrian crossings at intersections and/or trail crossings;
  - vi) Decorative street lighting as approved by the City Engineer; and,
  - vii) Consideration for sustainable design, multi-modal transportation opportunity, universal and barrier-free design, and artistic expression in public spaces.
42. That the Owner complete an archaeological assessment in accordance with the recommendations of the Stage 1 Archeological Background Study prepared by AMICK Consultants Ltd. Dated October 29, 2015 to the satisfaction of the City and the Ministry of Tourism, Culture and Sport. The assessment shall include any

potential areas of disturbance associated with infrastructure and trail installations within the Jackson Creek Valley and between the west limit of the site and the Trans-Canada Trail trunk sanitary sewer.

All archaeological investigations shall be conducted with representatives of Curve Lake First Nation present.

43. That the Owner implement the recommendations of the Cultural Heritage Impact Statement prepared by Stantec Consulting Ltd. Dated September 16, 2015 to the satisfaction of the City which shall include:
  - i) Salvaging materials from the residence and timber frame barn at 663 Lily Lake Road and documenting the salvage activities as an appendix to the said Cultural Heritage Impact Statement; and,
  - ii) Depositing the Cultural Heritage Impact Statement and appendix with a local repository of historic documentation.
44. That prior to final approval, the Owner shall demonstrate through the completion of Environmental Site Assessments to the City's satisfaction that soil and groundwater conditions for any land to be conveyed to the City of Peterborough or any land to be developed for residential purposes are compatible with the intended land use as described within Ontario Regulation 153/04, as amended, made under the Environmental Protection Act.
45. That prior to final approval, the Owner shall agree in the Subdivision Agreement that all future Purchase and Sale Agreements for all Lots abutting onto Blocks intended to include trails shall contain a clause, with wording acceptable to the City, notifying purchasers of said intent within the Blocks.
46. That Block 958 be conveyed to the City for potential future infrastructure purposes.
47. That prior to final approval, the Owner shall agree in the Subdivision Agreement that all Purchase and Sale Agreements for all Lots impacted by the potential placement of infrastructure within Block 958 contain a clause, with wording acceptable to the City, notifying purchasers of the potential for future infrastructure works within the corridor. The affected Lots would be, but not limited to, all Lots on Street 'M' and lots fronting and flanking onto Street 'DD'.
48. That the Owner erect permanent fencing to the satisfaction of the City Engineer along the mutual boundary between any private property and any parkland, parkette, trail, open space, or stormwater management facility that is to be conveyed to the City of Peterborough. The fencing for any properties that abut the buffer areas associated with the Jackson Creek East PSW, the Jackson Creek



Valley, and the un-named tributary along Lily Lake Road shall be free of gates and will be of a suitable design to prevent encroachment and dumping of yard waste.

49. For Lots 11 to 18 inclusive, the Owner acknowledges that swimming pools will not be permitted and agrees to include a clause in all Agreements of Purchase and Sale, and registered on title, for all subsequent prospective purchasers of the affected lots, to advise of this restriction to the satisfaction of the City.
50. That the Owner ensure lot lines for residential lots and blocks do not encroach into any flooding hazard.
51. That the Owner agree to direct lighting away from the Jackson Creek East PSW and the Jackson Creek Valley.
52. That prior to final approval, the Owner shall agree in the Subdivision Agreement to prepare a Tree Inventory and Preservation Report acceptable to the City's Urban Forest Manager. The Report shall include a plan reflecting species diversification and proposed planting locations that allow adequate space for tree growth.

#### **Other Agency Conditions**

53. That prior to any development, site alteration, tree clearing or building removal, the Owner shall undertake any avoidance or mitigation measures required by the Ministry of Natural Resources and Forestry under the *Endangered Species Act*.
54. That the Owner complete a Department of Fisheries and Oceans Canada Self-Assessment Screening that identifies the potential for causing "serious harm to fish" under the Fisheries Act and take any steps necessary to secure the required authorizations based on that assessment for the Street AA and BB crossings of the un-named tributary along Lily Lake Road.
55. That the Owner agree to fund its proportional share of the cost to implement a Lily Lake Planning Area Environmental Monitoring Plan to be developed and implemented by the Otonabee Region Conservation Authority and the City of Peterborough.
56. 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.
57. That the Owner agree that grading and/or vegetation removal shall not occur in environmental protection areas except as approved by the Otonabee Region Conservation Authority and the City or Peterborough and/or the Township of Selwyn, as applicable.

58. That the Owner assess the woodland feature on the property at 645 Lily Lake Road, north of the west stormwater management pond, and establish a protective buffer for the feature to the satisfaction of the Otonabee Region Conservation Authority, the City of Peterborough, and the Township of Selwyn, as applicable.
59. That the Owner agrees to clearly delineate the boundary of the development envelope 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 the development envelopes. All sediment and erosion control measures, in addition to tree protection fencing, shall be in place prior to site preparation. All disturbed areas of the site are to be stabilized and revegetated immediately.
60. Prior to Final Approval, the Owner shall submit an assessment of the impact of any trail and infrastructure installations on identified natural heritage features to the satisfaction of the Otonabee Region Conservation Authority and the City. The report shall clearly identify any intrusions within natural heritage features or their buffers, shall address any required tree removal, and shall provide a planting plan to compensate for such removal and to mitigate any erosion impacts.
61. That the Owner agrees to implement any mitigation measures identified in the Environmental Impact Study prepared by Azimuth Environmental Consulting Inc. dated October, 2015 and the EIS Addendum prepared by Dillon Consulting dated November 21, 2016, to the satisfaction of the Otonabee Region Conservation Authority and the City.
62. 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, the City, and, where applicable, the Township of Selwyn, that includes:
  - i) Details for planting street and trail trees in accordance with City's Urban Forest Strategic Plan including proposed street tree planting locations, species, and street and trail 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) Due to reduced building setbacks which impact the number and quality of tree planting locations in the right of way and the front yards of properties, the Owner will be required to compensate for the reduced canopy by providing one tree in the rear yard of each single detached and townhome dwelling;

- iii) Details for plantings to compensate for trees approved to be removed from the site as discussed in the final approved Tree Inventory and Preservation Plan Report required in Condition No. 52;
- iv) Details for revegetation of the sanitary sewer construction and stormwater management pond outlets through the Township of Selwyn and within the Jackson Creek Valley;
- v) Details for enhancing the open space areas within Blocks 959 to 964 and ;
- vi) Details for landscaping associated with stormwater management facilities and for providing compensation in conjunction with the west stormwater pond to address the removal of the wetland pocket located near the homestead at 689 Lily Lake Road;
- vii) Details for the timing of all plantings (plantings in open space, parkland, trails and stormwater management areas are to occur current with, or as soon as possible after, servicing of the site); and,
- viii) Details for monitoring the survival of all plantings.

All recommended plantings shall consist of native plants and trees.

- 63. That the Owner agree in the Subdivision Agreement to distribute a "Home Owner 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.
- 64. That the stormwater management facilities and their outfalls be designed in consultation with a qualified biologist, the Otonabee Region Conservation Authority, the City and, as applicable, the Township of Selwyn. A bottom draw pipe shall be utilized in the west stormwater pond for its outlet and alternative outlet designs shall be investigated for the south stormwater pond.
- 65. That prior to final registration of the Plan of Subdivision and any on-site grading or construction, Otonabee Region Conservation Authority 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 years 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, the Credit Valley Conservation and Toronto and Region Conservation Authority "Low Impact Development Stormwater Management Planning and Design Guide", 2010, and the February 2015 Ministry of Environment and Climate Change Stormwater Management Interpretive Bulletin;
  - 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) detailed analysis of site soil conditions, including grain size distribution profiles, in-situ infiltration capabilities, erosion potential, as well as bedrock and groundwater elevations;
  - e) site grading plans; and,
  - f) detailed means of maintaining a pre-development water balance and the natural hydrology of the site, including the use of Low Impact Development technology on both public and private lands.
66. The Subdivision Agreement between the Owner and the City of Peterborough shall contain the following provisions in wording acceptable to Otonabee Region Conservation Authority and the City Engineer:
- a) That the Owner agrees to implement the works referred to in Condition No. 65. 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 qualified environmental or engineering 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 infrastructure.
  - d) That the Owner notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.
67. 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.
68. 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.
69. 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 and on a map to be displayed at any site sales office, as

to those lots identified for potential Community Mailbox and/or mini-park 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.
70. 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.
71. That the Owner make satisfactory arrangements with Hydro One for the provision of electrical service to the site.
72. That prior to Final Approval, the Owner agree in the subdivision agreement to pay \$70,000.00 to the County of Peterborough, representing the development's contribution for future traffic improvements to the Lily Lake Road / Ackison Road intersection.
73. That prior to Final Approval and prior to any conveyance of land within the Township of Selwyn to the City, the City shall enter into an agreement with the Township of Selwyn to indemnify the Township and hold the Township harmless from any incidents arising from the location of City facilities and infrastructure in the Township.

74. That the Owner share electronic copies of all project reports and drawings with Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation, and the Mississaugas of Scugog Island First Nation.
75. That prior to the execution of a Subdivision Agreement between the City and the Subdivider, the Subdivider shall enter into an option agreement with the Kawartha Pine Ridge District School Board for the potential acquisition of Block 939 for Elementary School purposes.
76. That the Subdivision Agreement between the City and the Subdivider contain a requirement that all Purchase and Sale Agreements for all phases of the draft plan of subdivision contain a clause advising all potential purchasers that, while an Elementary School has been reserved on Block 939 within the draft plan of subdivision for the Kawartha Pine Ridge District School Board, it may not be constructed and used as an Elementary School site.

Furthermore, the clause shall also advise that an existing Kawartha Pine Ridge District School Board school(s) will be used to accommodate all public board elementary pupils until such time as any new Elementary School can be constructed within the draft plan of subdivision and that if a new Elementary School is not constructed within the draft plan of subdivision, then all Kawartha Pine Ridge District School Board pupils will be accommodated at an existing public board Elementary School(s).

77. That prior to the execution of an option agreement with the Kawartha Pine Ridge District School Board, the Subdivider shall provide the following to the satisfaction of the Kawartha Pine Ridge District School Board:
  - i) A copy of the stormwater management report for the draft plan of subdivision that indicates that all storm water quality and quantity facilities for the proposed school block will be accommodated outside of the proposed school block;
  - ii) A copy of a geotechnical soils study that indicates that soils in Block 939 are suitable for the construction of an Elementary School;
  - iii) A copy of a Record of Site Condition filed with the Ministry of the Environment to the satisfaction of the Kawartha Pine Ridge District School Board that applies to Block 939 indicating that the soils in Block 939 are suitable for the construction of an Elementary School;
  - iv) A copy of the proposed grading and servicing plans for the proposed Elementary School Block.
78. That the Subdivider agree in the Subdivision Agreement with the City in wording to

the satisfaction of the Kawartha Pine Ridge District School Board that no topsoil or fill stockpiling, no construction storage or construction use of any kind shall be carried out by the Subdivider on the proposed Elementary School site, Block 939.

### **Clearances**

1. Prior to final approval, the Director of Planning & Development Services shall be advised by the Otonabee Region Conservation Authority that Conditions 55 to 66 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 27, 32 and 67 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 27, 32 and 68 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 32 and 69 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 27, 32 and 70 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 Commission (PUC) that Conditions 27, 32 and 39 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.
7. Prior to final approval, the Director of Planning & Development Services shall be advised by Hydro One Networks Inc. that Conditions 27, 32 and 71 have been carried out to the their satisfaction. The letter from Hydro One shall include a brief but complete statement detailing how each condition has been satisfied.
8. Prior to final approval, the Director of Planning & Development Services shall be advised by the County of Peterborough that Conditions 16 ii) and 72 have been



carried out to their satisfaction. The letter from the County shall include a brief but complete statement detailing how each condition has been satisfied.

9. Prior to final approval, the Director of Planning & Development Services shall be advised by the Township of Selwyn that conditions 13, 57, 58, 62, 64 and 73 have been carried out to their satisfaction. The letter from the Township shall include a brief but complete statement detailing how each condition has been satisfied.
10. Prior to final approval, the Director of Planning & Development Services shall be advised by Curve Lake First Nation that Conditions 42 and 74 have been carried out to their satisfaction. The letter from Curve Lake First Nation shall include a brief but complete statement detailing how each condition has been satisfied.
11. Prior to final approval, the Director of Planning & Development Services shall be advised by Hiawatha First Nation that Condition 74 has been carried out to their satisfaction. The letter from Hiawatha First Nation shall include a brief but complete statement detailing how the condition has been satisfied.
12. Prior to final approval, the Director of Planning & Development Services shall be advised by the Mississaugas of Scugog Island First Nation that Condition 74 has been carried out to their satisfaction. The letter from the Mississaugas of Scugog Island First Nation shall include a brief but complete statement detailing how the condition has been satisfied.
13. Prior to final approval, the Director of Planning & Development Services shall be advised by Alderville First Nation that Condition 74 has been carried out to their satisfaction. The letter from Alderville First Nation shall include a brief but complete statement detailing how the condition has been satisfied.
14. Prior to final approval, the Director of Planning & Development Services shall be advised by Ministry of Natural Resources and Forestry that Condition 53 has been carried out to their satisfaction. The letter from the Ministry shall include a brief but complete statement detailing how the condition has been satisfied.
15. Prior to final approval, the Director of Planning & Development Services shall be advised by the Ministry of Tourism, Culture and Sport that Condition 42 has been carried out to their satisfaction. The letter from the Ministry shall include a brief but complete statement detailing how the condition has been satisfied.
16. Prior to final approval, the Director of Planning & Development Services shall be advised by the Department of Fisheries and Oceans Canada (DFO) that Condition 54 has been carried out to their satisfaction. The letter from DFO shall include a brief but complete statement detailing how the condition has been satisfied.

17. Prior to final approval, the Director of Planning & Development Services shall be advised by the Kawartha Pine Ridge District School Board that Conditions 75 to 78 have been carried out to their satisfaction. The letter from the Board 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
County of Peterborough Planning Director County Court House 470 Water Street Peterborough ON K9H 3M3	Hydro One Networks Inc. Facilities & Real Estate P.O. Box 4300 Markham, ON L3R 5Z5 Courier: 185 Clegg Road Markham, ON L6G 1B7
Township of Selwyn PO Box 270 Bridgenorth, ON K0L 1H0	Curve Lake First Nation Lands and Resources Consultation Liaison Government Services Building 22 Winookeeda Street Curve Lake, ON K0L 1R0
Mississaugas of Scugog Island First Nation Supervisor, Consultation, Lands and Membership 22521 Island Road Port Perry, ON L9L 1B6	Hiawatha First Nation Core Consultation Worker 123 Paudash Street Hiawatha, ON K9J 0E6
Kawartha Pine Ridge District School Board 1994 Fisher Drive Peterborough, ON K9J 6X6	Ministry of Natural Resources and Forestry Peterborough District Office 300 Water Street 1 <sup>st</sup> Floor, South Tower Peterborough, ON K9J 8M5

Ministry of Tourism, Culture and Sport Archaeology Programs Unit Programs and Services Branch Culture Division 401 Bay Street, Suite 1700 Toronto, ON M7A 0A7	Department of Fisheries and Oceans Canada Fisheries Protection Program 867 Lakeshore Road Burlington, ON L7S 1A1
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### 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).

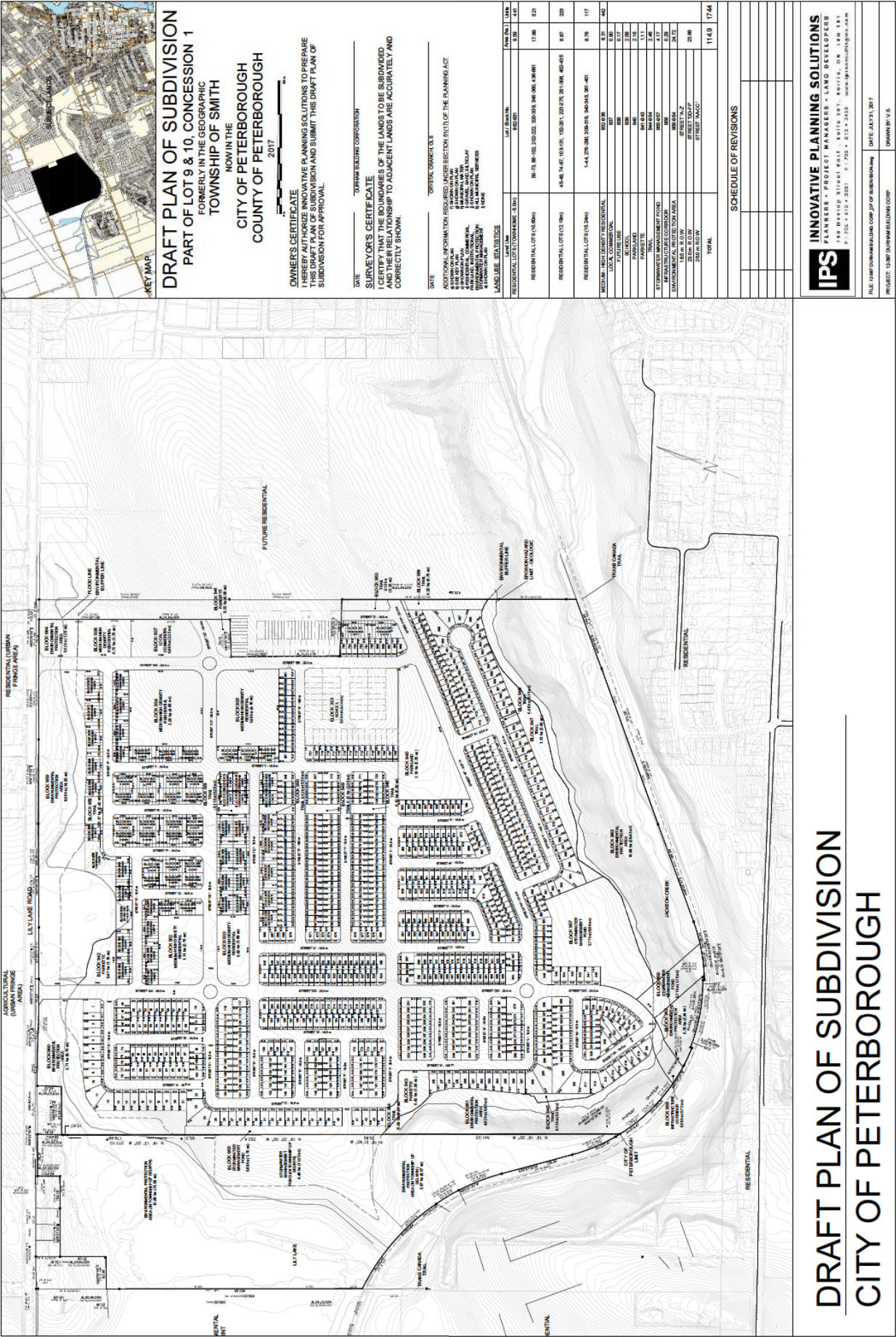
Subsection 78 (10) of the *Registry Act* requires that a Plan of Subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless that title of the Owner of the land has been certified under the *Certification of Title Act*.

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.
6. Otonabee Region Conservation Authority (ORCA) advises that there is a fee associated with their clearance of conditions on Plans of Subdivision. This fee is

\$1500 per developable hectare to a cap of \$25,000, and is due upon the Owner's request of a clearance letter from ORCA. To expedite ORCA's clearance of conditions, a copy of the signed Subdivision Agreement should be forwarded to ORCA once completed.

## **Decision History**

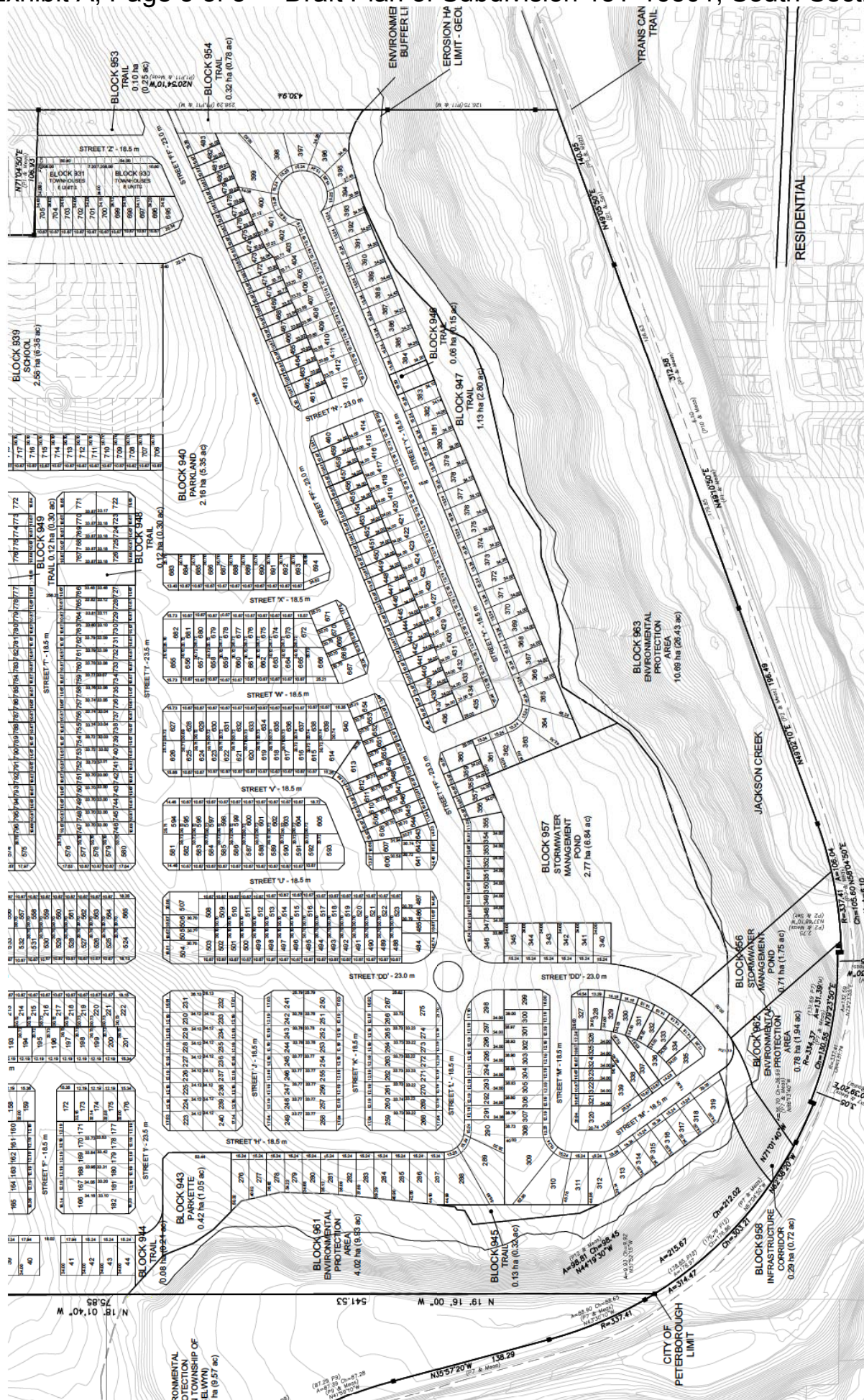


DRAFT PLAN OF SUBDIVISION  
CITY OF PETERBOROUGH













The Corporation of the City of Peterborough

**By-Law Number 17-**

Being a By-law to Amend the Zoning By-law for the properties at 663, 689 and 739 Lily Lake Road

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

1. Section 396.3 d) ii) of By-law 1997-123, minimum building setback, rear lot line, is amended BY deleting “7.6 metres” and inserting “6 metres” in its place.
2. Section 3.4 Alternative Regulations of By-law 1997-123 is hereby amended by adding the following to 5. MAXIMUM BUILDING COVERAGE:  
“5.p. 45%”
3. Section 3.4 Alternative Regulations of By-law 1997-123 is hereby amended by adding the following to 7. MAXIMUM LOT COVERAGE BY OPEN PARKING AREAS; DRIVEWAYS; & VEHICLE MOVEMENT AREAS:  
“7.h. 45%”
4. Section 3.4 Alternative Regulations of By-law 1997-123 is hereby amended by adding the following to 10. MINIMUM BUILDING SET BACK – REAR LOT LINE:  
“10.m. 7m”
5. Section 3.9 Exceptions of By-law 1997-123 is hereby amended by adding the following:  
“.315 Notwithstanding the provisions of Sections 6.9 and 6.11, the minimum building setback from the street line shall be:  

i)	for a dwelling, excepting a garage or carport	3.0 metres
ii)	for a garage or carport	6.0 metres

In this District, an unenclosed verandah may project up to:

## Exhibit B, Page 2 of 10

- i) 1.5 metres into the minimum building setback from a street line.
- .316 Notwithstanding the provisions of Section 395.3e) minimum building setback, the minimum building setback from a site lot line or a rear lot line shall be 6 metres or 2 metres per storey, whichever is the greater.
- .317 Notwithstanding the provisions of Section 125.2 l), a service station shall not be permitted.

In addition to the permitted uses listed in Section 125.2, the following shall also be permitted uses:

- i. a personal service establishment
- ii. a public administration establishment
- iii. an art school, music school, dance school or fine arts school
- iv. a church
- v. a place of assembly
- vi. a recreation centre
- vii. a day nursery
- viii. a gymnasium or health club including a fitness studio

Notwithstanding the provisions of Section 125.3 a), the residential floor area in a building may exceed the commercial floor area therein.

Notwithstanding the provisions of Section 125.3 b), the maximum floor area per commercial use shall be 200 square metres.

Notwithstanding the provisions of Section 125.3 c), the minimum commercial floor area shall be 700 square metres and the maximum commercial floor area shall be 2,000 square metres.

- .318 Notwithstanding the provisions of Section 396.2 a), a row dwelling containing not more than 8 dwelling units shall be permitted.”
6. Map 29 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 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', SP.95,11m-317 – 'H', PS.2 – 'H', OS.2, and OS.1.

Exhibit B, Page 3 of 10

7. 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 11th day of September, 2017.

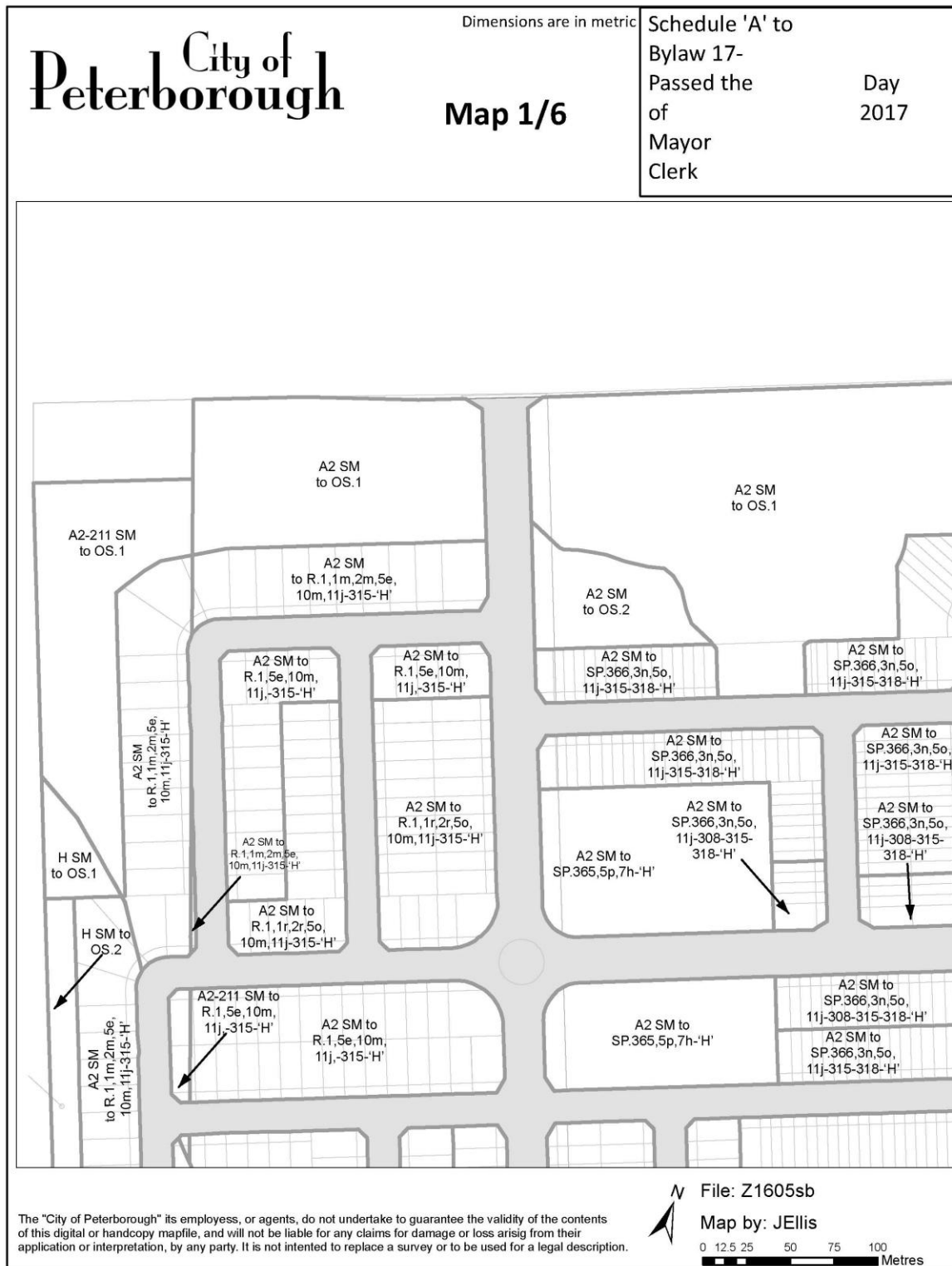
Daryl Bennett, Mayor

John Kennedy, City Clerk

City of  
**Peterborough**

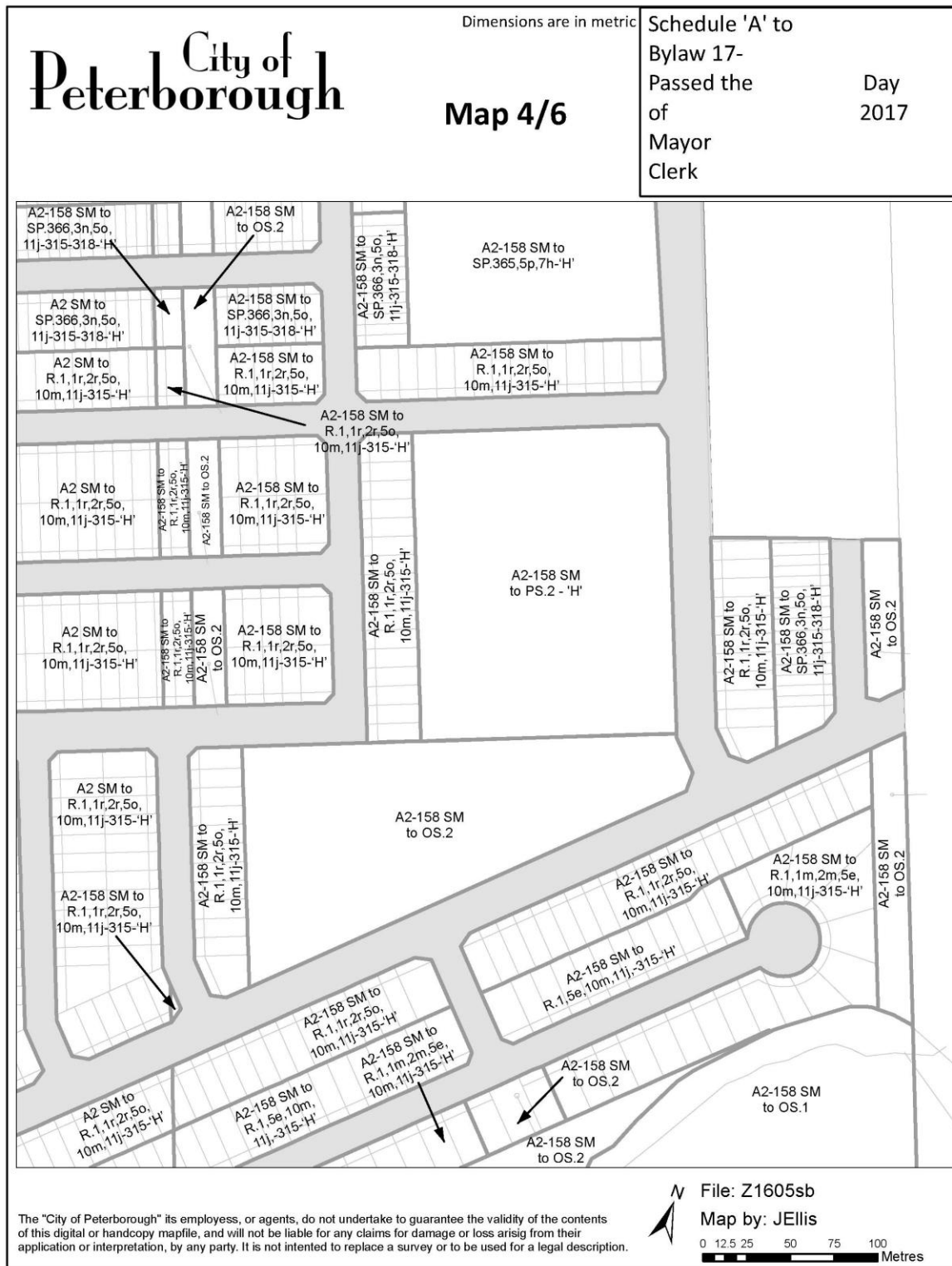
## Keymap



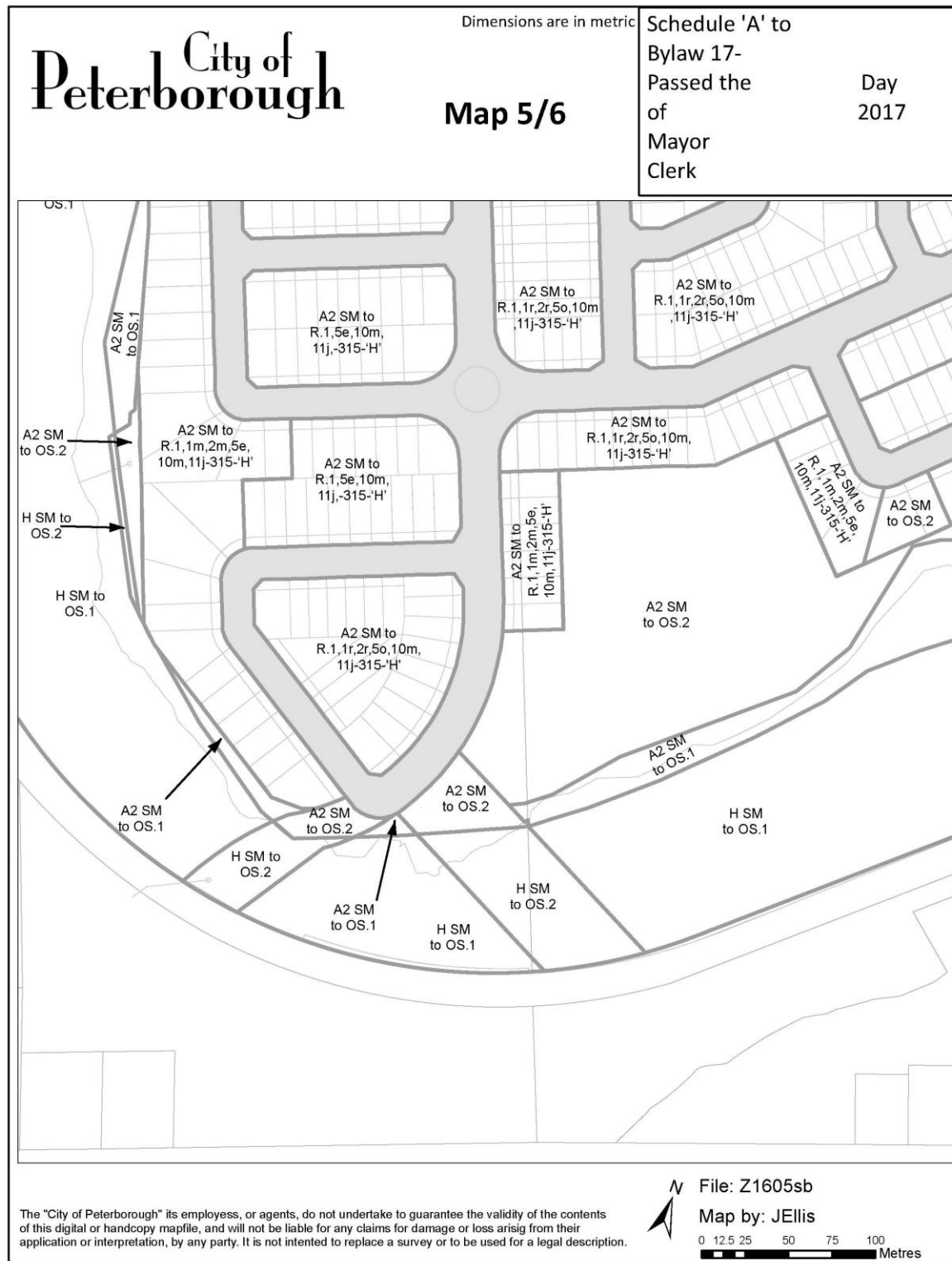


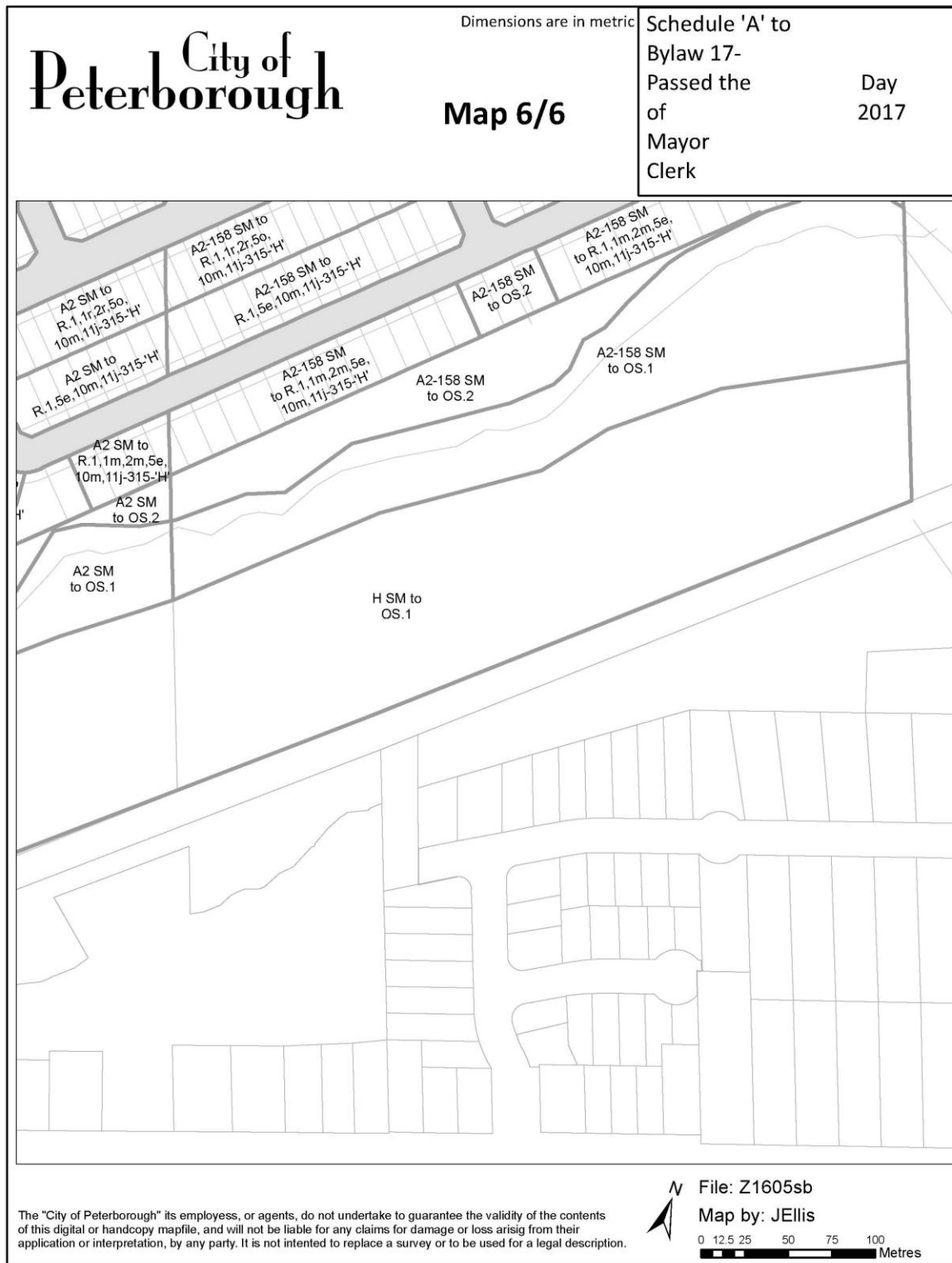
A scale bar with markings at 0, 10, 20, 40, 60, and 80 metres.

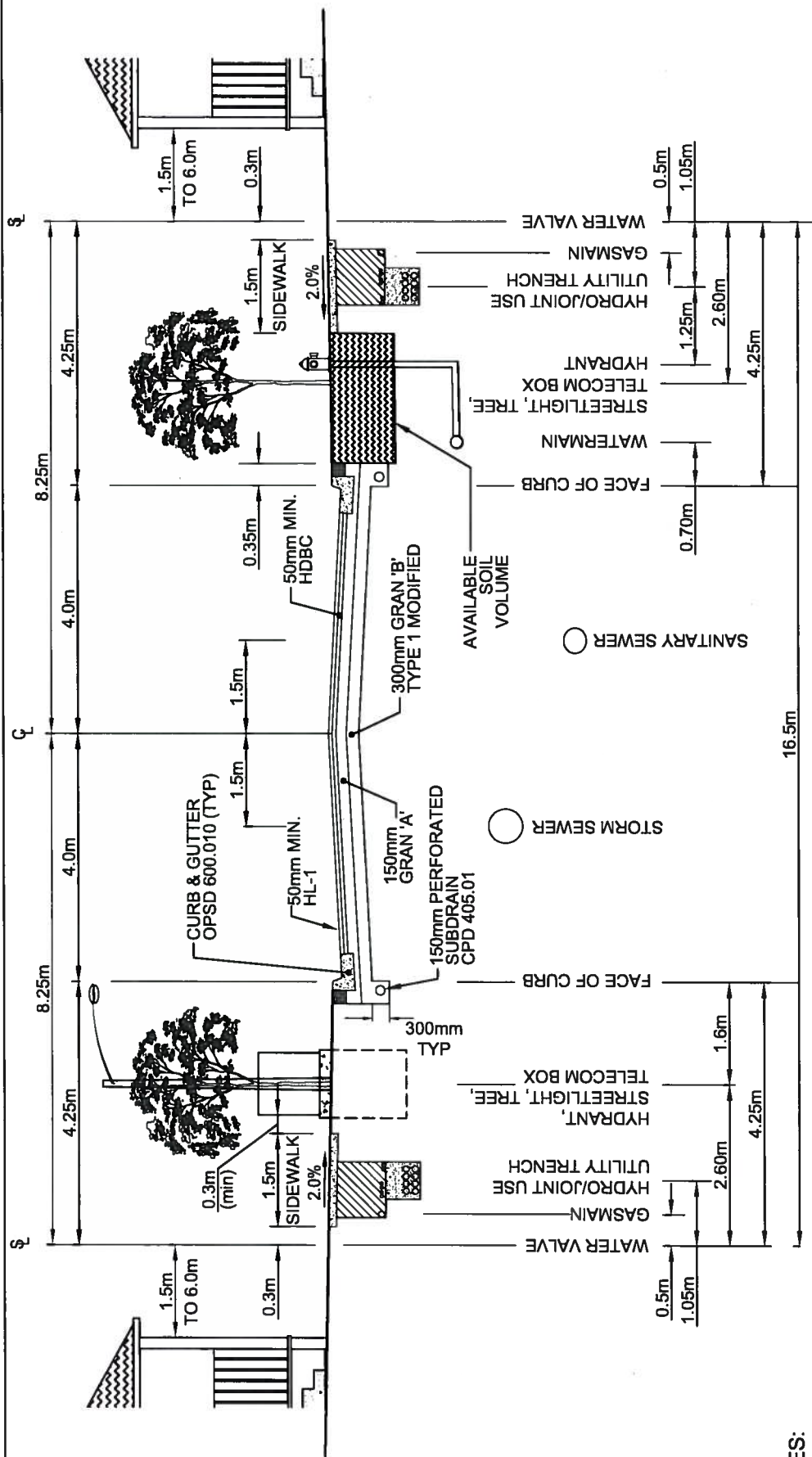













1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.

2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
3. THIS CROSS SECTION REQUIRES COUNCIL APPROVAL TO BE UTILIZED.
4. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPARATION TO UTILITY TRENCH PROPOSED.
5. MINIMUM TOPSOIL DEPTH TO BE 0.3m.



# City of Peterborough

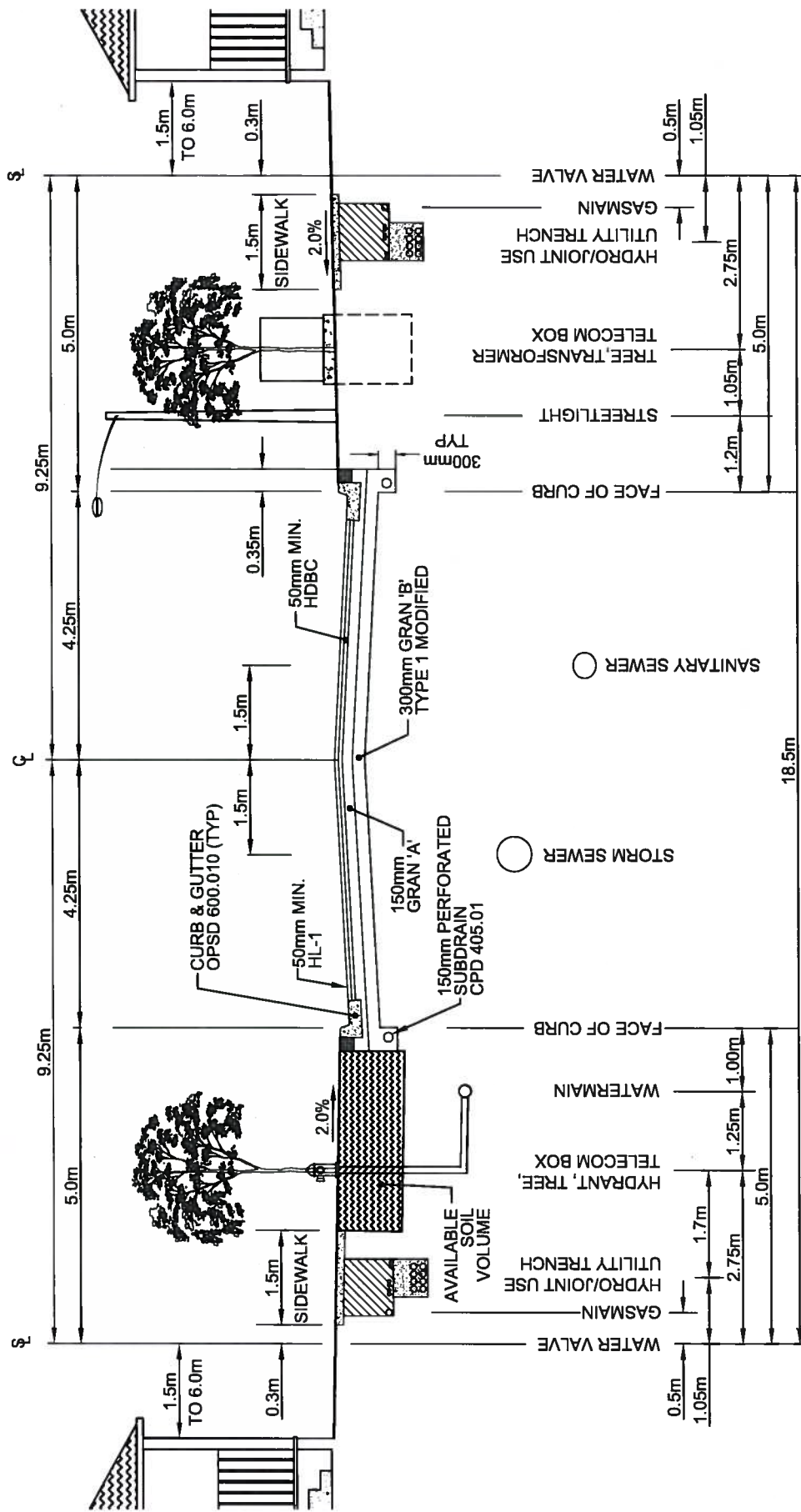
CITY OF PETERBOROUGH  
UTILITY SERVICES DEPARTMENT

**SERVICE LOCATIONS  
AND CROSS SECTION  
16.5m. R.O.W. - 8.0m ROAD  
SCALE 1:100**

DATE AUGUST 2017 REV. 0

**DRAFT**

USD-100.01



NOTES:

1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.
2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
3. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPARATION TO UTILITY TRENCH PROPOSED.
4. MINIMUM TOPSOIL DEPTH TO BE 0.3m.



City of  
Peterborough

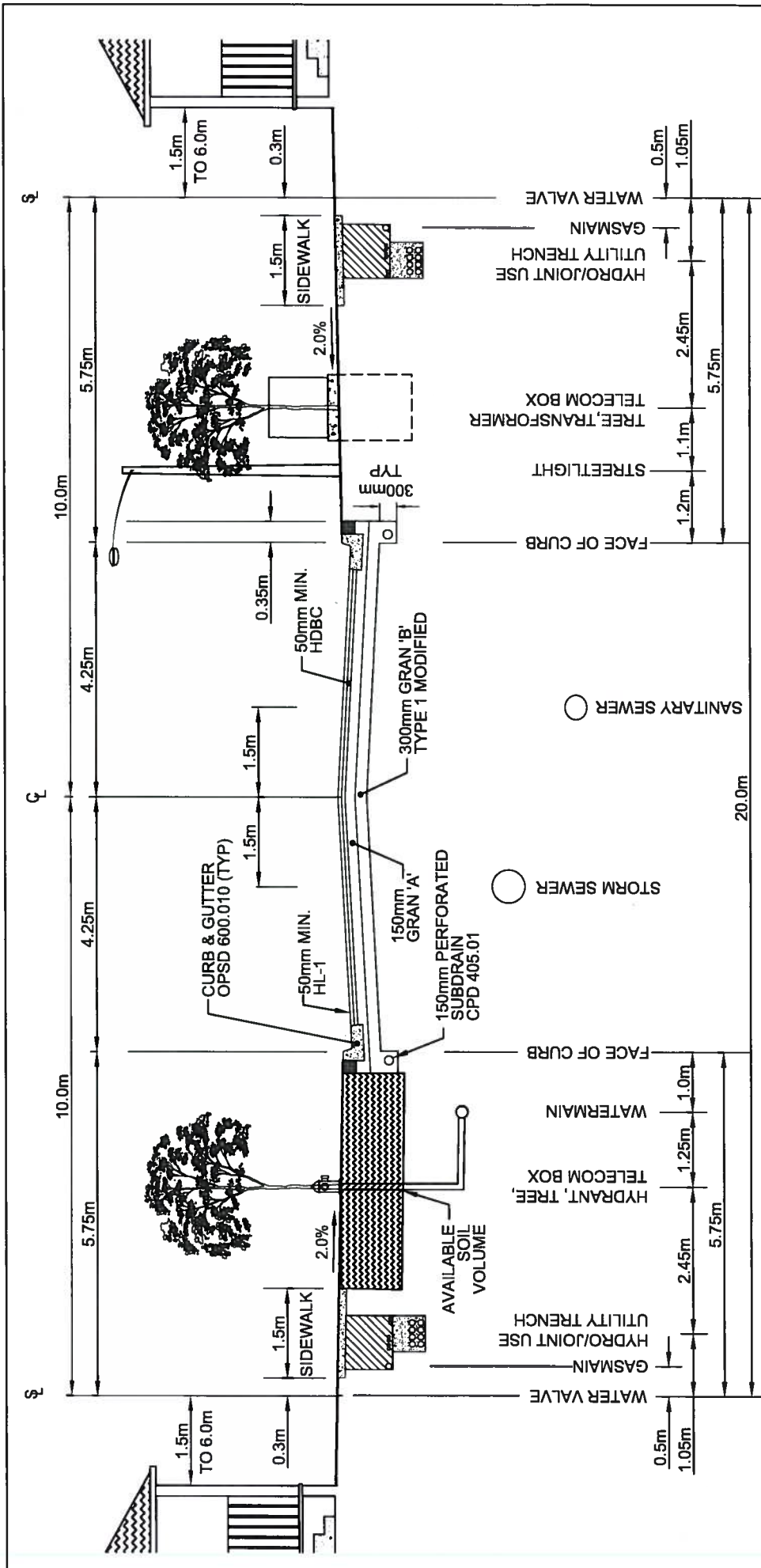
CITY OF PETERBOROUGH  
UTILITY SERVICES DEPARTMENT

SERVICE LOCATIONS  
AND CROSS SECTION  
18.5m. R.O.W. - 8.5m ROAD  
SCALE 1:100

DATE AUGUST 2017 REV. 0

DRAFT

USD-100.02



NOTES:

1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.
2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
3. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPARATION TO UTILITY TRENCH PROPOSED.



City of  
Peterborough

CITY OF PETERBOROUGH  
UTILITY SERVICES DEPARTMENT


SERVICE LOCATIONS  
AND CROSS SECTION  
20.0m. R.O.W. - 8.5m ROAD  
SCALE 1:100

DATE AUGUST 2017 REV. 0

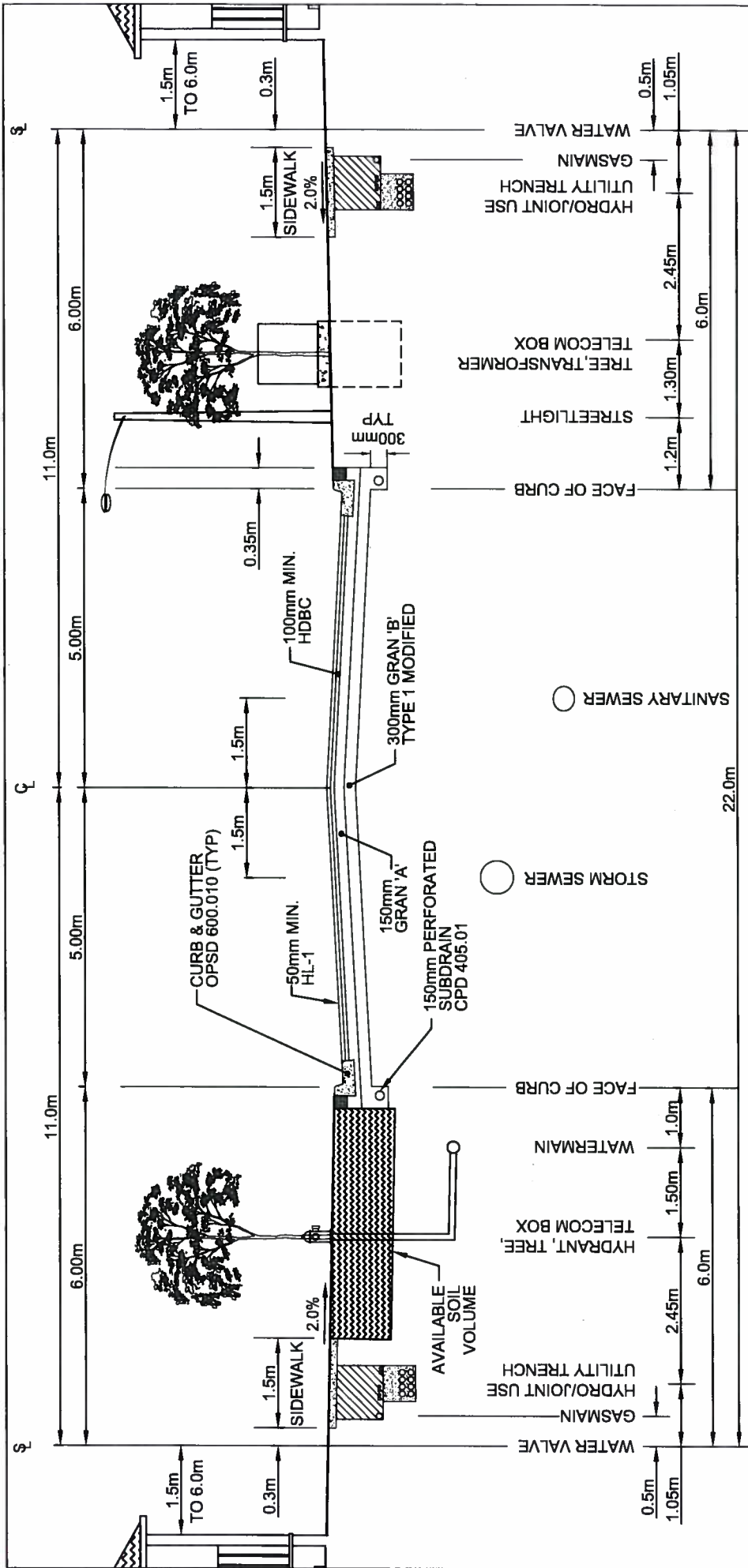
DRAFT

USD-100.03

1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.
2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
3. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPERATION TO UTILITY TRENCH PROPOSED.


 <b>City of Peterborough</b>	<p align="center"> <b>CITY OF PETERBOROUGH UTILITY SERVICES DEPARTMENT</b> </p> <hr/> <p align="center"> <b>SERVICE LOCATIONS AND CROSS SECTION</b>   <b>20.0m. R.O.W. - 10.0m ROAD</b>   <b>SCALE 1:100</b> </p>	DATE    AUGUST 2017    REV.    0
		<p align="center">DRAFT</p>
		USD-100.04

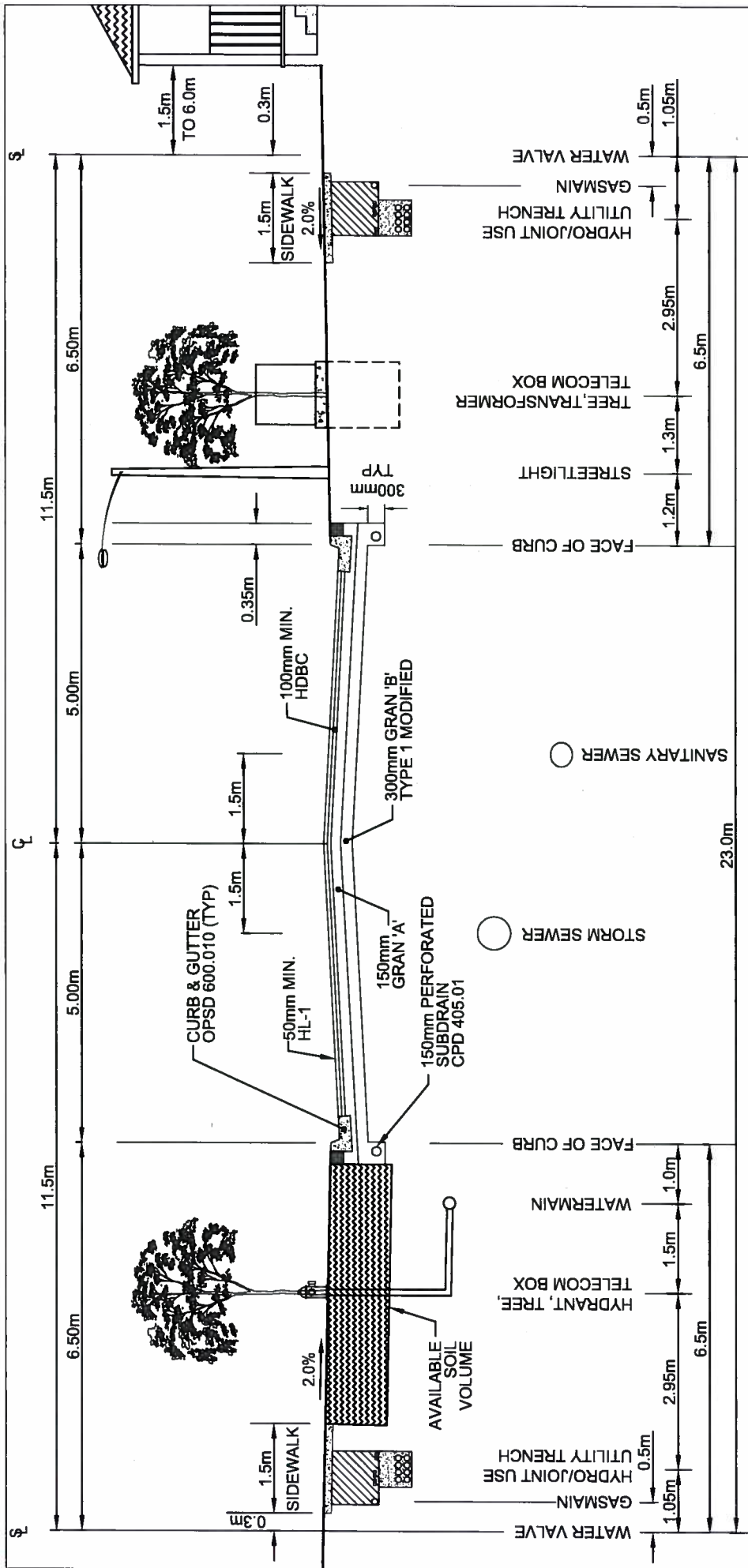





NOTES:

1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.
2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
3. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPARATION TO UTILITY TRENCH PROPOSED.

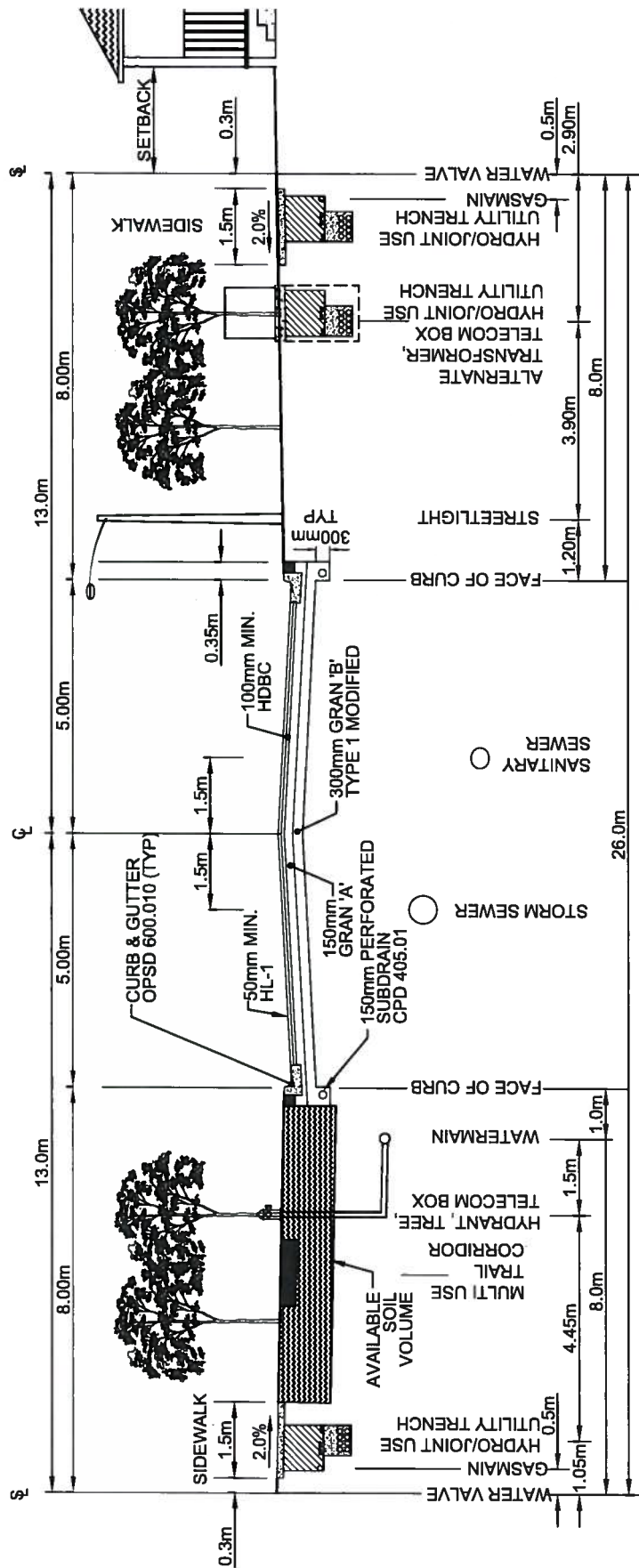
 <p><b>City of Peterborough</b></p>	<p><b>CITY OF PETERBOROUGH</b> <b>UTILITY SERVICES DEPARTMENT</b></p> <p><b>SERVICE LOCATIONS AND CROSS SECTION</b> <b>22.0m. R.O.W. - 10.0m ROAD</b> <b>SCALE 1:100</b></p>	<p>DATE <u>AUGUST 2017</u> REV. <u>0</u></p> <p><b>DRAFT</b></p> <p><b>USD-100.05</b></p>
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- NOTES:
1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.
  2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
  3. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPARATION TO UTILITY TRENCH PROPOSED.

 <b>City of Peterborough</b>	<b>CITY OF PETERBOROUGH UTILITY SERVICES DEPARTMENT</b>	DATE <u>    AUGUST 2017    </u> REV. <u>    0    </u>
		<b>SERVICE LOCATIONS AND CROSS SECTION</b> <b>23.0m. R.O.W. - 10.0m ROAD</b> <b>SCALE 1:100</b>
	<b>DRAFT</b>	<b>USD-100.06</b>





- NOTES:
1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.
  2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
  3. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPARATION TO UTILITY TRENCH PROPOSED.



City of  
Peterborough

CITY OF PETERBOROUGH  
UTILITY SERVICES DEPARTMENT

SERVICE LOCATIONS  
AND CROSS SECTION  
26.0m. R.O.W. - 10.0m ROAD  
SCALE 1:125

DATE AUGUST 2017 REV. 0  
DRAFT  
USD-100.07

1. STANDARD STREETLIGHT LOCATION ON OPPOSITE SIDE OF ROAD AS WATERMAIN WHERE POSSIBLE.
2. TYPICAL MINIMUM DEPTH OF UTILITY CROSSING SHALL BE 1.0m (TO CLEAR SUBDRAIN)
3. ROOT DEFLECTORS REQUIRED WHERE <1.0m SEPARATION TO UTILITY TRENCH PROPOSED.

City of  
PeterboroughCITY OF PETERBOROUGH  
UTILITY SERVICES DEPARTMENT

**SERVICE LOCATIONS  
AND CROSS SECTION  
26.0m. R.O.W. - 14.0m ROAD  
SCALE 1:125**

DATE AUGUST 2017 REV. 0

**DRAFT**

USD-100.08

USD-100.09

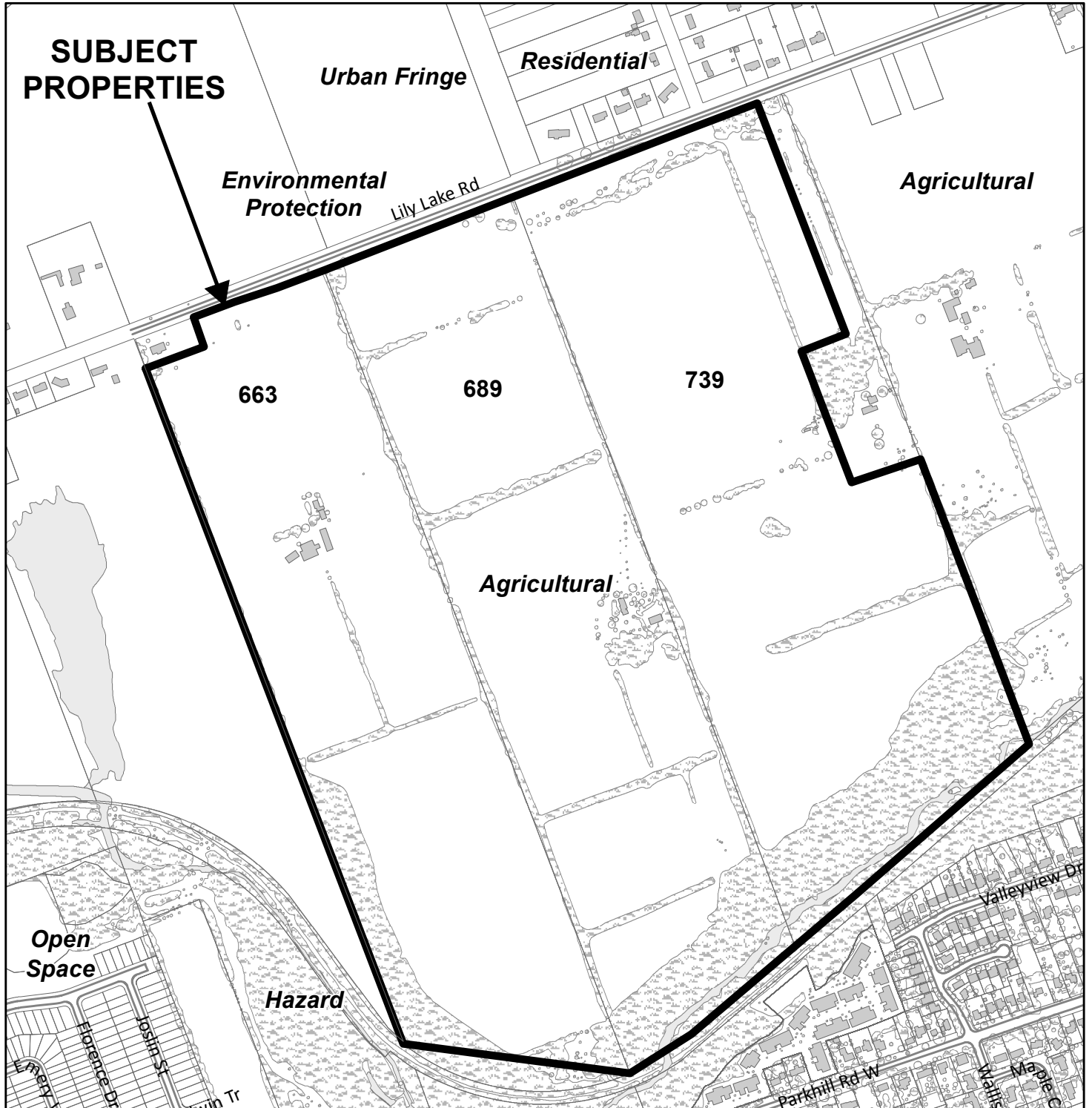
# Land Use Map

File: Z1605SB and 15T-16501

Property Location: 663, 689, 739 Lily Lake Road

EXHIBIT D

SHEET 1 OF 1



The City of Peterborough Planning Division

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or 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.



Date: November 23, 2015

Map by: JEllis

0 30 60 120 180 240 300  
Metres

## Notice of Complete Application and 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, August 28<sup>th</sup>, 2017**, to consider the applications under Sections 34 and 51 of the *Planning Act*, R.S.O., 1990, c.P.13:

1. **File:** Z1707  
**Affected Lands:** 186 Romaine Street  
**Owner:** Conseil Scolaire De District Catholique Centre-Sud  
**Applicant:** 1827403 Ontario Inc. (Parkview Homes)  
**Agent:** Kevin Duguay, Community Planning & Consulting Inc.

The applicant proposes to amend the zoning of the property from the PS.2 – Public Service District 2 to a modified R.5 – Residential District with Exceptions to permit the use of the lands for a multi-unit residential development with a maximum of 46 dwelling units with site specific regulations related to minimum lot area per unit, minimum building setbacks and minimum parking standards. The applicant intends to re-use the existing building and construct a 4 storey addition.

2. **File:** Z1708  
**Affected Lands:** 880 Parkhill Road West  
**Owner:** WDL Enterprises Inc.  
**Applicant:** Walther Lehmann

The applicant proposes to amend the zoning from the R.1 – Residential District, to a modified R.2 – Residential District, to permit the conversion of the existing 12 bedroom residential dwelling into a duplex (two unit dwelling), each with 6 bedrooms. Site specific regulations regarding maximum lot coverage by open parking areas, driveways and vehicle movement areas; minimum setbacks for existing parking and driveway areas; and minimum ceiling height for basement unit above grade are proposed to reflect the existing conditions.

3. **File:** 15T-16501 and Z1605sb  
**Affected Lands:** 663, 689 and 739 Lily Lake Road  
**Owner:** Durham Building Corporation & 1517050 Ontario Ltd.  
**Agent:** Darren Vella, Innovative Planning Solutions

The applicant is proposing to develop a draft plan of subdivision consisting of a mix of low and medium density housing (1777 units) together with a local commercial plaza, an elementary school, parkland, open space lands within the Jackson Creek Valley and along Lily Lake Road, two stormwater management ponds, and an infrastructure corridor. The applicant is also proposing to amend the Zoning By-law to facilitate the development.

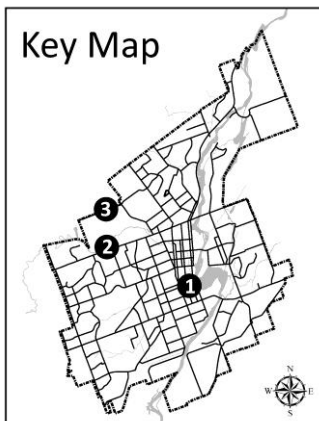
**Additional information and materials** relating to these applications, including copies of the proposed Zoning By-law Amendment and Draft Plan of Subdivision may be obtained from the Planning Division, City Hall, (8:30 a.m. to 4:30 p.m., Monday to Friday).

**For more information** about these matters, including information about preserving your appeal rights, contact the Planning Division at 705-742-7777 – Caroline Kimble at ext. 1735 (Files Z1707 and Z17089) (e-mail: [ckimble@peterborough.ca](mailto:ckimble@peterborough.ca)) or Brad Appleby at ext. 1886 (File 15T-16501) (e-mail: [bappleby@peterborough.ca](mailto:bappleby@peterborough.ca)).

A Staff report will be available by 12:00 p.m. on Friday the 25<sup>th</sup> day of August, 2017.

Dated at the City of Peterborough this 31<sup>st</sup> day of July, 2017.

### 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)

## **Review of 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 1744 residential units consisting of 861 single detached residential units with typical lot widths ranging from 10.6 m (35 feet) to 15 m (50 feet), 441 street-fronting townhomes with a typical width of 6 m (20 feet), and 442 medium density (e.g. apartment) units. Of the residential units being proposed, 50% are made up of street-fronting townhomes and medium density units. The diversity and range of lot widths and unit types proposed is in keeping with both Provincial policy and the Lily Lake Secondary Plan and will provide more affordable housing alternatives than a traditional residential subdivision.

### **ii) Surrounding Land Uses**

Presently, the subject lands are located adjacent to a rural residential property (789 Lily Lake Road) and a former agricultural property that is currently subject to a draft approved plan of subdivision (File 15T-14502) to the east. The existing lands to the west are located in the Township of Selwyn and consist primarily of the Jackson Creek East PSW and some rural residential properties along Lily Lake Road. The property at 789 Lily Lake Road is jointly owned by the Applicant and is anticipated to be developed in the future in accordance with the Lily Lake Secondary Plan. Additionally, the planning for the site has been undertaken in consultation with the proponent of the adjacent draft approved plan of subdivision to ensure the alignment of roads, grading and servicing.

The area north of Lily Lake Road is located in the Township of Selwyn and is developed primarily for agricultural and rural residential purposes. Street BB on the proposed draft plan of subdivision aligns with Eastwood Road in the township which serves approximately 33 rural residential properties. Along the north limit of the site, the development is buffered from nearby rural residential uses by an open space area that is to be conveyed to the City to provide protection for the creek that runs along the south side of Lily Lake Road. Accordingly, the closest development will come to nearby residential properties is approximately 40 metres (131 feet) however 120 metres (390 feet) is a more typical separation between the proposed development and existing residential uses.

The south portion of the lands extend into the Jackson Creek Valley and are bordered by Jackson Creek and the Jackson Creek Kiwanis Trail (aka the Trans-Canada Trail). With the exception of a potential trail connection to the Trans-Canada Trail, a stormwater pond outlet and a sanitary sewer outlet, the proposed development is located completely outside of the valley area.

## Exhibit F, Page 2 of 17

Generally, staff is satisfied that the proposed development is compatible with the surrounding land uses.

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

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

Peterborough Utilities Services Inc. (PUSI) has advised that the subject lands will require two water feeds. PUSI is planning to extend an existing 600mm concrete pressure pipe (CPP) trunk watermain located at Towerhill Road and Hillview Drive, through this area, to Parkhill Road near Ravenwood Drive. The extension could go through the development and could be installed by the Applicant. Additionally, PUSI has advised that some modeling of the subdivision's water distribution system will be required to ensure adequate pressures and flows can be provided by the existing distribution system. It is possible that a booster pumping station and additional storage facilities could be required.

Additionally, PUSI advises that their development charges will apply and that the developer may also be responsible for some or all of the cost of installing any watermain required to expand the existing water distribution system to supply water to the site.

Ultimately, the design of the water distribution system for this site can be addressed either prior to or during detailed engineering design. As a condition of Draft Plan Approval, the Applicant will be required to enter into a standard servicing agreement with the Peterborough Utilities Commission (PUC) for the provision of water service to this site.

For electrical service, the entire site falls within the service territory of Hydro One. Hydro One has advised that it has sufficient capacity to service this site. As a condition of Draft Plan Approval, the Applicant will be required to ensure that sufficient provision has been made to provide electrical service to the lands.

The subject properties contain two homesteads serviced by private well. Prior to final approval, the Application will be required to decommission any wells on the property in accordance with Provincial regulation.

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

As contemplated by the Lily Lake Secondary Plan, two sanitary sewer outlets are proposed for the site: one located at the west limit of the property that would cross through the adjacent property, 645 Lily Lake Road, in the Township of Selwyn to access a trunk sanitary sewer that was recently constructed in the Trans-Canada Trail; and another outlet at the south limit of the site that would descend into the Jackson Creek Valley to meet the same sewer that is located within the Trans-Canada Trail. Ultimately, the Trans-Canada Trail sewer would convey the site's sewage flows to the Parkhill Road Pumping Station that is located at the south limit of the site, south of Jackson Creek. The Parkhill Road Pumping Station, which was reconstructed between 2012 and 2014, has been designed to accommodate flow from the entire Lily Lake planning area.



## Exhibit F, Page 3 of 17

In 2016, the County of Peterborough passed By-law 2016-47 to amend its Official Plan to permit the proposed sanitary sewer to cross the property at 645 Lily Lake Road. Additionally, the Township of Selwyn passed By-law 2016-036 to amend its Zoning By-law to permit the proposed sanitary sewer across 645 Lily Lake Road subject to the removal of a holding symbol.

As a condition of draft approval, the Applicant will be required to ensure that all necessary approvals have been obtained for the sanitary sewer outlets before Final Approval is granted to any part of the subject Draft Plan of Subdivision within the sewers' catchment areas. Additionally, a holding symbol will be implemented in the Zoning By-law to ensure that building construction cannot occur until all conditions of approval are fulfilled and the plan of subdivision is registered.

The subject properties contain two homesteads that are serviced by private septic systems and wells. Prior to final approval, the Application will be required to decommission all septic systems and wells on site in accordance with Provincial regulation.

### c) Stormwater Management

Stormwater management for the site is proposed to be accommodated in two wet ponds: one located on the adjacent agricultural property to the west (645 Lily Lake Road) in the Township of Selwyn and one at the south limit of the site, above the Jackson Creek Valley. The pond located at 645 Lily Lake Road will be located adjacent to the Jackson Creek East PSW (subject to a 33 metre buffer) and will ultimately discharge to the PSW. Once constructed, the pond will be conveyed to the City to own and maintain in perpetuity pursuant to subsection 19(2) of the Municipal Act.

The County of Peterborough and the Township of Selwyn have amended their Official Plan and Zoning By-law respectively in order to permit a stormwater management pond on the property at 645 Lily Lake Road. Before this pond can be established, the Applicant must enter into a site plan agreement with the Township for the property and must satisfy both the Township and ORCA with respect to the pond's outlet location, a compensation plan for the land between the adjacent Jackson Creek East PSW and the pond, and a naturalization and rehabilitation plan for the outlet channel.

Prior to Final Approval, the Applicant will be required to ensure that the pond's design and its implementation, including its conveyance to the City, are satisfactory to ORCA, the Township, and the City.

The pond at the south limit of the site is intended to discharge to Jackson Creek. As a condition of approval, the Applicant will be required to design the outfall of the stormwater management pond in consultation with a qualified biologist, the Otonabee Region Conservation Authority (ORCA), and the City in order to minimize disturbance to the Jackson Creek Valley and/or rehabilitate areas of disturbance.



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A key component of the site's overall stormwater management system will be the implementation of low impact development (LID) technologies which are features built into the subdivision that facilitate stormwater infiltration and maintenance of the site's natural hydrologic character. As part of the final stormwater management report to be prepared in conjunction with the detailed design of the site, the Applicant will be required to provide a detailed description of the means for maintaining a pre-development water balance and the natural hydrology of the site which will include the use of LID technology. As a condition of approval, the Applicant will be required to implement these measures to the City's satisfaction. Additionally, where LID is implemented on private property, the Applicant will be required to register a covenant on title to advise prospective purchasers of the presence and purpose of these features on their property, and of homeowners' responsibility to maintain these features on their property.

### **iv) Traffic Impacts**

The Draft Plan of Subdivision proposes a grid street pattern with two collector street accesses to Lily Lake Road (Streets 'AA' and 'BB') and two collector street accesses to the east (Streets 'CC' and 'FF'). The proposed street pattern is consistent with the intent of the Lily Lake Secondary Plan.

The plan also protects the ability to extend collector Street 'DD' across the Jackson Creek Valley in the vicinity of Parkhill Road and Ravenwood Drive (through Block 958 – Infrastructure Corridor) in the event that such a crossing is required in the future. Presently, neither the Official Plan nor the City's Comprehensive Transportation Plan contemplate a road crossing of the Jackson Creek Valley at this location. Accordingly, if a crossing is ever to be contemplated in the future, its need and justification would have to be demonstrated through an Environmental Assessment and the project would need to be reflected in both the Major Transportation Plan and the Official Plan. The City currently is currently not undertaking any work to pursue such a crossing however staff feel it is in the best interest of the area to protect for such a crossing if the need arises.

Streets 'AA', 'BB' and 'CC' will be established as 26m wide road allowances. Streets 'DD', 'EE' and 'FF' will be established as 23m wide road allowances. All local streets will be established as 18.5m road allowances. Staff has no objection to the proposed street pattern or allowance widths.

The City's sidewalk policy requires sidewalks on both sides of all streets except cul-de-sacs with fewer than 30 residential units and no through pedestrian connection. As a condition of Draft Plan Approval, the Applicant will be required to provide sidewalks in accordance with City policy.

The Lily Lake Secondary Plan calls for implementation of on-road cycling facilities on all collector streets in the secondary plan area. Accordingly, as a condition of Draft Plan Approval, the Applicant will be required to implement on-road cycling facilities on Streets 'AA', 'BB', 'CC', 'DD', 'EE' and 'FF' to the satisfaction of the City Engineer. For these streets, the Applicant will also be required to acknowledge that due to the implementation of on-road cycling facilities, on-street parking may be prohibited.

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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. To accommodate full built-out of the Lily Lake area, it is anticipated that the following longer-term improvements will be required:

- Widening of the existing Parkhill Road bridge over Jackson Park to provide an a dedicated east-bound double left turn lane on Parkhill Road at Fairbairn Street;
- Addition of a westbound right turn lane on Parkhill Road at Fairbairn Street;
- Separate southbound dual left and right turn lanes on Fairbairn Street at Parkhill Road;
- Widening of Fairbairn Street to 4 lanes from Parkhill Road to Towerhill Road/Lily Lake Road;
- Expansion and signalization of the Fairbairn Street and Wolesley Street intersection to include a northbound right turn lane and a southbound left turn lane and a two-way left turn lane on Fairbairn Street between Wolesley Street and Parkhill Road;
- Expansion and signalization of the Fairbairn Street and Highland Road intersection to include separate westbound left and right turn lanes on Highland Road;
- A northbound left turn lane on Fairbairn Street at a potential development access to the lands west of Fairbairn Street, approximately 230 metres south of Lily Lake Road;
- Widening of Lily Lake Road and Towerhill Road between Chemong Road and the Street BB;
- The addition of east-west through capacity (i.e. additional lane(s)) at the intersection of Towerhill Road and Chemong Road as well as separate eastbound and westbound right turn lanes;
- Expansion and signalization of the Lily Lake Road/ Towerhill Road / Fairbairn Street intersection to include two northbound left turn lanes and a separate northbound right turn lane on Fairbairn Street, and a separate eastbound right turn lane on Lily Lake Road, or consideration of a multi-lane roundabout;
- Expansion and signalization of the Lily Lake Road and Ackison Road intersection to include a separate westbound left turn lane on Lily Lake Road;
- Traffic signals on Lily Lake Road at Streets 'AA' and 'BB' and separate northbound left and right turn lanes on Streets 'AA' and 'BB' at Lily Lake Road.

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In addition, to accommodate development some immediate improvements are required including:

- Signalization of the Lily Lake Road/Towerhill Road / Fairbairn Street intersection;
- Addition of separate left turn lanes on all approaches to the Lily Lake Road/Towerhill Road / Fairbairn Street intersection;
- Addition of separate right turn lanes on the northbound and eastbound approaches to the Lily Lake Road/Towerhill Road / Fairbairn Street intersection; and
- Separate westbound left turn lanes and eastbound right turn lanes on Lily Lake Road at Streets 'AA' and 'BB'.

As a condition of approval, the developer will be required to implement the necessary signalization and turn lanes for the Street 'AA' and 'BB' intersections with Lily Lake Road. Additionally, prior to final approval of the first phase of development, the required improvements to the Lily Lake Road/Towerhill Road / Fairbairn Street intersection must either be included in an approved capital budget for construction or the Applicant shall make arrangements with the City to finance the work ahead of its inclusion in an approved capital budget.

Implementation of longer-term improvements is greatly affected by whether The Parkway is constructed as recommended in the Parkway Class EA. For example, if the Parkway is constructed, no new improvements may be required at the intersection of Towerhill Road and Chemong Road. Additionally, if constructed, it is expected that the Parkway would eliminate the need to widen Fairbairn Street between the Parkway/Highland Road and Parkhill Road.

One of the recommended longer-term improvements, namely the widening of the Parkhill Road bridge to accommodate a dedicated eastbound double left turn lane, would directly contradict the recommendations of the Parkway EA and would therefore require a new EA to establish its need and justification. Should the Parkhill Road bridge be widened in the absence of the Parkway, it is anticipated that significant improvements would also be required at the intersection of Parkhill Road and Monaghan Road and that Monaghan Road would need to be widened to 4 lanes as well.

Generally, it is staff's opinion that the recommended Parkway is required to accommodate full build-out of the proposed plan and the Lily Lake planning area. However, given that the City has recently received an order to complete an individual EA for the Parkway, the long term status of that project is uncertain.

In light of the uncertainty surrounding the Parkway and the Applicant's desire to develop, the Applicant, in conjunction with the neighbouring developer, has accessed the feasibility of allowing an initial phase of 600 total units to proceed in the Lily Lake area. In addition to the immediate-term improvements noted previously, this assessment recommended that temporary traffic and pedestrian crossing signals be installed on Fairbairn Street, at

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Highland Road, in order to facilitate turning movements at this intersection and at other intersections south of Highland Road. The cost of these signals, which would be removed if the Parkway is constructed, would be entirely the responsibility of the Lily Lake development community. As a condition of approval, the Applicant will be required to ensure that these temporary signals are installed and operational prior to the availability of non-model home building permits in the subdivision.

By allowing an initial phase of Lily Lake development, staff anticipate that it will become increasingly difficult for pedestrians to cross Fairbairn Street at mid-block locations. Currently, sidewalk exists on both sides of Fairbairn Street between Highland Road and Hillside Street except for approximately 225 metres on the west side of the road between Parkview Drive and Highland Road. To facilitate pedestrian movement to the proposed temporary traffic signals and discourage mid-block pedestrian crossings, the Lily Lake development community will also be required to install a temporary pedestrian facility along the west side of Fairbairn Street, between Parkview Drive and Highland Road. This facility shall be installed concurrent with the temporary traffic signals. Regardless of the outcome of the City's planning for the Parkway, it is anticipated that this temporary pedestrian facility will be replaced with a permanent facility when Fairbairn Street is widened to 4 lanes, north of Highland Road.

The Applicant, in conjunction with the neighbouring developer to the east, has proposed that an initial phase of 600 residential units be allowed to proceed in the Lily Lake area. Staff supports this proposal subject to implementation of the temporary facilities and immediate-term road network improvements described herein. However, before development is permitted beyond 600 units in the Lily Lake area, the conditions of draft plan approval will require:

- That Final Approval shall not be granted for more than 600 cumulative units in the Lily Lake area until the Parkway is approved and included in an approved capital budget for construction; or;
- That the Applicant prepare a traffic study to the City's satisfaction to confirm the long-term road network improvements required to accommodate build-out of the Lily Lake area under scenarios that include and exclude the Parkway and the required timing of those improvements relative to build-out levels in the Lily Lake area;
- That upon receipt of a decision on the Parkway EA, the phasing of development beyond 600 cumulative units in the Lily Lake area will be based upon the implementation of required road network improvements in accordance with timing established by development thresholds identified in the City-approved traffic study;
- That any road network improvements required to permit development beyond 600 units in the Lily Lake area shall receive all necessary approvals and be included in an approved capital budget for construction prior to the granting of Final Approval

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(where implementation is a City responsibility) or shall be implemented at the Applicant's expense (where implementation is a developer responsibility); and,

- That where development wishes to proceed ahead of the inclusion of a required road network improvement in the City's approved capital budget, the Applicant will be required to make arrangements with the City to finance the work.

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

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

The proposed plan illustrates three local parkettes: Block 941 on Street CC (0.22 ha or 0.65 ac), Block 942 on Street AA (0.47 ha or 1.15 ac); and Block 943 on Street I (0.42 ha or 1.05 ac). Block 941 is intended to align with a planned trail corridor and parkette on the adjacent plan of subdivision. Additionally, the plan illustrates a number of blocks for trail purposes. Two of these blocks, Blocks 944 and 952 are located in such a way that they can either function seamlessly in conjunction with an adjacent parkette (e.g. Blocks 943 and 944) or they can function on their own as a parkette for the surrounding neighbourhood (e.g. Block 952).

Additionally, the plan includes a 2.16 ha (5.35 ac) neighbourhood park located near the centre of the site that is adjacent to a planned elementary school as well as blocks of land of a trail system both through and around the site.

The Jackson Creek Valley located at the south limit of the site will be dedicated to the City as open space (16.8 ha or 41.5 ac) as will land along Lily Lake Road (9.23 ha or 22.8 acres).

The proposed parkettes are significantly smaller than the Official Plan standard for a Neighbourhood Park (1ha to 3 ha), however, in staff's opinion, their sizing and location are appropriate when considered in light of other facilities to be planned for the Lily Lake area. For example, within this site, an elementary school is planned that will provide additional open space/recreation opportunities for the site in conjunction with the larger neighbourhood park. The lands to the east have also been planned with an elementary school site for the neighbourhood. Further east, east of the adjacent plan of subdivision, the City owns a 1.25 ha (3 acres) property that is identified in the Lily Lake Secondary Plan as land that is intended to be parkland.

A key feature of the Lily Lake Secondary Plan is to create open space corridors through the neighbourhood. The purpose of these corridors, as described in Section 10.9.3.2.10 of the LLSP, is to function as Connecting Links and to protect existing treelines (where possible) or to accommodate significant re-vegetation and off-road trails. In order to function as a connecting link, the Secondary Plan envisioned these corridors connecting

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between core natural areas such as the Jackson Creek Valley and the Jackson Creek East PSW and other open space areas such as parkland and floodplain/creek buffer areas.

Along the east limit of the site, a 20m wide corridor is proposed to be developed with a trail that would stretch from the top of the Jackson Creek Valley to Lily Lake Road and/or the open space area along Lily Lake Road. This trail is envisioned to connect to a trail to be developed within the adjacent plan of subdivision that would travel along the top of the Jackson Creek Valley and connect to both lands that are further east and to the Trans-Canada Trail within the valley. This proposed north-south trail relies in part on the rural residential property at 789 Lily Lake Road which is not part of this application but is co-owned by the Applicant. As a condition of the future development of that property, the City will ensure that the trail is completed over the property.

A second north-south trail corridor is proposed with the plan that will stretch generally from the top of the Jackson Creek Valley to the open space area at the north limit of the site. This corridor consists of the neighbourhood park, a series of four trail blocks cutting through residential portions of the plan, and a short segment of on-street sidewalk near the north and south limits of the corridor. This corridor is to be capped with small parkettes at its north and south limits and is intended to facilitate pedestrian movement through the site to the neighbourhood park and the adjacent school.

The Lily Lake Secondary Plan envisioned a third trail system running east-west through the site to connect the neighbourhood park/school area to the Jackson Creek East PSW area and ultimately to a trail on the adjacent property in the Township of Selwyn (645 Lily Lake Road) and the Trans-Canada Trail. Because of the development density that the Lily Lake Secondary Plan is attempting to achieve in this area, the Applicant has found it difficult to establish dedicated trail corridors through the site without creating multiple street crossings in close proximity to intersections. These crossings have raised some safety concern for trail uses and their interaction with vehicles.

In order to improve safety for trail users, staff have recommended that the proposed east-west trail be combined with Street I by adding 5 metres to the south side of that road allowance to accommodate a trail corridor similar to what exists on Cumberland Avenue. Completing a trail corridor in this manner will allow pedestrians and cyclists to cross at intersections rather than at mid-block locations where safety is more of a concern. Although the trail portion of the road allowance will be impacted by some private driveway crossings (nine), and is somewhat smaller in width than what is proposed in other trail corridors, staff is satisfied that this corridor can be planted and landscaped in a way that will provide a pleasant user experience while at the same time providing a safer user experience. The corridor will provide a direct pedestrian connection from the west portion of the plan to the neighbourhood park and the school.

The Lily Lake Secondary Plan also contemplates the development of community trails along the top of the Jackson Creek Valley, and along the west and north limits of the

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development area, and from the top of the Jackson Creek Valley to the Trans-Canada Trail.

As part of the development of a stormwater pond and sanitary sewer outlet on the adjacent property at 645 Lily Lake Road, the Applicant will also be completing a trail connection from the site to the Trans-Canada Trail. This trail connection will connect to the east-west trail described above. Additionally, as part of the construction of a stormwater pond and sanitary sewer outlet at the south limit of the site, it may be possible to establish a trail connection down the valley to the Trans-Canada Trail. The draft plan illustrates land along the top of the Jackson Creek Valley, above the erosion hazard limit, that may be used for trail development.

In staff's opinion, the proposed trail system envisioned in the Lily Lake Secondary Plan is a local facility intended to serve the local neighbourhood. Accordingly, the cost and responsibility for implementing these features is a developer responsibility.

As a condition of approval, the Applicant will be required to construct a trail system both through the site and around the perimeter of the site generally as envisioned in the Lily Lake Secondary Plan subject to the approval of ORCA and the City. Additionally, prior to Final Approval, the Applicant shall complete an Environmental Study to the satisfaction of the City and ORCA to assess the impact of the proposed trails on the Jackson Creek Valley, Jackson Creek, the Jackson Creek East PSW, and the creek along the north limit of the site. In conjunction with this work, the Applicant will be required prepare a tree inventory, mitigation and compensation plan together with an erosion control plan to address any impacts that the trail system may have.

All trails constructed within the site must comply with the requirements of Ontario Regulation 191/11 – Integrated Accessibility Standards – where possible.

In accordance with Section 6.5.2 of the Official Plan and Section 51.1 of the Planning Act, the City can require 2% of the land that is planned for industrial or commercial development to be dedicated as parkland. Additionally, the City can require up to 5% of the land devoted for all other purposes to be dedicated as parkland or 1 ha of parkland for every 300 residential units developed, whichever is greater.

If the City were to receive its full parkland entitlement, it could receive approximately 7.7 hectares (19 acres) of land. Presently, the plan provides approximately 5.7 ha (14 acres) of land that may be considered parkland (e.g. parks, parkettes, and trail lands). Accordingly, any parkland dedication owing shall be conveyed as cash-in-lieu of parkland dedication.

Where the City is to collect cash-in-lieu of parkland, the Planning Act now states that the parkland dedication must be calculated either at the 2% and 5% rates as previously described or at a rate of 1 hectare per 500 units, whichever is greater. The final amount of parkland dedication and/or cash-in-lieu of parkland dedication to be conveyed will be calculated as part of the Subdivision Agreement between the Owner and the City. Staff anticipates that the cash collected in lieu of parkland dedication will be required to acquire

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much of the proposed open space/trail corridor to be established on the adjacent property at 789 Lily Lake Road.

Section 6.3 of the Official Plan specifies that the Council will endeavour to provide a minimum standard of 4 ha of public open space per 1,000 population. When considering all open space, parkland, parkette and trail lands within this plan, staff estimate that approximately 7 ha of open space is being established per 1,000 population.

### **vi) Parking, Buffering and Landscaping**

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. In order to facilitate an increase in development density and create a standard relationship between dwellings and the street, all single detached dwellings and street-fronting townhomes are proposed to be subject to the same reduction in building setback: 3m to the house and 1.5m to an unenclosed verandah. Attached garages will maintain the standard 6m setback to ensure the provision of adequate parking space between the garage and the streetline. These same setbacks have most recently been applied in Mason Homes' subdivision along Chemong Road.

Rear yard building setbacks are proposed to be reduced to 7.0 metres throughout for single detached dwellings and 9.0 metres for street-fronting townhomes that back onto single detached dwellings. Where street-fronting townhomes back onto each other or onto to uses other than a single detached dwelling, the proposed zoning would permit a 6 metre rear yard building setback.

Side yard setbacks are also proposed to be established at 1.2m for street-fronting townhomes. This setback is consistent with the zoning approved for townhomes in the adjacent plan of subdivision.

In accordance with typical zoning standards, all single detached and street-fronting row dwellings will be required to provide a minimum of two off-street parking spaces. The Applicant is proposing to provide 1.5 parking spaces per unit (instead of 1.75) for medium-high density residential units and 0.75 spaces per suite for multi-suite residences. These parking standards have become commonplace among many new multi-unit developments and were most recently applied in the adjacent plan of subdivision.

With respect to overall site landscaping, the Applicant will be required to plant a street tree in front of each single detached unit and each street-fronting townhome, where feasible. Staff acknowledges 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 due to homeowners refusing trees and/or conflicts with driveways and utilities. To help increase the amount of space available for street tree planting, staff is proposing new street cross sections attached hereto in Exhibit C. Although these cross sections will help provide some additional space for street tree planting, staff remains concerned that inadequate space will be available above and



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below ground to support large stature, long-lived species of trees in either the boulevard or at the property line of residential dwellings.

The City's Urban Forest Strategic Plan recognizes that the environmental, aesthetic and social benefits from trees are maximized through the use of large stature, long-lived native tree species, particularly when located to provide shading to buildings and hard surfaces, i.e. in the boulevard. Due to the reduced building setbacks within the proposed draft plan and to supplement the reduced environmental benefits, rear-yard trees for each dwelling supplementing the negative impacts is recommended.

As part of the application, the Applicant submitted a Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc. (July 31, 2015, revised November 21, 2016) which identified trees to be removed from the site and recommended a re-planting program to compensate for trees removed. All of the trees to be removed are located above the Jackson Creek Valley and its associated woodland and are generally trees associated with hedgerows.

As a condition of approval, the Applicant will be required to complete and implement a street tree planting plan that shows proposed street tree planting locations and in accord with the new street cross sections that contains boulevard width, utility locations and depth of topsoil to ensure street trees are to be planted in viable locations.

Additionally, as a condition of approval, the Applicant will be required to finalize the Tree Inventory and Preservation Plan Report to the City's satisfaction and to prepare a tree-planting plan to the satisfaction of the City and ORCA to compensate for trees removed from the site. Beyond the provision of street trees, tree planting will focus on compensating for tree canopy loss by enhancing areas along the top of the Jackson Creek Valley, within the planned trail corridors, and areas within the open space at the north limit of the site and by requiring the planting of trees residential rear yards. In accordance with Section 10.9.3.6.3 of the LLSP, plantings to occur in parkland and open space areas will need to be completed concurrent with the servicing of the development.

### **vii) Significant Natural/Environmental Features**

The subject lands are located within 120 metres of the Jackson Creek East PSW. The lands also encompass part of the valleyland associated with Jackson Creek as well as an unnamed watercourse along Lily Lake Road.

The Parkway Corridor Municipal Class Environmental Assessment (AECOM, February 2014) identified the Jackson Creek Valley as a Significant Valleyland and areas within the valley as Significant Woodland. Sections 2.1.5 and 2.1.8 of the Provincial Policy Statement, 2014 prohibit development or site alteration within or on lands adjacent to (i.e. within 120 metres) of Significant Valleyland and Woodland unless it can be demonstrated that no negative impact will occur on the features and their ecological functions. To address this, the Applicant submitted an Environmental Impact Study (EIS) submitted in support of the development (Azimuth Environmental Consulting Inc., October 2015,

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Addendum by Dillon Consulting, November 21, 2016) which assessed the development's impact on these features and recommended buffers from each.

The proposed development, with the exception of any stormwater management pond outlet, sanitary sewer outlet, and trail, is located outside of these features and their buffer areas. As a condition of approval, the stormwater pond outlet, sanitary sewer outlet and trail will require further assessment to ensure any potential adverse impacts to the natural heritage features are mitigated or remediated.

With respect to the unnamed watercourse at the north limit of the site, the Applicant has delineated the floodplain for this creek and has located all proposed development outside of the floodplain. Additionally, the plan includes a 30m development buffer along the Watercourse. As a condition of approval, the Applicant will be required to enhance these buffer areas with additional planting of vegetation.

Where development is proposed in close proximity to the Jackson Creek Valley, Provincial Policy and ORCA regulations prohibit residential development within erosion hazards. Accordingly, the Applicant has assessed the erosion hazard associated with the valley and has ensured that all development is located outside the hazard.

As a condition of approval, the Jackson Creek Valley and woodland, their associated buffers, and the erosion hazard buffer, will be dedicated to the City for open space purposes. Similarly, the floodplain and buffer areas associated with the watercourse at the north limit of the site will also be dedicated to the City for open space purposes.

The EIS for the site proposes a minimum setback of 33 metres between the proposed west stormwater management pond and the Jackson Creek East PSW. Additionally, the plan maintains a minimum 30 m buffer from the PSW at the northwest limit of the site where residential lots are proposed adjacent to the buffer.

For most of the plan's interface with the PSW, the proposed stormwater pond will act as a managed feature that generates an effective setback distance between areas of residential development and the PSW of between 130m and 190m. This separation distance will help mitigate property encroachment, dumping, transfer of non-native and invasive plant species from gardens as well as the potential for indirect impacts to wildlife utilizing the wetland associated with the sights and sounds emanating from residential developments.

ORCA has reviewed the proposed development and is satisfied with the development setbacks being proposed for the PSW. As a condition of approval, ORCA, the City, and the Township of Selwyn will be required to review and approve the design and landscaping of the stormwater pond and its outlet.

Consistent with other developments, the Applicant will be required to install permanent fencing between private property and public areas such as open space and parkland to distribute a Natural Systems Stewardship Manual to all prospective purchasers. For lots that abut the buffer areas associated with the Jackson Creek East PSW, the Jackson

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Creek Valley, and the un-named tributary along Lily Lake Road, the Applicant will be required to agree that fence gates will be prohibited. Additionally, for lots that abut the PSW buffer, the Applicant will be required to agree that swimming pools will be prohibited as the City has required in other developments abutting PSWs.

The EIS prepared for the site identified the presence of and/or suitable habitat for four species at risk (SAR) on or in the vicinity of the site: Barn Swallow (threatened), Bobolink (threatened), Eastern Meadowlark (threatened), and Little Brown Bat (endangered). 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. Prior to any site clearing, grubbing, grading or demolition, the Applicant will be required to coordinate with, and secure approval from, the Ministry of Natural Resources and Forestry to ensure that all proposed activities on-site are in compliance with the Endangered Species Act.

The site contains an isolated wetland pocket near the existing homestead at 689 Lily Lake Road. This wetland pocket is proposed to be removed as part of the development. To compensate for this removal, ORCA has recommended that offsetting occur in the vicinity of the proposed west stormwater management pond to provide additional vegetation between the pond and the Jackson Creek East PSW. As a condition of approval, the Applicant will be required to prepare a compensation plan as recommended by ORCA to the satisfaction of ORCA, the Township of Selwyn, and the City.

The EIS for the site identifies the presence of seeps (areas of groundwater discharge) within the Jackson Creek Valley slope and, in particular, in a wetland area located at the valley bottom near the southwest corner of the site. ORCA has requested that these seeps be mapped accurately mapped. Although no development is proposed within the area where these features are identified, their location requires further investigation to ensure they don't pose a constraint for the detailed design of the proposed stormwater management ponds and their outfalls. As a condition of approval, the Applicant will be required to assess the impact of the proposed stormwater ponds and their outfalls on natural heritage features to ORCA's satisfaction.

### **viii) Lily Lake Secondary Plan**

Generally, staff is satisfied that the proposed draft plan of subdivision is consistent with the intent of the Lily Lake Secondary Plan that was approved by Council in 2014. The subject proposal is one of a number of developments that cumulatively will implement the Secondary Plan on the ground. As staff and Council consider subsequent development proposals in the area, care will need to be taken to ensure that each proposal fulfills the intent of the Secondary Plan.

In addition to the issues already discussed herein, the Lily Lake Secondary Plan identifies other issues to be considered specifically for the Lily Lake Area including development phasing, cultural heritage, and urban design.

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With respect to phasing, it is anticipated that the initial phase of development for this site will focus on the available sanitary sewer outlets either at the south limit of the site, adjacent to the Jackson Creek Valley, or at the west limit of the site, in proximity to the proposed western stormwater pond. Generally, it is staff's opinion that phasing must follow the availability of services.

As noted previously, transportation network improvement needs will also influence site phasing. Prior to Final Approval of any phase, the City will need to be satisfied that adequate transportation infrastructure either exists or is included in an approved capital budget for construction for each phase.

The Lily Lake Secondary Plan also requires development phasing to have regard for the achievement of the City's residential intensification target of directing 40% of annual residential development to the built-up portion of the city. In conjunction with meeting this target, Provincial Policy also requires the City to maintain enough land to accommodate a minimum 3-year supply of residential units. Presently, the City has insufficient land within registered plans of subdivision or actively developing draft approved plans of subdivision to accommodate this minimum supply. Accordingly, it is staff's opinion that development of the proposed plan will help to address an existing shortage of residential development land. As a condition of approval, the City will need to be satisfied prior to Final Approval of each phase that registration of the phase is in keeping with the City's residential land supply obligations and that the phase will not adversely impact the City's ability to achieve its intensification target.

The Lily Lake Secondary Plan requires that the Jackson Creek Valley, the Trans-Canada Trail and existing built structures on-site be assessed from a cultural heritage perspective to determine their cultural heritage significance and to identify measures for conserving features of cultural heritage significance. With respect to the Jackson Creek Valley, the proposed development is anticipated to have no impact on the valley save and except for an outlet for stormwater and a sanitary sewer, and a possible trail connection from the site to the Trans-Canada Trail. Any disturbance to the valley for infrastructure purposes must be designed in accordance with approved environmental impact studies, trees assessment and preservation plans, and must be accompanied by detailed landscaping and planting plans to rehabilitate the area of disturbance the satisfaction of the City and ORCA.

The Peterborough Architectural Conservation Advisory Committee reviewed an earlier version of the proposed plan and expressed a need for preserving views from the Trans-Canada Trail and Jackson Creek to the site. In particular, the Committee recommended that lots along the south limit of the site be redesigned to provide parkland abutting the top of the valley and trail links into the valley where feasible. Compared to previous versions of the plan, the proposed plan has reduced the depth of lots backing onto the Jackson Creek Valley such that they are setback a minimum of 18 to 60 metres (59 to 197 feet) from the top of the valley thus leaving sufficient room to accommodate a valley-top trail and tree planting as required by the conditions of approval. In staff's opinion,

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because of existing vegetation within the Jackson Creek Valley, most, if not all of this site will be screened from the view of users along the Trans-Canada Trail.

Section 10.9.3.2.9 of the Lily Lake Secondary Plan also addresses the need to promote public accessibility to and to protect public views to and from the Jackson Creek Valley. Although staff believes that most of the development will be screened from users of the Trans-Canada Trail, it is staff's opinion that more can be done within the plan to promote access and views to the valley. As proposed, development along Street Y and Street FF provides limited opportunity for viewing and accessing the Valley. To better meet the intent of the Lily Lake Secondary Plan Policy, staff recommend that Lots 365, 366, 383 and 384 be dedicated to the City as parkland dedication (approximately 0.25 ha or 0.6 ac). These particular lots will open a better viewshed to the valley from Street FF, will provide the potential for a parkette with amenities at the top of the valley, and will help the plan better meet its parkland dedication obligations. This recommendation has been reflected in the proposed conditions of approval and the affected Lots have been included in the recommended Zoning By-law as areas to be zoned OS.2.

As part of the application, a Cultural Heritage Impact Statement (Stantec Consulting Ltd., September 16, 2015) was submitted that assessed the existing built structures on the site for heritage value. The report concluded that the documentation contained in the report provides an adequate documentation of the structures' heritage qualities and that removal of the structures on site may be permitted from a heritage perspective. The report did recommend, however, that removal of the residence and timber frame barn at 663 Lily Lake Road be conducted in conjunction with a materials salvaging company and that the results of the salvage be documented by a Heritage Consultant and appended to the report. Ultimately, in order to retain the historic information related to the properties, the report recommended that copies of the report be deposited with a local repository of historic material. These recommendations will be addressed as conditions of approval.

Additionally, the Lily Lake Secondary Plan, along with the broader Official Plan and the PPS, identify the need to assess and conserve items of archaeological significance. As part of the application, the Applicant prepared a Stage 1 Archaeological Background Study prepared by AMICK Consultants Ltd. dated October 29, 2015. The report recommends that a Stage 2 archaeological assessment be conducted for the site. Prior to Final Approval, the Applicant will be required to complete a Stage 2 archaeological assessment, and any other archaeological assessments necessary to the satisfaction of the City and the Ministry of Tourism, Culture and Sport. These assessments will include an assessment of any proposed infrastructure installation within the Jackson Creek Valley or off-site.

The Lily Lake Secondary Plan envisions Street 'CC' developing as a neighbourhood core that integrates local commercial uses and home-based businesses within residential buildings and implements urban design principles that foster a pedestrian oriented, accessible and active streetscape, and multi-modal transportation. To achieve this, the proposed zoning provides flexibility for the inclusion of local commercial uses in the proposed medium density buildings and also requires provides flexibility for the inclusion

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of residential uses in the proposed commercial plaza site. Additionally, the zoning includes permission for home-based businesses within townhomes that front Street CC to have one external employee in an effort to encourage home-based business activity.

In order to foster good urban design, the City has worked with both the Applicant and the owner of the lands to the east to develop a set of principles that are to be used to guide development along Street 'CC':

- Limited driveway access and off-street parking exposure to the street;
- Orientation of buildings, building entrances and architectural stylings toward the street;
- Inclusion of both on-street parking and protected cycling opportunities on the street;
- Inclusion of adequate tree-planting along the street;
- Consideration for wider sidewalk opportunities coupled with strategically placed street furniture and enhanced pedestrian crossings at intersections and/or trail crossings; and,
- Decorative street lighting as approved by the City Engineer.

As a condition of approval, the Applicant will be required to prepare and implement a detailed urban design program for Street 'CC' based on the principles described above. The proposed urban design program shall be prepared to the satisfaction of the City's Planner, Urban Design.

## **Review of Agency and Public Comments Submitted**

### **Agency Comments**

#### **i) Utility Services Department**

Utility Services staff provided comments on several occasions throughout the application review period. Generally, Utility Services' main concerns relate to transportation, servicing, and stormwater management and have been reflected in the Official Plan review contained in Exhibit F 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.

#### **ii) Arts, Culture and Heritage Advisory Committee**

The City of Peterborough's Arts, Culture and Heritage Advisory Committee (ACHAC) commented on the need to provide opportunities for imaginative public art, high quality urban streetscape design, public spaces and trail and landscaping amenities. As a condition of approval, the Applicant will be required to prepare Urban Design Guidelines for Street CC and will be required to prepare a detailed landscaping and planting plan for public open spaces and trails to the City's satisfaction. In staff's opinion, the comments of ACHAC can be addressed through these plans.

Additionally, ACHAC questioned the compensation that will be provided for trees removed from the site, suggested that careful planning take place for any valley-top trail system, and better access be provided to the proposed park and stormwater blocks on-site. The proposed plan has reconfigured the development's internal trail system to provide enhanced connectivity to the main park in the site. Additionally, subject to the approval of staff's recommendation to establish additional parkland at the top of the Jackson Creek Valley, the plan will provide open road frontage along the southern stormwater pond and Street Y to ensure enhanced visibility and accessibility. As a condition of approval, the Applicant will be required to prepare a detailed landscaping and vegetation plan that provide details regarding plantings to compensate for trees removed from the site to the satisfaction of the City and ORCA.

The Committee also advised that there may be a 19<sup>th</sup> century midden (garbage dump) near the homestead of the adjacent property at 789 Lily Lake Road. This information has been passed on to the Applicant for their consideration as they complete additional archaeological investigation on the property.

#### **iii) 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

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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.

### iv) 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.

### v) County of Peterborough

The County of Peterborough has requested that the Applicant pay \$70,000.00 to the County as a contribution toward future upgrades of the Lily Lake Road/ Ackison Road intersection that are anticipated in the traffic impact studies prepared in support of the proposed development. The County has also requested that it be given an opportunity to review any new traffic information submitted in support of Lily Lake area development. The County's requests will be reflected as conditions of approval.

### vi) Curve Lake First Nation

Curve Lake First Nation has requested to be involved in any archaeological investigations conducted on site. This request will be reflected as a condition of approval.



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### vii) 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.

Additionally, in the event that a pressure reducing regulator station is required, the Applicant will be required to provide a 3 metre by 3 metre exclusive use location that is within the municipal road allowance.

Prior to the installation of gas piping, road allowances must be graded as close to final elevation as possible. Enbridge's requirements are included in the proposed conditions Draft Plan of Subdivision Approval.

### viii) Hiawatha First Nation

Hiawatha First Nation advises that the proposed development is deemed to have little, if any, impact on Hiawatha First Nation's traditional territory and/or rights. Notwithstanding this, Hiawatha First Nation has requested to be kept updated on all aspects of the project and to receive electronic copies of all project reports. Staff will coordinate with the Applicant and Hiawatha First Nation to ensure that all requested documents are provided.

### ix) Hydro One Networks Inc.

The subject lands are located within Hydro One's service territory. Hydro One advised that it has no comments or concerns with the proposed plan. As a condition of approval, the Applicant will be required to make satisfactory arrangements with Hydro One for the provision of electrical service to the development.

### x) Kawartha Pine Ridge District School Board

Kawartha Pine Ridge District School Board (KPRDSB) estimates that the proposed plan will generate approximately 171 elementary students that would attend Highland Heights Public School (Grades Junior Kindergarten to 8) and approximately 108 students that would attend Adam Scott Secondary School (grades 9 to 12).

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The KPRDSB has requested that a minimum 2.43 ha (6 ac) site be reserved for an elementary school within the plan. Block 939 on the plan has been established for that purpose.

The Board has requested sidewalks be included on all streets within the development. In accordance with the City's sidewalk policy, sidewalks and or a combination of sidewalks and trail will be included on both sides of all streets in the development unless otherwise exempted by the sidewalk policy.

KPRDSB has requested a number of conditions of approval related to their potential development of an elementary school within the plan. These conditions have been included in the proposed conditions of approval.

### xi) Mississaugas of Scugog Island First Nation

Mississaugas of Scugog Island First Nation requested copies of all archaeological assessment reports prepared for the site as well as copies of all functional servicing and stormwater management plan reports for the site. The First Nation advised that it wishes to ensure that the development will be graded and serviced accordingly and most effectively and efficiently given the development's proximity to the Jackson Creek East PSW and Jackson Creek.

Copies of the archaeological and functional servicing/stormwater management reports prepared for the application have been provided as requested. As a condition of approval, the applicant will be required to share any future archaeological, servicing and stormwater management reports with the Mississaugas of Scugog Island First Nation.

### xii) Ontario Power Generation

Ontario Power Generation advised that it has no comment on the proposed plan.

### xiii) Otonabee Region Conservation Authority

ORCA has provided comments on a number of occasions for this application. In a letter dated July 28, 2017, ORCA advised that as part of the application, the erosion hazard associated with the Jackson Creek Valley and the appropriate setback has been delineated, and that the proposed development is located outside of the hazard.

Also, ORCA advised that the floodplain for unnamed tributary to Jackson Creek which traverses the northern boundary of the site has been delineated and that proposed development has been located outside of the flooding hazard.

With respect to Natural Heritage, ORCA advised that the application has assessed the potential impact from the development on the Jackson Creek Valley and its associated woodlands, that buffers have been established to protect these features, and that the development is to be located outside of these buffers. ORCA did note that a buffer

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remains to be established for a small portion of the woodland and which can be addressed during detailed design.

Also, ORCA noted that the PPS prohibits development within significant wetlands and that development and site alteration on lands adjacent to such wetlands must demonstrate that there will be no negative impact on the wetland or its ecological function. ORCA advised that as part of this application, and as part the Official Plan Amendment that was filed for the applicant's adjacent property located in the Township of Selwyn, the potential impact of the proposed development was assessed and buffers established and that the proposed development is located outside of these buffers.

ORCA advised that due to the presence of an erosion hazard, flooding hazard, wetlands, and a water course either on or adjacent to the site, portions of the site are subject to ORCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act. Accordingly, any development within these regulated areas will require a permit from ORCA.

Finally, as the owner of the Jackson Creek Kiwanis Trail (the Trans-Canada Trail), ORCA noted that it has an interest in any connections made between the development and the trail. In principle, ORCA advised that it supports development that includes connections to natural spaces, particularly in urban environments however that they have an interest in the location of any trail connections and how they tie into their trail facility. As a condition of approval, the location and design of any connection to the Trans-Canada Trail will be undertaken to both ORCA and the City's satisfaction.

ORCA has requested that a number of conditions be imposed on the development. The requested conditions have been included in the recommended conditions of approval in Schedule 1.

xiv) Peterborough Accessibility Advisory Committee (AAC) – Transportation Sub-committee

The Transportation Sub-committee of the AAC recommended cul-de-sacs be shortened or removed from the plan, that sidewalks be constructed on both sides of all streets in the plan, that accessibility and pedestrians be considered in the design of roundabouts, and that the Technical Requirements for Recreational Trails in the Integrated Accessibility Standards be followed.

Since the plan was last reviewed by the Committee, one proposed cul-de-sac has been removed from the plan and the remaining cul-de-sac, Street Y, has been shortened. In accordance with City policy, sidewalks will be provided on both sides of all streets unless exempted by the policy.

The Committee's request for consideration of accessibility and pedestrians in roundabout design has been shared with the Utility Services Department who will be responsible for approving the design of roundabouts within the site. As a condition of approval, all trails

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to be built within the site will be required to meet the Integrated Accessibility Standards, where feasible.

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

In reviewing an earlier version of the proposed plan, PACAC had recommended that: the developer work with the City to develop a trail network that provides continuity with the adjacent plan of subdivision to the east; the street layout along the south limit of the site protect the view shed of the Jackson Creek Valley by providing parkland along the valley top and trail links into the valley; that the height of homes and their setbacks at the south end of the site be considered to protect the view shed from the valley; and that certain lots along the south limit of the site be reconfigured to provide open space and tree planting along the top of the valley.

The proposed plan provides reduced lot depths along the valley top in order to maintain greater separation between new dwellings and the valley and to provide enhanced opportunity for tree planting and a trail network along the top of the valley. Staff is recommending, through the conditions of approval, that additional parkland be established along Street Y at the top of the valley. Additionally, the requirement for a trail system and tree planting along the valley top has been included in the proposed conditions of approval.

Dwellings along the valley top are generally proposed to be a maximum of two storeys in height however because of grades and the potential for walkout lots, the proposed zoning would allow dwellings to be up to three storeys in height. Because of the vegetation within the valley at the south limit of the site and the potential for tree planting along the valley top, staff do not anticipate the proposed development being visible from the valley bottom.

### xvi) Peterborough Bicycle Advisory Committee

The Peterborough Bicycle Advisory Committee (PBAC) recommends:

- That development not be approved until sufficient bicycle and pedestrian access is provided between the site and Fairbairn Street, and ultimately Chemong Road;
- That the density of the neighbourhood core be increased to support a more complete community and a greater diversity of uses and transportation modes;
- That accessible and functional trail connections be developed to connect the site to adjacent greenspace areas and the Trans-Canada Trail; and,
- Developing design guidelines to ensure that best practices for supporting active transportation and reducing automobile reliance are consistently applied.

Staff respectfully disagrees with the suggestion that development should be withheld until sufficient cycling and pedestrian infrastructure is provided to connect the lands to

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Fairbairn Street and Chemong Road. In staff's opinion, development is needed to generate both the demand and development charge revenue for projects like the future widening/reconstruction of Lily Lake Road and Towerhill Road that will allow the provision of active transportation routes to the east. Independent of the reconstruction of Lily Lake Road and Towerhill Road, the City will ensure that connectivity is provided both within the site and to the Trans-Canada Trail to facilitate access to areas outside of the neighbourhood.

Subsequent to PBAC's comments being issued, the density of the neighbourhood core along Street 'CC' has been increased to include an additional block for medium-high density residential purposes. This density, in combination with flexible zoning that encourages the provision of ground-level commercial uses along Street 'CC' and the requirement for an urban design program for Street 'CC', will support a more complete community and a greater diversity of uses and transportation modes.

With respect to developing design guidelines to ensure that best practices for supporting active transportation and reducing automobile reliance are consistently applied, the City's Comprehensive Transportation Plan recommends that the City adopt a complete streets policy for this purpose. The City's creation of a complete streets policy will happen independent from the approval of this development to ensure that the best practices contained therein are consistently implemented city-wide.

### xvii) Peterborough Green-Up

Peterborough Green-Up identified potential safety concerns with trail crossings located near street intersections and recommended the use of traffic calming features where trails do cross roads. On the proposed plan, some sections of trail have now been consolidated in widened road allowances to facilitate safety. The design of trail crossings will be reviewed by the City's Utility Services Department.

Green-Up also supports the use of features such trees, natural vegetation and benches to promote trail use and recommends that lighting be established in a way to minimize harm to wildlife. As a condition of approval, the Applicant will be required to prepare a landscaping and planting plan for all public open spaces and will be required to direct light away from sensitive environmental features such as the Jackson Creek East PSW and the Jackson Creek Valley.

Based on their review of a previous version of the plan, Green-Up recommended that allocation of parkland, parkette and stormwater management space on the site be increased to between 10 and 15 percent of the development area. Presently, these areas represent approximately 11 percent of the development area.

In addition to these comments, Green-Up has recommended that:

- Consideration be given to establishing a community garden(s) within the neighbourhood;

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- Careful planning for streetscapes and the public realm be undertaken for the neighbourhood core along Street 'CC';
- That parkland be considered as an alternative use for the proposed school site should it not be required as a school;
- Consideration be given to relocating the proposed local commercial plaza further west to the intersection of Streets 'AA' and 'CC';
- Interim transit and active transportation measures be implemented for the first phase of development including, particularly a short-term means for allowing active transportation access to Chemong Road;
- Housing setbacks be minimized from the street;
- Sidewalks be provided on both sides of all streets;
- Cycling lanes be provided along collector streets;
- Permeable pavement options be considered for driveways;
- Stormwater management ponds be located and designed to protect the water quality of receiving water bodies;
- Rigorous LID stormwater management measures be required for the development; and,
- The City clearly outline phases of construction to ensure existing natural spaces and waterways are not impacted until necessary.

Several of Green-Up's recommendations will be addressed through either the zoning or through the conditions of approval including the planning for Street 'CC', on-street cycling facilities, provision of sidewalks, stormwater management design and LID, development phasing, and reduced building setbacks.

Planning for the ultimate use of parkland and parkette sites will occur once the sites are in the City's ownership. As with other City parks, the City is willing to work with neighbourhoods to establish community gardens if they are desired.

With respect to LID measures, permeable pavement options for private driveways can be explored as a technology to be encouraged at the detailed stormwater management design stage.

Staff acknowledges Green-Up's comment that relocating the commercial plaza further west will allow that plaza to be more accessible to the west and south portions of the site. Staff note that the proposed zoning for the medium-high density residential blocks at the intersection of Streets 'AA' and 'CC' will provide flexibility for additional local-commercial

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uses. Accordingly, staff is satisfied that sufficient opportunity is being provided within the plan to maximize accessibility to commercial uses.

### xviii) Peterborough Public Health

The Health Unit has made a number of comments on the proposed development including:

- That sidewalks should be provided on both sides of all streets in accordance with the City's sidewalk policy;
- That multiple connections to the City's broader trail network be provided;
- That trails be used to provide direct connections to the school site and to trails on adjacent lands;
- That additional parkland and open space be provided to ensure such space is within a 500 metre walking distance for most future residents;
- That adequate tree canopy be provided in public open space and parkland;
- That streetscape planning be undertaken in the development, particularly in higher density areas;
- That a complete streets approach be applied to the design of the collector streets in the neighbourhood; and,
- That the City encourage the use of LID stormwater management techniques.

Many of these comments have been considered during the review process and have been shared with the Applicant for consideration. The Applicant will be required to implement an urban design plan that includes streetscape elements for Street CC, will implement sidewalks in accordance with City policy, and will implement low impact development standards to reduce water runoff and encourage water infiltration.

With respect to trails, the proposed trail system provides direct connections to the neighbourhood park and the school site. As a condition of approval, the Applicant will be required to establish a trail system that connects to trails in the adjacent subdivision to the east and to establish trail connections to the Trans-Canada Trail. Compared to previous versions of the plan, additional trail and open space access points have been provided around the perimeter of the site in conjunction with new and/or enlarged parkette spaces to enhance open space and parkland accessibility for future residents.

With respect to tree canopy, the Applicant will be required to prepare a landscaping and planting plan to the City's satisfaction for park and public open space areas.

### xix) Peterborough Utilities Services Inc.

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PUSI advises that two water feeds will be required to service the site. The routing of these services to the site will be determined at the detailed design stage. Additionally, modeling of the subdivision's water distribution system will be required at detailed design to ensure adequate pressures and flows can be provided by the existing distribution system. Depending on elevations, a booster pumping station and additional storage facilities may be required. If a booster pumping station is required, the developer will be required to ensure the requirements of the Municipal Class Environmental Assessment document are fulfilled.

Additionally, PUSI is planning to extend an existing 600mm concrete pressure pipe (CPP) trunk watermain located at Towerhill Road and Hillview Drive, through this area, to Parkhill Road near Ravenwood Drive. The extension could go through the development and could be installed by the Applicant. PUSI's development charges will apply to the development and the developer is advised that they may also be responsible for some or all of the cost of installing any watermain required to expand the existing water distribution system to supply water to the site.

As a condition of Draft Plan Approval, the Applicant will be required to enter into a standard servicing agreement with the Peterborough Utilities Commission (PUC) for the provision of water service to this site.

### xv) Township of Selwyn

The Township of Selwyn has passed By-law 2016-036 to amend their Zoning By-law to allow a stormwater management pond, sanitary sewer, and trail to be located on the property at 645 Lily Lake Road. The Township Zoning By-law is subject to a holding symbol that requires the Applicant to enter into a site plan agreement with the Township for the proposed facilities and to design the facilities to the Township and ORCA's satisfaction.

In anticipation of the City acquiring ownership of these facilities, the Township has requested that the City enter into an agreement with the Township to indemnify the Township and hold the Township harmless from any incidents arising from the location of these facilities in the Township. The City has no objection to this request and will include the request in the conditions of approval to ensure that the agreement is made prior to Final Approval.

The Township has also encouraged the City to explore opportunities with the Township for safe connections from the neighbourhood to Township trails along Eastwood Road and Andrew and Patricia Streets. Such opportunities can be explored in detail either as part of the detailed design of the Applicant's design of the Street 'AA' and 'BB' intersections with Lily Lake Road intersection or as part of the future widening of Lily Lake Road.

### xx) Trent-Severn Waterway

Trent-Severn Waterway advised that it has no comments on the proposed development.



## Public Responses

### i) Neighbourhood Core and Urban Design

Public comments have suggested that the land uses on the west side of the Street 'AA'/'CC' intersection should be replaced with medium density uses to maintain consistency with the neighbourhood core overlay in the Lily Lake Secondary Plan (LLSP). Additionally, it has been suggested that townhomes along Street 'CC' should consider the design criteria and mixed use objectives as described in the LLSP.

Staff is satisfied that the proposed land uses along Street 'CC' meets the intent of the LLSP. The LLSP does illustrate some overlap of the Neighbourhood Core overlay on the west side of Street 'AA'/'CC' intersection however staff note that the LLSP policies clarify that land use areas shown on the LLSP are intended to be approximate. In staff's opinion, the inclusion of additional medium density uses on the west side of the Street 'AA'/'CC' intersection is not necessary for implementing the Neighbourhood Core as described in the LLSP.

With respect to townhomes along Street 'CC', the building setback for these units is proposed to be reduced to 3 metres in order to bring the buildings closer to the sidewalk. Zoning townhomes that front Street 'CC' will promote the creation of home-based businesses by allowing an external employee where sufficient off-street parking exists. Additional commercial opportunities along Street 'CC' will be available in the four large medium-high density blocks together with a commercial plaza at the intersection of Streets 'BB' and 'CC'.

As a condition of approval, the Applicant will be required to establish and implement an urban design program for Street 'CC' to the City's satisfaction. The principles on which the program will be based will be consistent along the entire length of Street 'CC' and the connecting collector street in the adjacent plan of subdivision to the east.

### ii) Land Use Mix

Some have requested that a greater mix of uses be provided in the site to meet the daily needs of future residents. Uses such as professional offices, shopping, fitness and childcare facilities were suggested as being necessary for the neighbourhood.

Between the proposed plan and the adjacent plan of subdivision to the east, a total of two commercial plazas and six medium-high density blocks are planned. For each commercial plaza, the zoning will provide permission for a wide range of small-scale commercial uses that are intended to meet the daily needs of the neighbourhood including small scale offices and food stores, personal service establishments, public administration establishments, an art, music, dance or fine arts school, a church, a place of assembly, a recreation centre, a day nursery, and a gymnasium or health club/fitness studio.

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Additionally, the zoning for the proposed medium-high density residential blocks will provide flexibility for a limited amount of small-scale commercial uses on the ground and basement floors. In staff's opinion, the mix of uses in the proposed development is suitable. Residents looking for higher-order shopping opportunities will have access to the Portage Shopping Node located on Chemong Road approximately 1.5km to the east.

### iii) The City Official Plan

It has been suggested that the City's Official Plan is too out of date to be relied upon for evaluating the proposed development. The Official Plan was originally adopted in 1981 and has been updated periodically since that time.

The Official Plan contains general policies that apply to land city-wide and, in some instances, more detailed policies that apply to a specific area. The Lily Lake Secondary Plan was approved in 2014 and was prepared in consistency with the 2005 and 2014 PPS and the Growth Plan for the Greater Golden Horseshoe, 2006. As part of any planning approval, the City must ensure that the decision of Council is consistent with the PPS and conforms to any applicable Provincial Plan (such as the Growth Plan) that is in effect on the date of decision. Accordingly, Council's decision on the subject applications must be consistent with the PPS, 2014, and the Growth Plan for the Greater Golden Horseshoe, 2017.

In staff's opinion, the existing Official Plan, and in particular, the Lily Lake Secondary Plan, is appropriate for reviewing the proposed application given that such review is done in conjunction with a review of the current PPS and Growth Plan.

### iv) Traffic

Some have expressed concern over the traffic impact that the development will have on area roadways. As described in the body of this report, staff is proposing to implement a 600-unit development cap on the entire Lily Lake Planning Area until broader road network improvements are made. This cap, which would be subject to some immediate road improvements being made in advance of any development, is the result of the uncertainty surrounding the future of The Parkway.

In staff's opinion, 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 from the Minister of the Environment in 2016 to complete an individual EA for the Parkway, the long term status of that project is uncertain.

To ensure that development does not generate traffic that exceeds the capacity of area roadways, the development cap will remain in place until either The Parkway is approved and included in an approved capital budget for construction or, if The Parkway is to not proceed, until alternative road improvements are identified to the City's satisfaction, approved, and included in an approved capital budget for construction.

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### v) Development Phasing

It has been suggested that strict phasing be implemented for the entire Lily Lake area to ensure that the initial phase of development in the area (i.e. the 600 units envisioned by the development cap) will be clustered to enable consolidation of servicing and to foster a sense of community.

In staff's opinion, the phasing of development is most appropriately guided by the availability of servicing infrastructure. The subject property has two possible sanitary sewer outlets that could service a first phase of development. However, the adjacent plan of subdivision to the east must rely either on gaining access over the subject lands to develop their sanitary sewer outlet or on the Applicant to coordinate their first phase servicing program to accommodate the needs of the upstream lands.

The City is reluctant to dictate the sequence of servicing in a subdivision particularly when the sequence may not be the most financially efficient. Staff recognizes the benefit of clustering units across subdivisions in terms of creating a focused demand for services and fostering a sense of community, however, the phasing of services still needs to be fiscally feasible.

### vi) External Pedestrian and Cycling Connections

Comments have been received regarding the need for a pedestrian and cycling connection to be made along Lily Lake Road, to Chemong Road as a condition of the development.

Through the proposed conditions of approval, the Applicant is going to be restricted to a limited amount of development until a longer term transportation solution for the area road network is approved and included in an approved capital budget. One of the external roads that is expected to require widening is Lily Lake Road and Towerhill Road from Street 'BB' to Chemong Road. As part of that work, it is expected that a pedestrian and cycling facility will be provided to Chemong Road as identified on Schedule B(a) of the Official Plan. Accordingly, although the Applicant will not be responsible for providing the requested pedestrian and cycling facility, development levels will be tied to the provision of an improved facility along Lily Lake Road/Towerhill Road.

### vii) Environmental Protection

Several comments have been received questioning the adequacy of protection that the plan provides for features of natural heritage significance. In particular, people have identified:

- Concern regarding the adequacy of a 30 to 33 metre wide buffer between the Jackson Creek East PSW and the proposed west storm pond;
- the need for additional mapping and analysis in the site's EIS to fully address the requirements of the PPS;

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- the need to implement adequate sediment and erosion controls and actively monitor their effectiveness and condition;
- the need to address existing concerns related to vegetation disturbance, smell, and snow melt along the trunk sanitary sewer line that was constructed within the Trans-Canada Trail;
- the need to assess trees on the adjacent property at 789 Lily Lake Road for significance in accordance with the Ministry of Natural Resources and Forestry's Natural Heritage Reference Manual;
- the need to retain hedgerows on site;
- the need to prohibit swimming pools on lots adjacent to the Jackson Creek Valley top and the buffer to the Jackson Creek East PSW; and,
- the need to avoid or mitigate impacts to the habitat of species at risk on site.

Generally, staff is satisfied that sufficient measures have been included in the plan's design and/or will be provided through conditions of approval to protect features of natural heritage significance. The key natural heritage features on or adjacent to the site include the Jackson Creek East PSW, Jackson Creek and the Jackson Creek Significant Valley and Woodland, an unnamed creek at the north limit of the site, and potential habitat for species at risk. With the exception of species at risk habitat, all of these features and their buffers will be conveyed to the City as open space.

ORCA has reviewed the proposed plan on the City's behalf to advise on matters Natural Heritage in the PPS and has advised that they are satisfied with the proposed plan, subject to conditions.

As a condition of approval, the Applicant will be required to prepare and implement a detailed sediment and erosion control plan to the satisfaction of the City and ORCA. As part of implementation, ongoing monitoring and maintenance of these controls will be required.

Additionally, as a condition of approval, the Applicant will be required to demonstrate that all work on site is in compliance with Species at Risk Act to the satisfaction of the City and the Ministry of Natural Resources and Forestry.

In other developments adjacent to PSWs, the City has restricted the placement of swimming pools and rear-yard fence gates on lots that abut the natural buffer adjacent to the wetland. The rationale for these restrictions is to prevent water quality impacts on the wetland from pools being drained and to prevent human encroachment into the wetland. As a condition of approval, the Applicant will be required to implement these restrictions.

The City does not have a precedent for restricting pools on lots adjacent to other natural heritage features such as valleyland or woodland. However, the City does seek to

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minimize property encroachment and dumping within such features. Accordingly, as a condition of approval, the Applicant will be required to install fencing, free of gates, along the mutual boundary of private property and the Jackson Creek Valley and the open space associated with the creek along Lily Lake Road.

Generally, LLSP and the Official Plan seek to preserve existing trees wherever possible however they both also contain provisions to permit compensation tree planting for trees removed during the development process. Due to the grading required on the site, it is anticipated that most trees that are located outside of a natural heritage feature or buffer will need to be removed. As a condition of approval, the applicant will be required to prepare and implement a landscaping and vegetation plan that addresses, among other things, tree planting in compensation for trees removed.

With respect to the property at 789 Lily Lake Road, Applicant will need to ensure that servicing and construction activity on site does not impact the existing trees on that property unless a development plan has been approved for the property or a permit has been issued for that property under the City's Tree Cutting By-law, 97-68. ORCA, in providing advice to the City on matters of PPS conformity with respect to natural heritage, has not identified the need to evaluate the trees at 789 Lily Lake Road in accordance with the Natural Heritage Reference Manual.

### viii) Stormwater Management and LID

It has been suggested that in light of climate change, designing stormwater ponds to meet a 100-year storm standard may be insufficient. Questions have also been raised about the ability of stormwater ponds to achieve water quality standards that will protect the surrounding natural environment and about the details of any LID measures to be implemented on site.

With respect to stormwater pond sizing and design, the City will ensure that all ponds are designed to meet applicable provincial guidelines. To ensure optimal protection for the surrounding environment, the stormwater ponds and their outfalls will be designed and landscaped in consultation with a qualified biologist to the satisfaction of the City and ORCA.

With respect to LID, it is the City and ORCA's expectation that LID will be described in detail at the detailed design stage. This will be required as a condition of approval.

### ix) Trails, Parkland and Connectivity

Several comments have been received about the need for a comprehensive trail system throughout the Lily Lake area including a trail along the valley top that connects across development sites, trail connections to the Trans-Canada Trail, trail and trail connections to areas further east, such as Chemong Road. Additionally, questions have been raised about the ability of the proposed trail corridors to effectively act as connecting links between natural features as envisioned in the Official Plan and about the adequacy and location of proposed park/parkette spaces.

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Generally, trail systems, whether off-road or on-road, are to be provided as envisioned in the LLSP. The proposed plan contemplates a trail corridor along the top of the Jackson Creek Valley that will connect to the adjacent lands to the east and to two north-south corridors to be established through the neighbourhood.

Just east of the subject lands, within the adjacent plan of subdivision, a trail connection will be constructed to the Trans-Canada Trail. Additionally, at the west limit of this site, the Applicant will be required to construct a trail connection to the Trans-Canada Trail in conjunction with one of the site's sanitary sewer outlets while at the south limit of the site, the feasibility of constructing a similar trail connection will be assessed as part of the detailed design of the south stormwater pond and the sanitary sewer outlet.

Within the site, the LLSP envisioned an east-west trail corridor and two north-south corridors. These corridors are generally provided however, as discussed in Exhibit F, two of these corridors contain roadside segments in addition to some exclusive trail corridor segments. In the LLSP, these corridors are discussed in light of their potential to retain existing trees or provide opportunity for significant planting if tree preservation is not possible. As discussed the Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc. (July 31, 2015, revised November 21, 2016), it is anticipated that most, if not all, trees from the main development area will need to be removed. If this is the case, it is staff's expectation that significant tree planting will occur along the corridors that are to be provided in order to create, in the fullness of time, corridors that are inviting for both residents and wildlife. As a condition of approval, the Applicant will be required to prepare and implement a landscaping and planting plan for these corridors and all other public open spaces.

Given that these corridors contain roadside segments and road crossings, some have questioned whether they fulfill the expectation of a connecting link as discussed in the Official Plan. Connecting links are intended to act as a link between natural core areas. They can be natural or man-made.

In this particular case, the corridors are currently not connecting natural core areas but are instead linked to a natural core area at one end (either the Jackson Creek Valley or the Jackson Creek East PSW) and public open space or parkland at the other end. Over time, it is expected that plantings both within the corridors and within the connected parkland and open space areas will facilitate the creation of habitat and/or movement areas for wildlife. In staff's opinion, the corridors being proposed represent a unique effort to create connectivity within an urban development.

### x) Enhanced Building and Development Efficiency Standards

Some have suggested that, despite ongoing efforts to improve the energy efficiency of new housing through amendments to the Ontario Building Code, more should be done by the municipality to improve the energy efficiency of new housing. In staff's opinion, new housing is significantly more efficient than older housing and should not necessarily be the sole focus of energy efficiency programs/promotions. Staff have not investigated the

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use of municipal energy efficiency policies or incentives as part of its review for this development however staff would be willing to do so if Council deems it appropriate.