



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

**FROM:** Malcolm Hunt, Director of Planning and Development Services

**MEETING DATE:** September 28, 2009

**SUBJECT:** Report PLPD09-055  
Final Approval of Plan of Subdivision 15T-02502 (Stage 2)  
Activa Holdings Inc.  
Part of 314 Carnegie Avenue and 630 Cumberland Avenue

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## **PURPOSE**

A report to grant Final Approval to the second stage of registration of Plan of Subdivision 15T-02502, for a portion of the property at 314 Carnegie Avenue and 630 Cumberland Avenue.

## **RECOMMENDATIONS**

That Council approve the recommendations outlined in Report PLPD09-055 dated September 28, 2009, of the Director of Planning and Development Services, as follows:

- a) That Council grant Final Approval to Stage 2 of Plan of Subdivision 15T-02502 as shown on Exhibit B attached to Report PLPD09-055 located at 314 Carnegie Avenue and 630 Cumberland Avenue;
- b) That the Mayor and City Clerk be authorized to execute a Subdivision Agreement with Activa Holdings Inc. for the development of 58 single detached lots;
- c) That Council authorize the Director of Planning and Development Services to sign the final plans on behalf of the Corporation of the City of Peterborough once the required clearance letter is received from Otonabee Region Conservation Authority; and,

- d) That the effective date of Final Approval shall be the date the final plans for registration are received by the Planning and Development Services Department.

## **BUDGET AND FINANCIAL IMPLICATIONS**

Final Approval of this plan of subdivision will generate \$390,398.00 in area-specific development charges and \$541,024.00 in City-wide development charges (2009 rates).

\$3,600,000 of development charge funds for the Carnegie East area have been included in the 2009 Budget (Project No. 5-6.01) to upgrade to the Water Street Sanitary Sewer between Marina Boulevard and Argyle Street.

## **BACKGROUND**

Draft Plan of Subdivision Approval for the subject plan came into effect on October 8, 2004 but was subsequently amended by Council at the owner's request on June 22, 2005 and then extended by Council for a period of three years on May 26, 2008. The draft registered plan (see Exhibit B) stage represents the second stage of the draft approved plan. The first stage of the draft plan was registered as Plan 45M-223 on October 4, 2006 to establish 85 single detached lots (see Exhibit B).

Stage 2 consists of 58 single detached lots with average lot frontages ranging in size from 10.67 metres (35 feet) to 13.72 metres (45 feet). The plan also extends Heritage Trail west to meet a northerly section of Carriage Lane, and establishes Blacksmith Way as a new local street.

The plan has been designed in consultation with City staff and staff from affected utilities to meet the current standards of the City and the affected utilities.

Draft Plan of Subdivision Approval was granted subject to Conditions of Approval to ensure that the Subdivider carries out certain work prior to Final Approval being granted. With the exception of Otonabee Region Conservation Authority (ORCA), all conditions required of the developer that apply to Stage 2 have now either been fulfilled and cleared by the respective agencies or have been included in the Subdivision Agreement between the Subdivider and the City to ensure their completion prior to final assumption of the subdivision (at the time this report was written, ORCA was finalizing their clearance). Conditions related to Peterborough Utilities Services Inc. (PUSI) will be secured in a separate agreement between the Subdivider and PUSI.

The Subdivision Agreement, in the usual manner, requires the Subdivider to install sanitary and storm sewers, pavement, curb and gutter, streetlights and accommodates storm water management. The Subdivision Agreement also requires the Subdivider to install temporary erosion and siltation control works in the subdivision, to be maintained until servicing construction and house building and sodding of lots is complete as well as to provide the City with a valuation of all tangible capital assets to be assumed by the City as part of this development in compliance with Public Sector Accounting Board standards.

In accordance with the Subdivision Agreement, the Subdivider is required to pay for street name and traffic signs and street trees. The new street, Blacksmith Way, is named to the satisfaction of the City's naming committee. The Agreement further requires the Subdivider to pay development charges in accordance with the City's Area-Specific Development Charge By-law for the Carnegie East area and to pay the City engineering fees of 5.5% of the estimated servicing costs.

The conditions of Draft Plan Approval require the Subdivider to agree in the Subdivision Agreement to upgrade the existing sanitary sewers along Water Street between Marina Boulevard and Barnardo Avenue to provide capacity for this subdivision unless the required improvements are included in an area specific development charge by-law. In 2008, Council passed By-law 08-126 which established an area specific development charge for the Carnegie East area that incorporates the cost of upgrading the Water Street sanitary sewer. Consequently, the Subdivider is no longer obligated to upgrade the sewer as the work will be completed by the City and paid for by development charges. In the 2009-2018 Capital Budget Estimates, the required work is scheduled for completion in 2009 as Project No. 5-6.01. However, due to staff and workload constraints, this project will not be completed in 2009 but will instead take place in 2010.

The conditions of Draft Plan Approval also require the Subdivider to convey 5% of the land within the Draft Approved Plan to the City for parkland purposes. Through the initial planning of the Heritage Park area, staff identified an intended site for a community or neighbourhood park that is located beyond the limits of the current Draft Approved Plan of Subdivision. Consequently, similar to previous stages of subdivision development in the area (Plans 45M-195 and 45M-223), the City is not requiring 5% of the plan area to be dedicated at this time but is instead requiring the Subdivider to acknowledge in the Subdivision Agreement that the equivalent land area required for parkland purposes as part of this subdivision will be dedicated to the City at no cost during a future phase of subdivision development on lands described as Parts 1 and 2, Plan 45R-8421, located west of the subject plan. For this stage, the amount of parkland dedication required is 0.203 ha. This land will be acquired from the Subdivider in conjunction with 0.133 ha of land owing from Plan 45M-223 and 0.337 ha of land owing from Plan 45M-195 during a future stage of subdivision development on lands owned by the Subdivider to the west.

Condition No. 23 of Draft Plan Approval which requires the Subdivider to undertake floodplain mapping for the Riverview Creek tributary at the northeast corner of the Draft Approved Plan is not applicable to this stage of registration. Similarly, in a letter dated August 27, 2009, Hydro One Networks Inc. advised that Conditions 30, 31, 32 and 33 which relate to the nearby hydro-electric power corridor are not applicable to this stage of registration.

For this subdivision, the Subdivision Agreement requires construction traffic to only use Heritage Trail from Carnegie Avenue; construction traffic is prohibited on existing local streets such as Settler's Ridge, Farrier Crescent, Colonial Crescent and Carriage Lane.

## SUMMARY

It is recommended that Council grant Final Approval to Plan of Subdivision 15T-02502 and that the Director of Planning and Development Services be authorized to sign the final plans on behalf of the Corporation of the City of Peterborough, once they are received and once final clearance has been received from ORCA. Granting of Final Approval will permit the registration of the Plan and the conveyance of individual lots.

Submitted by,

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**Malcolm Hunt, Director,**  
Planning and Development Services

Prepared by,

Concurred with,

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**Brad Appleby,**  
Planner, Subdivision Control  
& Special Projects

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Manager, Planning Division

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Attachments:

Exhibit A – Land Use Map

Exhibit B – Draft Approved Plan of Subdivision 15T-02502 with registration staging

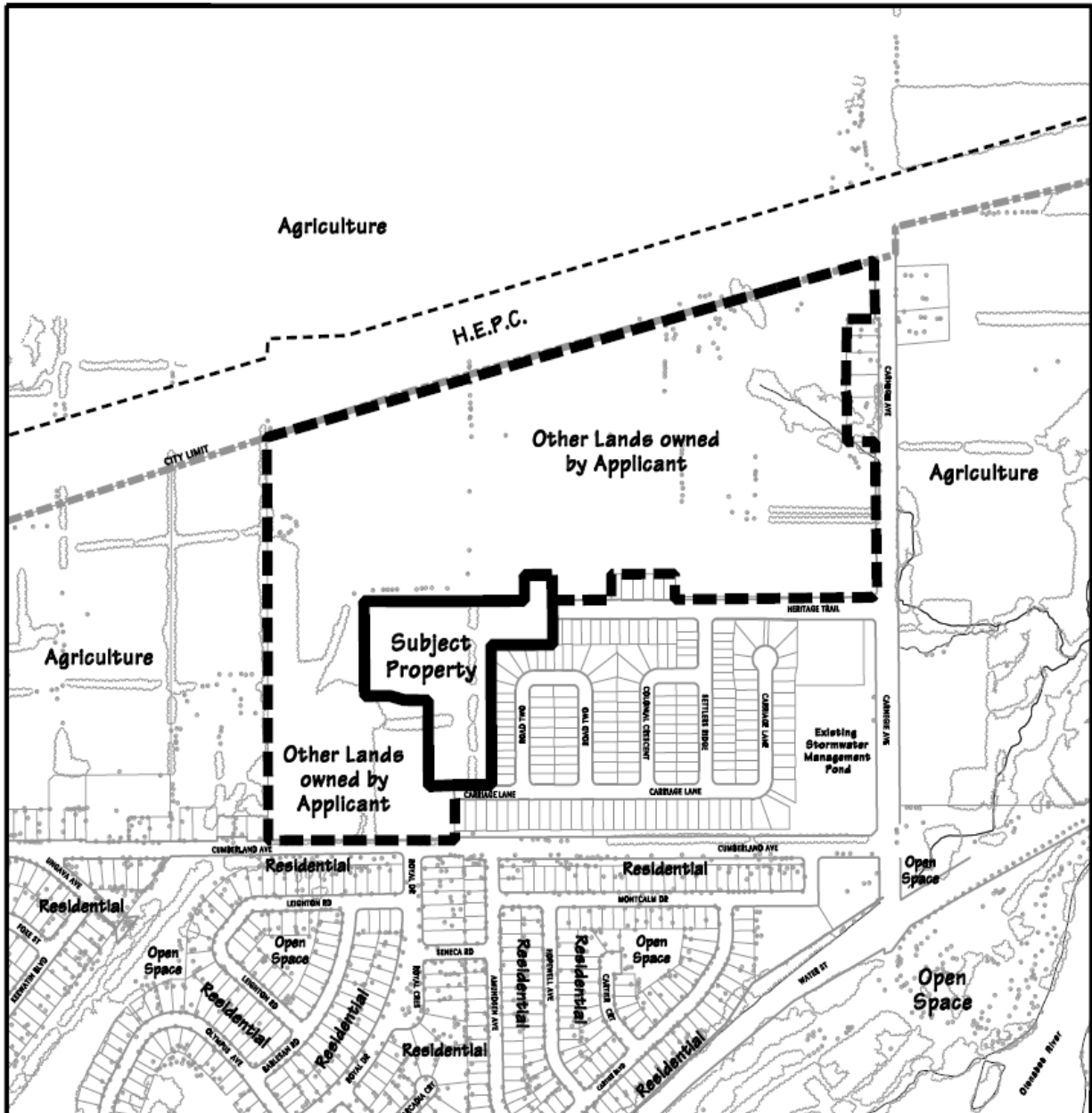
Exhibit C – Stage 2 Draft Plan for Registration

Exhibit D – Stage 2 Draft Subdivision Agreement

**Exhibit A**  
**Sheet 1 of 1**

File # z0429sb 15T-02502

**Property Location: North of Cumberland Ave / West of Carnegie Ave**



**The City of Peterborough Planning Division**

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**Date - September 2009**  
**Dwg. by - CBerry**  
**Scale - 1:8000**

