



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

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

**MEETING DATE:** July 26, 2010

**SUBJECT:** Report PLPD10-058  
Official Plan Amendment O1004  
Zoning By-law Amendment Z1006SB  
Draft Plan of Subdivision 15T-10504  
AON Inc.  
4571 Guthrie Drive, 2006 and 2011 McNamara Road

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## **PURPOSE**

A report to evaluate the planning merits of the Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment applications for the properties at 4571 Guthrie Drive, 2006 and 2011 McNamara Road.

## **RECOMMENDATIONS**

That Council approve the recommendations outlined in Report PLPD10-058 dated July 26, 2010, of the Manager of the Planning Division, as follows:

- a) That the Official Plan be amended by adding Schedule 'P' – Coldsprings Secondary Land Use Plan, attached to Report PLPD10-058 as Schedule 'A' of Exhibit D.
- b) That Schedules "A" – Land Use, "B"- Roadway Network, "D" – Development Areas, "E" – Residential Density, and "F" – Key Map to Secondary Land Use Plans of the Official Plan be amended in accordance with Exhibit D of Report PLPD10-058 in order to reflect the land use planning objectives of the Coldsprings Secondary Land Use Plan.

- c) That Section 10 - Secondary Plans of the Official Plan be amended in accordance with Exhibit D of Planning Report PLPD10-058.
- d) That Draft Plan of Subdivision Approval for Plan 15T-10504, Drawing No. 04690 dated July 22, 2010 by Walker, Nott, Dragicevic Associates Limited, be granted, subject to the Conditions of Draft Plan Approval attached to Report PLPD10-058, as Schedule 1.
- e) That the subject property be rezoned from A1 – Restricted Agricultural Zone (Otonabee), HL – Hazard Lands Zone (Otonabee), and D.2 – Development District 2 to R.1-“H”; SP.325-“H” – Residential Districts, OS.1; OS.2 – Open Space Districts, and D.2-96 – Development District in accordance with the Draft Plan of Subdivision and Exhibit E of Report PLPD10-058.
- f) That the 2011 Capital Budget include a \$2.5 million project to be funded from the Coldsprings Area Specific Development Charge for the construction of a sanitary pumping station and forcemain in the Coldsprings Development Area, which is necessary to allow development to proceed in the Coldsprings Development Area.
- g) That the City negotiate a separate financing agreement with AON Inc. to be presented to Council for final approval, whereby the City agrees to construct the the sanitary pumping station and forcemain, and that AON Inc. agrees to pay to the City, within a ten-year period from the date that Final Subdivision Approval is granted, any balance of the cost, including accrued interest charges, that has not been paid from the Coldsprings Area Specific Development Charge collected on units registered by AON within the Plan of Subdivision.

## **OTHER PERTINENT CONSIDERATIONS**

The ‘H’ – Holding Symbol will be removed from the residential zones upon registration of the plan at the Land Registry Office.

## **BUDGET AND FINANCIAL IMPLICATIONS**

Approval of the recommendations commits the City to upfront the cost for the required sanitary pumping station and forcemain which combined are estimated to cost \$2.5 million dollars.

AON anticipates to construct 580 – 670 dwelling units within the first 10 years of the development. During that time, the City will recover a portion of its front-end costs through the collection of area-specific development charges (\$1,861/single detached unit - 2010 rate) at the time of subdivision plan registration. Notwithstanding this, the Coldsprings Area Specific Development Charge Reserve Fund will be overdrawn during this period. To ensure AON Inc. pays the balance of the funds owing to the Development Charge Reserve Fund, including accrued interest charges, within 10 years of Final Approval, staff are recommending that AON Inc. be required to enter a separate financing agreement with the City to be approved by Council. Upon receipt of the final payment AON Inc., the upfront cost expended by the City from the Coldsprings Area Specific Development Charge Reserve Fund will be completely repaid and AON Inc. will have established a substantial credit with respect to the payment of area-specific development charges.

External road improvements along Wallace Point Road and Bensfort Road are required to accommodate full build-out of the proposed draft plan of subdivision. These improvements, which are subject to Class Environmental Assessment requirements, are not identified in the 2002 Major Transportation Plan and therefore are not referenced in the City-wide Development Charge Background Study (Hemson Consulting, November, 2009) or included in the City-wide engineering services development charge. Notwithstanding this, staff anticipate that funds will be included in the 2011 budget to finance the required Environmental Assessment and Preliminary Design in conjunction with the Ministry of Transportation.

Presently, the City is preparing an update to the 2002 Major Transportation Plan. Following completion of the update, staff will review the transportation component of the current City-wide Development Charge By-law to ensure that projects identified in the Major Transportation Plan are reflected in the Development Charge calculation. Though that process, it is expected that road improvements required for the development of the Coldsprings Area will be included as Development Charge fundable items. Once these projects are identified as Development Charge items, their design and construction will be included in future Capital Budgets.

## **BACKGROUND**

The subject lands are approximately 40.52 hectares (100 acres) in size and represent approximately 15% of the 280 hectare (692 acre) Coldsprings Planning Area. The lands are part of an area annexed from Otonabee Township on January 1, 1998. The subject property has historically been used for agricultural purposes and is located at 4571 Guthrie Drive, 2006 and 2011 McNamara Road. The site is bounded by Wallace

Point Road to the east, existing agricultural/rural uses to the south, the Otonabee River to the west, and the applicant's existing Draft Approved residential Plan of Subdivision 15T-05503 to the north. McNamara Road bisects the western portion of the plan.

The applicant is proposing a residential plan of subdivision as shown in Exhibit C consisting of 409 single-detached dwellings with lot widths ranging from 12.1m (40 Feet) to 13.7m (45 feet), a 135-unit retirement complex, a block for open space purposes, a block for a local parkette, a block for a stormwater management facility/sewage pumping station, a block for future development purposes at the intersection of Street A and Wallace Point Road and another block for future development/temporary sales centre purposes at the western limit of Street A. Additionally, the plan provides for a 6-metre widening of the McNamara Road allowance and a 2-metre widening of the Wallace Point Road allowance. Street A is proposed as a 26 metre wide collector street traveling east-west to link Wallace Point Road and McNamara Road. Streets B and C are also proposed as 26 metre wide collector streets traveling north-south to link Street A to Guthrie Drive. Local Streets D, E and F are proposed as 18.5 metre wide allowances with a 25 metre wide allowance where they intersect with Street A.

When considered together with adjacent Draft Approved Plan of Subdivision 15T-05503, the two plans propose a total of 472 single detached dwellings, 29 semi-detached or row dwellings, and 357 medium density (e.g. retirement) residential suites.

Although development of the adjacent lands encompassed by Draft Plan Subdivision 15T-05503 has been approved subject to conditions since the late 1990s, development of the area has yet to proceed due to servicing and transportation issues that have restricted the applicant's ability to develop the adjacent plan in full. The subject application addresses those issues by increasing the overall development yield potential for the area, by providing a permanent servicing solution for the area, and by providing new elements to the transportation network that will serve the entire area rather than relying on the network that existed when Draft Plan Subdivision 15T-05503 was originally approved.

The subject lands are encompassed within the area subject to the Coldsprings Functional Planning Study (FPS). As described in Report PLPD10-057 dated July 26, 2010, the Coldsprings FPS was commenced in 2003 to comprehensively review the major planning issues affecting the area bound by Highway 7/115, Bensfort Road/Wallace Point Road, Driscoll Road, Matchett Line and the Otonabee River. The results of the Coldsprings FPS are intended to serve as the rationale and basis for a City-initiated Secondary Plan for the Coldsprings Planning Area. Throughout the review of the subject applications, Planning staff have been working with the consulting team

undertaking the Coldsprings FPS to ensure the study's completion prior to or concurrent with the approval of any further development in the area and that the subject applications are consistent with the recommendations of the FPS. Report PLPD10-057, which is being considered concurrent with this report notes that the Coldsprings FPS is now complete and recommends that it be received by Council and endorsed to form the basis of a Coldsprings Secondary Plan.

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

## **ANALYSIS**

### **a) Provincial Policy**

#### ***Provincial Policy Statement, 2005***

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS promotes efficient, cost effective development and land use patterns, protection of resources and public health and safety. In keeping with Section 1.1.3.2 of the PPS, the proposed plan provides for the efficient use of available land, proposed infrastructure and resources by providing the infrastructure required to allow the larger Coldsprings area to develop over time as complete community with an efficient mix of densities and land uses.

In accordance with Section 1.1.1 of the PPS, the draft plan of subdivision will be municipally serviced, provides the initial infrastructure that will be required to meet the projected needs for the developing Coldsprings community, and helps to establish the framework for a community that will accommodate a range and mix of land uses in an efficient manner to accommodate long-term needs.

Collector roads within the draft plan will be designed to accommodate the future expansion of transit service as it becomes warranted in accordance with the City's Public Transit Business Plan and sidewalks will be provided along both sides of all new streets, including cul-de-sacs with 30 or more dwelling units, in accordance with City policy.

The proposal is also consistent with the housing policies of the Section 1.4 of the PPS by providing a range of housing types and densities that will contribute to the 10 year supply of land designated and available for new residential development, by providing opportunities for housing that meets the social, health and well-being of current and future residents, and by directing new housing towards locations where appropriate levels of infrastructure and public services facilities will be available to support projected needs.

Consistent with Section 2.1.5 of the PPS, the proposed development has incorporated setbacks from the Otonabee River as recommended by the Natural Environment Component of the Coldsprings FPS prepared by Ecoplans Limited. These setbacks will be confirmed prior to Final Approval through the preparation of a subdivision-specific Environmental Study as a condition of draft plan approval.

In accordance with Section 2.6 of the PPS, York North Archaeological Services Inc. undertook a Stage I, II, III and IV archaeological investigation of the subject lands. In correspondence dated June 27, 2007, March 11, 2009 and September 21, 2009, the Ministry of Culture advised that provincial concerns for archaeological resources within the proposed development have been met.

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

The subject lands are located in the "Designated Greenfield Area" as identified in the *Growth Plan for the Greater Golden Horseshoe, 2006*. These areas are intended to accommodate a portion of the City's long-term growth with the remainder being accommodated through intensification and redevelopment in existing built-up areas of the city. For the city's Designated Greenfield Areas as a whole, the City is required to plan for a minimum density target of 50 persons and jobs per hectare. Without considering any employment opportunities for the proposed retirement complex or home-based employment, the proposed plan of subdivision provides for a density that is lower than that which is prescribed by the Growth Plan (approximately 37 persons per hectare). When the plan is considered together with the adjacent draft approved plan of subdivision, that pre-employment density increases to approximately 40 persons per hectare.

Based on information provided by the applicant regarding staffing levels at retirement facilities and information contained in the 2006 Census for home-based employment in Peterborough, staff estimate that subject plan and the adjacent plan will achieve a combined density of approximately 48 persons and jobs per hectare. As the City prepares a secondary plan for the remainder of the Coldsprings Area, staff will ensure that achievement of the Places to Grow density target is planned for on average across the entire Planning Area (including the subject lands).

Overall, the proposed plan of subdivision is consistent with the direction of the PPS and the policies of the Growth Plan for the Greater Golden Horseshoe. It is anticipated that secondary planning throughout the remainder of the Coldsprings Planning Area will strengthen this compliance particularly as it relates to average density and land use mix across the area as a whole.

**b) Official Plan**

The subject lands are currently designated as follows:

Schedule 'A' Land Use	Rural (Otonabee Township) Village (Otonabee Township) Major Open Space
Schedule 'A1' City Structure	Designated Greenfield Area
Schedule 'B' Roadway Network	Guthrie Dr./McNamara Rd. – High Capacity Collector
Schedule 'C' Natural Areas & Flood Plain	Areas alongside Otonabee River are designated as 'Natural Areas and Corridors', 'Flood Plain', and 'Lands Adjacent to Fish Habitat'

As described above, the lands are subject to designations in the City of Peterborough Official Plan and designations in the Township of Otonabee Official Plan that have remained on the lands since being annexed in 1998. Accordingly, an Official Plan Amendment is required to change the "Rural" and "Village" designations from the former Township Official Plan to "Residential" to bring the lands' designations into compliance with the City Official Plan. Additionally, staff are recommending that the Official Plan be amended to reflect both the proposed Draft Plan of Subdivision and adjacent Draft Plan of Subdivision 15T-05503 as the first stage of a Coldsprings Secondary Plan and to adopt policies for the Secondary Plan that reflect this stage of urban development in the Planning Area.

The proposed Official Plan Amendment, as detailed in Exhibit D, attached to Report PLPD10-058, would amend the Official Plan as follows:

- Amend Schedule A – Land Use to change the ‘Rural (Otonabee)’ and ‘Village (Otonabee)’ designations on the lands to a ‘Residential’ designation for all areas to be developed;
- Amend Schedule B – Roadway Network to add Streets ‘A’, ‘B’, and ‘C’ as Collector Streets;
- Amend Schedule D – Development Areas to add the lands to Area 2;
- Amend Schedule E – Residential Density to designate Block D (Retirement Complex) for Medium Density purposes;
- Amend Schedule F – Key Map to Secondary Land Use Plans to remove a portion of the subject property from area 23 – Otonabee and establish a new area entitled 26 – Coldsprings;
- Add Schedule P – Coldsprings Secondary Land Use Plan; and,
- Add Section 10.7 – Coldsprings Secondary Plan.

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

i. Proposed Housing Types

The proposed subdivision provides for the development of 415 single detached residential units and 130 medium density (retirement complex) units. The lots and dwellings proposed are comparable in nature and size to those that have been developed in many new subdivisions however, when considered in conjunction with the adjacent draft approved plan of subdivision, the proposed development includes a significantly higher concentration of medium density retirement facilities than is typically seen in new subdivisions. Generally, the proposed development is situated in an



area formerly used for agricultural purposes. Consequently, many of the proposed single detached dwellings have little proximity to existing dwellings. Where existing rural residential properties do exist, the plan generally sites larger development blocks, such as the retirement block, adjacent to such uses. Development of such blocks will be subject to site plan approval and therefore will be subject to an analysis of development compatibility and, if necessary, approval conditions to ensure compatibility with adjacent uses.

Additionally, through the provision of retirement development, the plan of subdivision is responding to Peterborough's aging demographic. Integrating such development within a new neighbourhood will allow future residents the opportunity to age within the neighbourhood rather than move elsewhere if they require a retirement living facility. As the remainder of the Coldsprings community is planned, additional medium and high density uses and affordable units will be accommodated in order to ensure the a full spectrum of residential opportunities will be available in the community.

ii. Surrounding Land Uses

The majority of the lands to the south and southwest are owned by the applicant and are currently designated and zoned for rural/agricultural uses in accordance with the former Township of Otonabee Official Plan and Zoning By-law. To the north the plan abuts draft approved residential Plan of Subdivision 15T-05503 as well as an agricultural property located at 2015 McNamara Road, an open space/development district property with a dwelling at 2034 McNamara Road, and a rural residential property at 4567 Guthrie Drive. To the east, the plan abuts the St. Matthews United Church, a rural residential property at 4016 Wallace Point Road, and a vacant agricultural lot at 3978 Wallace Point Road. Development along the east side of Wallace Point Road consists of privately-serviced residences associated with the Coldsprings Rural Settlement Area which is located in the Township of Otonabee-South Monaghan.

Planning for the development of the adjacent lands within the City will occur as part of the secondary plan for the Coldsprings Planning Area. The proposed plan of subdivision provides opportunities for the extension of streets and services onto adjacent lands to ensure a logical and orderly progression of development.

The subject lands are located within 500 metres of both Highway 7/115 and industrial facilities located along Neal Drive. Similar to the requirement imposed upon Draft Plan of Subdivision 15T-05503, the proposed conditions

of Draft Plan Approval require the developer to complete a detailed Noise Impact Assessment to evaluate the noise impacts due to road traffic and “stationary” sources within 500 metres of the site and recommend, as necessary, measures for the mitigation noise impacts on the proposed development, warning clauses and a plan of implementation to ensure that the control measures are properly implemented.

Additionally, the lands are located approximately 350 metres south of the property that houses the City of Peterborough Wastewater Treatment Plant. In order to minimize any potential land use conflicts between the plant and the proposed residential development, the proposed conditions of Draft Plan Approval require the developer to insert a clause in all agreements of purchase or sale or lease, to be registered on title, advising prospective purchasers or tenants of the proximity and operation of the City of Peterborough’s Wastewater Treatment Plant and associated open lagoons.

iii. Adequacy of Municipal Services

Water Service

The development is planned for full municipal water service.

Based on work undertaken as part of the Coldsprings Functional Planning Study and work undertaken by D.M. Wills on the applicant’s behalf in support of the proposed development, it is understood that the existing 300mm ductile iron distribution main at the intersection of Neal Drive and Bensfort Road will need to be extended to the south along Wallace Point Road approximately 400m to the subdivision limit. The watermain will be designed to provide service to development and is proposed to extend north along Street C, passing under Highway 7/115, and connecting to the existing 150mm watermain on Southpark Drive, north of Highway 7/115.

Presently, Peterborough Utilities Services Inc. (PUSI) advises that up to 63 single detached dwellings may be constructed prior to connecting the 300mm watermain to the Southpark Drive watermain. As a condition of approval, the developer will be required to undertake a detailed hydraulic analysis to determine the amount of development that can be accommodated when the watermain is looped with the Southpark Drive watermain.

Full build out of the site and development of the larger secondary plan area will require the extension of a 600mm trunk watermain from Johnston Drive, west of the Otonabee River, to the existing 600mm trunk watermain on Neal Drive. Presently, PUSI is completing an Class Environmental Assessment for this watermain extension. Although construction of the extension is currently

scheduled for 2015, PUSI is contemplating moving that work up to 2012-2013 to respond to development needs. As a condition of Draft Plan Approval, the developer will be required to receive confirmation from PUSI prior to each stage of Final Approval that sufficient infrastructure and capacity exists to provide water service to the plan.

Additionally, as a condition of Draft Plan Approval, the developer will be required to enter into a subdivision agreement with PUSI for the provision of water works.

#### Sanitary Service

The development is planned for full municipal wastewater collection and treatment.

Through completion of the Coldsprings Functional Planning Study, it is known that sanitary waste from the subject lands will flow westerly to a low point adjacent to the Otonabee River (Block C). The Planning Study recommends that a permanent pumping station be constructed within this area and that the sewage flows be pumped to the wastewater treatment plant via a forcemain crossing under Highway 7/115 either adjacent to the Otonabee River or further west, along Street C (in conjunction with the proposed water main crossing under the highway) where it would then connect to the Southpark Drive sanitary sewer and flow by gravity to the Sherin Avenue trunk and into the treatment plant. Under either scenario, the Southpark Drive sanitary sewer will need to be replaced with a larger sewer between the forcemain connection and the Sherin Avenue connection.

As a condition of Draft Plan Approval, the developer will be required to secure all necessary approvals for the required sanitary servicing infrastructure and to have the necessary infrastructure constructed prior to the registration of any dwelling units within the Coldsprings Planning Area.

The City's Environmental Protection Division has confirmed that sufficient capacity exists within the Wastewater Treatment Plant to accommodate this development. 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.

#### Stormwater Management

The topography of the site splits the development into two stormwater drainage sheds. As described in the Coldsprings Functional Planning Study, the west half of the development and most of existing Draft Approved Plan of

Subdivision 15T-05503 drains west toward the Otonabee River. The east portion of the site, and lands along the west side of Wallace Point Road drain southwesterly toward a large woodlot and swamp area located west of McNamara Road, approximately 560 metres south of the subject lands.

In accordance with the Functional Planning Study recommendations, the developer proposes to develop a stormwater management pond within Block C that will outlet to the Otonabee River. Additionally, the developer proposes to construct a temporary stormwater management pond on lands they currently own east of McNamara Road, near the large woodlot. The temporary pond will be used until such time as the permanent stormwater management facility for the drainage area, as recommended in the Functional Planning Study, is constructed adjacent to the woodlot.

Prior to Final Approval, the owner will be required to submit a final stormwater management report to the satisfaction of Otonabee Region Conservation Authority (ORCA), the City Engineer, the Trent-Severn Waterway and the Ministry of Transportation. Additionally, the developer will be required to conduct a water balance for lands draining to the woodlot as well as a hydrogeological and geotechnical investigation to recommend opportunities for maintaining groundwater flow to the woodlot, enhancing water infiltration, and protecting surrounding well users from adverse groundwater quality and quantity impacts. As recommended in the Hydrogeological and Geotechnical Assessment undertaken by Peto MacCallum Ltd. for the Coldsprings Functional Planning Study, the owner will also be required to monitor area wells throughout construction and post-construction to help ensure they are not negatively impacted by development.

#### Electrical Service

Electrical service to the site will be provided by Peterborough Distribution Inc (PDI). Prior to final approval, the developer will be required to enter into a subdivision agreement with PUSI for electrical servicing.

#### iv. Traffic Impacts

Generally, the collector street pattern proposed as part of the subject application is consistent with that identified in the Coldsprings Functional Planning Study.

As part of the Coldsprings Functional Planning Study, Earth Tech completed the Coldsprings Transportation Study in 2008 which assessed the impact that

growth in the Coldsprings area would have on the external transportation network. The results of the study, which are outlined in Reports PLPD08-035 (May 12, 2008) and PLPD08-035A (September 22, 2008), were received by Council on October 6, 2008. The study identifies improvements necessary to support full build out of the Planning Area and an implementation phasing plan that is tied to development of the Planning Area.

Cumulatively, the proposed Draft Plan of Subdivision and adjacent Draft Plan of Subdivision 15T-05503 propose to create 859 dwelling units/suites. Based on the recommendations of the Coldsprings Transportation Study, build out of the two plans would trigger the need for a number of transportation network improvements as follows (assuming a development mix of 60% single detached, 22% medium density and 18% high density units):

- i) At 92 units of residential development, all-way stop sign controls would be required at the intersection of Guthrie Drive and the Highway 7/115 ramp, and at the intersection of Guthrie Drive and Bensfort Road.
- ii) At 350 units of residential development, a second permanent roadway from the development to Wallace Point Road would be required.
- iii) At 500 units of residential development:
  - a. Guthrie Drive would need to be closed between Bensfort Road and the Highway 7/115 ramp;
  - b. The east bound Highway 7/115 exit ramp to Bensfort Road would need to be reconstructed and Neal Drive may need to be realigned to meet the reconstructed ramp as a signalized intersection at Bensfort Road;
  - c. Wallace Point Road or Bensfort Road would need to be established as the thoroughfare between the development area and areas north of Highway 7/115 and the remaining road would need to be realigned to meet Street A as a signalized intersection;
  - d. Kennedy Road and/or Otonabee Drive would need to be realigned to form a mutual signalized intersection; and,
  - e. A northbound left turn lane would be required on Bensfort Road, under Highway 7/115, approaching Kennedy Road.

Beyond 500 units of residential development, the next external transportation improvements would be triggered when 1300 residential dwelling units have been developed. Those improvements would include:

- a new bridge crossing of the Otonabee River; **or**,
- widening of Wallace Point Road/Bensfort Road between Street A and Kennedy Road, reconstruction of the Highway 7/115 bridges over Bensfort Road, and additional left turn lanes on Street A at Wallace Point Road and on Bensfort Road, at Kennedy Road.

Alternatively, should a secondary access be constructed that connects Guthrie Drive to Kennedy Road under Highway 7/117 at the Otonabee River, the need for either of the above options would be delayed to a later development threshold.

As conditions of Draft Plan Approval, staff are proposing to restrict the granting of Final Approval until the traffic improvements noted at the various development milestones are constructed and operational. Although the proposed development and the existing draft approved development will not cumulatively achieve beyond 900 residential units, staff are recommending that the conditions of Draft Plan Approval include conditions regarding the remaining development thresholds identified in the Coldsprings Transportation Study in order to account for additional plans of subdivision that may seek approval during the course of the subject plan's development. Implementation of the Coldsprings Transportation Study must consider all development within the Coldsprings Planning Area, and not just the subject application.

Additional transportation network improvements recommended by the Coldsprings Transportation Study that are wider in scope than the subject application will be addressed in policy for the full Coldsprings Secondary Plan when it is prepared following Council acceptance of the Coldsprings Functional Planning Study.

The implementation of the transportation network improvements triggered by 500 units of residential development will require the completion of one or more Class Environmental Assessments. The City is currently working with the Ministry of Transportation (MTO) and in consultation with the County of Peterborough to undertake the studies necessary to obtain approval for the construction of the required works. Additional details regarding the Environmental Assessment and construction of the required transportation network improvements will be provided in a report to Council at a later date.

In order to allow for future refinements to the alignment of Street A as it approaches Wallace Point Road to reflect the results of the above-noted Environmental Assessment, staff propose that Block H and Lots 320 to 323 and 336 to 340 not be eligible for Final Approval until the Environmental Assessment is complete and the final alignment of Street A is determined.

As part of the development of adjacent Plan of Subdivision 15T-05503, the applicant is required to reconstruct Guthrie Drive across the frontage of the AON Inc. lands. Similarly, as a condition of Draft Plan Approval for the subject application, the applicant will be required to reconstruct McNamara Road across the frontage of the subject lands. Additionally, the applicant will be required to explore the feasibility of constructing a pedestrian facility at the discretion of the City Engineer along the west side of Wallace Point Road and Bensfort Road, from Street A to Collison Avenue.

v. Adequacy of Amenities, Parks and Recreation Opportunities

The original draft plan submitted with the subject application illustrated a neighbourhood park together with a school site approximately at the southwest corner of proposed Streets A and B. Based on a request from the City's Public Works and Recreation Divisions and from the Kawartha Pine Ridge District School Board that any school and neighbourhood park be more centrally located relative to the remainder of the Coldsprings Planning Area, the applicant revised the application to remove the proposed park and school. A location for neighbourhood park and school to serve the subject lands will be determined through the planning for the remainder of the Coldsprings Secondary Plan Area.

In order to provide a more localized opportunity for parkland and recreation space, staff have worked with the applicant to provide Block N, a small parkette that connects Streets C and F, in the eastern portion of the development. Located in what is anticipated to be the earlier stages of the development, the site is approximately 0.33 ha (0.81 acres) in size and would be large enough to accommodate a play structure. The parkette will address a need for open space opportunities in the early stages of the development where no alternative is anticipated to exist within a 600 metre service radius for the northeasterly portions of the development.

Under Section 51.1 of the Planning Act, the City can require up to 5% of the land devoted to residential development for parkland dedication or alternatively may collect cash-in-lieu of the said parkland dedication. For the subject plan, the City is entitled to collect approximately 1.62 ha of parkland dedication above and beyond the 0.33 ha to be collected as described above.

In order to bank land for a future neighbourhood park, staff propose to require the developer to agree as a condition of Draft Plan Approval to dedicate the outstanding parkland dedication requirement for the subject lands as part of a future subdivision phase on additional lands owned by the developer in the Coldsprings Area.

vi. Parking, Buffering and Landscaping

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. The proposed development provides for the creation of lots that will accommodate the standard R.1 (Residential District 1) zone without the need for reducing any of the standards regulated in that zone. The R.1 zone will ensure uniformity in both the availability of off-street parking and on-lot landscaping opportunities.

Block H (Retirement Complex) is proposed to be zoned Special District 325 (SP.325). The SP.325 zone requires that 40% of the block be landscaped open space and a minimum building setback of 9 metres (29 feet) or 3 metres per storey, whichever is greater. Under the SP.325 zone, the maximum building height permitted is 4 storeys. Development of Block H will be subject to Site Plan Approval. Through that process, issues related to building siting, property landscaping/screening, and compatibility with adjacent properties will be addressed.

In accordance with City Policy, the owner will be required to make a cash payment to the City for the planting of a street tree in front of each unit within the municipal boulevard.

vii. Significant Natural/Environmental Features

The subject lands are located adjacent to the Otonabee River and encompass a portion of its associated floodplain. In accordance with Section 3.1.2 of the Provincial Policy Statement, the proposed development has been located outside the defined floodplain.

The Natural Environmental Assessment completed by Ecoplans Limited as part of the Coldsprings Functional Planning Study notes that additional environmental studies will be required prior to development in order to refine natural area limits, confirm setbacks, determine opportunities to enhance setback areas, assess road-crossing locations (where applicable), identify tree retention opportunities, and identify mitigation requirements associated with vegetation resources.



In order to confirm whether Block A appropriately encompasses the natural area features alongside the Otonabee River, identify the presence of any species-at-risk or associated habitats, and recommend (if necessary) measures to protect and/or enhance the natural area features on-site, an Environmental Study will be required as a condition of Draft Plan Approval. The terms of reference and scope of work for the study will need to be confirmed with staff in consultation with the Otonabee Region Conservation Authority and any refinements to the limit of Block A resulting from the study would need to be reflected on the Draft Plan prior to Final Approval. Implementation of any mitigation requirements arising from the study would be secured in the City subdivision agreement.

**c) Draft Plan of Subdivision**

As noted previously, the proposed Draft Plan of Subdivision provides for the development of 409 single detached lots with typical lot frontages ranging from 12.1m (40 feet) to 13.7m (45 feet) and a 135-unit retirement complex. Additionally, the plan proposes to construct a new east-west collector street, Street A, from Wallace Point Road to just west of McNamara Road, two north-south collector streets, Streets B and C, that integrate with streets planned in adjacent Plan of Subdivision 15T-05503, and three local streets, Streets D, E and F. Each collector street is planned with a 26 metre right-of-way while each local street is planned with an 18.5 metre right-of-way except at their intersection with Street A, where the right-of-way is widened to 25 metres. Additionally, the plan also provides for the widening of the Wallace Point Road and McNamara Road allowances.

At the intersection of Wallace Point Road and Street A, Block H is being set aside for future development purposes. At the time of draft plan submission, the applicant was seeking permission for the block to be used for local commercial purposes however, without a conceptual site plan for the block and the potential need to refine the alignment of Street A pending the outcome of future Class Environmental Assessments for transportation network improvements in the Wallace Point Road / Bensfort Road area, it was decided leave Block H for future development purposes at this time.

Between Streets C and F, Block N is proposed as a small parkette.

Adjacent to the Otonabee River, Block A encompasses the river shoreline and floodplain and is to be dedicated to the City for open space purposes. Immediately west of this open space area, Block C is proposed to accommodate both the stormwater

management facility that is required to serve the northwest portion of the Coldsprings Planning Area and a sewage pumping station that will eventually serve the entire Coldsprings Planning Area as identified in the Coldsprings Functional Planning Study.

At the western limit of Street A, Block B is proposed as a block for future residential development / temporary home sales office.

**d) Zoning By-law**

The subject property is currently zoned A1 (Otonabee) – Restricted Agricultural Zone, HL (Otonabee) – Hazard Lands Zone, and D.2 – Development District. The applicant is proposing to rezone the lands as follows:

- Lots 1 to 211, 218 to 269, 271 to 409, Part of Lots 212, 215, 216, 217 and 270, and the southerly portion of Block B from A1 (Otonabee) to R.1 – Residential District;
- Part of Lots 212 to 217 and 270 from D.2 to R.1 – Residential District;
- Block G from A1 (Otonabee) to SP.325 – Special District 325;
- Blocks A, C, and the northerly part of Block B from HL (Otonabee) and A1 (Otonabee) to OS.1 – Open Space District;
- Block N from A1 (Otonabee) to OS.2 – Open Space District; and,
- Block H from A1 (Otonabee) to D.2-96 – Development District with a site specific exception to only allow the block to be used for its existing purpose and to reduce minimum lot area and width.

Establishing a Development District zone on Block H will limit the use of the block to those uses that are legally established on-site today. As noted previously, once the final alignment of Street A at Wallace Point Road is determined, Block H will be eligible for Final Approval and available for future development. However, any development of Block H will require, at a minimum, a zoning amendment and potentially site plan approval.

The Special District 325 (SP.325) zoning has been developed to accommodate typical residential retirement facilities that the applicant has been providing elsewhere in the City. The SP.325 Zoning District permits self-contained residential apartments and residential suites with common dining facilities. Detailed regulations of the SP.325 District are as follows:

a)	minimum lot area per dwelling unit	190 square metres
b)	minimum lot area	1 hectare
c)	maximum building coverage	35%
d)	maximum lot coverage by surface parking lots and driveways	25%
e)	minimum landscaped open space	40%
f)	minimum building setback	9 metres or 3 metres per storey, whichever is greater
g)	maximum building height	4 storeys
h)	a minimum width of landscaped open space required to be established and maintained along all lot lines, except where interrupted by driveways	3 metres
j)	notwithstanding the provisions of Section 4.2, motor vehicle spaces shall be provided and maintained as follows: i) 1 space per dwelling unit ii) 0.75 spaces per residential suite	
k)	for the purposes of establishing maximum number of units, two (2) residential suites are the equivalent of one (1) dwelling unit.	

SP.325 provides the opportunity for mixed developments comprised of units and suites. For zoning purposes, to determine the maximum number of dwelling units, two (2) residential suites are determined to be the equivalent of one (1) dwelling unit. This is the same ratio used in the calculation of development charges. Therefore, Block G, which permits a total of 135 dwelling units, could be comprised of up to 270 residential suites (equivalent of 135 dwelling units).

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

## RESPONSES TO NOTICE

### a) Agency Responses

As part of staff's review of the applications, and pursuant to the Planning Act, staff provided notice of the applications to, and sought comments from, the prescribed commenting agencies. Agency comments were generally in support of the development with some agencies requiring conditions of Draft Plan Approval. These conditions have been included in Schedule 1, attached to this report.

#### Otonabee Region Conservation Authority

ORCA has requested that a number of items be required as conditions of Draft Plan Approval:

- An assessment of the potential impacts that the proposed stormwater management facilities could have on nearby aquatic habitat;
- A vegetation assessment of the hedgerows on site including field surveys for species at risk and their associated habitats and recommendations to protect and/or enhance natural features;
- An Environmental Study of Blocks B and C which assesses the presence of any species at risk and their associated habitats (especially grassland and aerial insectivore avian species) and recommend measures to protect and/or enhance natural features;
- That a minimum 50 metre wide open space corridor be established along the Otonabee River;
- A detailed landscape and planting plan using native shrubs and trees to naturalize the corridor adjacent to the Otonabee River;
- A plan to monitor implementation of the landscape and planting plan requiring a minimum survival rate of 70% for plantings and replanting to original specifications if mortality rates are higher;

- Zoning all Otonabee River floodplain and/or the 50 metre open space corridor, whichever is greater, as OS.1; and,
- A detailed stormwater management report, including measures to minimize the effect of erosion and sedimentation both during and after construction.

ORCA's comments have either been addressed in the proposed Zoning By-law and draft plan of subdivision design or are reflected as proposed conditions of Draft Plan Approval.

#### Peterborough Utilities Services Inc.

PUSI requires the owner to enter into a standard servicing agreement for water and electrical service. As noted previously, PUSI has advised that only up to 63 single detached dwellings may be constructed prior to connecting the local water distribution main to be extended from Neal Drive to the Southpark Drive watermain. As a condition of approval, the developer will be required to undertake a detailed hydraulic analysis to determine the amount of development that can be accommodated when the watermain is looped with the Southpark Drive watermain. Final approval for the development of residential units beyond the capacity determined in that analysis will not be granted until the 600mm trunk watermain is extended from Johnston Drive, west of the Otonabee River, to the existing 600mm trunk watermain on Neal Drive.

#### Bell Canada

Bell Canada requires the owner to make satisfactory arrangements for the provision of telecommunication services to the plan. These requirements have been reflected in the proposed conditions of approval.

#### Canada Post

Canada Post requires the owner to make satisfactory arrangements for the provision of mail delivery services to the plan and to inform all prospective purchasers, through a clause in all Agreements of Purchase and Sale, those lots identified for potential Community Mailbox and/or mini-park locations. Canada Post's requirements have been included in the proposed conditions of approval. Community Mailboxes are proposed to be located as follows: rear of Lots 1, 19, 42, 114, 126, 189 (mini-park), 229 (mini-park), 284, 319, 351 and 370.

Enbridge Gas Distribution Inc.

Enbridge Gas Distribution Inc. advised they have no objection to the proposed plan and requested that the applicant contact them at the earliest convenience to discuss installation and clearance requirements for service and metering facilities. As per typical Enbridge requirements, the proposed conditions of Draft Plan Approval require the completion of a composite utility plan allowing for the safe installation of all utilities, including required separation between utilities, that the streets be constructed in accordance with the said utility plan, that the streets be graded to final elevation prior to the installation of gas lines and that Enbridge be provided with the necessary field survey information for the installation of the gas lines.

Any easements required for the installation of utilities will be provided at no cost to the said utility.

County of Peterborough

The County of Peterborough advised that although the roads and intersections affected by this development are entirely within the City limits, the County Boundary is immediately south of the Bensfort Road / Wallace Point Road intersection and that the function of that particular intersection will affect the operation of Bensfort Road within the County. The County is currently designing for the reconstruction of Bensfort Road from the City Limit to County Road 2 and has therefore requested to be kept informed of the status of this application and, in particular, any planned roadway improvements in the Coldsprings area, so that they can ensure their road design is consistent with the anticipated growth in the area. Staff will ensure that County staff receive all notices pertaining to the subject application and that the County has an opportunity to participate in the Class Environmental Assessment to be undertaken as part of implementing the recommendations of the Coldsprings Transportation Study.

Kawartha Pineridge District School Board

Kawartha Pineridge District School Board (KPRDSB) has advised that students generated within this plan will attend North Shore Public School in Keene and Thomas A. Stewart Secondary School. The School Board has requested that sidewalks be constructed along all public streets within the draft plan to facilitate safe pedestrian movement within the plan of subdivision. In accordance with City policy, sidewalks will be required on both sides of all streets within the development.

### Trent Severn Waterway

Trent Severn Waterway/Parks Canada (TSW) advised that they support the retention of lands next to the Otonabee River/waterway as open space and have requested the City to acquire these lands as part of the subdivision approval process. TSW supports the location of the proposed stormwater management Block C as a means of providing a visual buffer to help retain the rural character of the viewscape from the waterway. TSW advised that they support matching post-development stormwater flows to pre-development levels and have requested the opportunity to review and comment on any additional stormwater management reporting completed in support of this development. TSW has also requested assurance that appropriate natural environment evaluations have been undertaken to ascertain the presence of species-at-risk and associated habitat, and that appropriate mitigation measures are in place should any species or habitat potential exist. The proposed conditions of Draft Plan Approval require the completion and implementation an additional Environmental Study as well as a detailed stormwater management report. TSW will be provided an opportunity to review the detailed stormwater management report.

### Ministry of Transportation

Since 2005, staff have been working closely with the MTO to address the Ministry's concerns with respect to traffic operations in the vicinity of the eastbound Highway 7/115 exit ramp to Guthrie Drive / Bensfort Road. Presently, the Draft Approved Plan of Subdivision relies solely on Guthrie Drive for access to the surrounding area. As part of their review of adjacent Plan of Subdivision 15T-05503 and the Coldsprings Transportation Study, MTO identified a desire to eliminate any conflict between subdivision-generated traffic and Highway 7/115 traffic by closing Guthrie Drive between Bensfort Road and the Highway 7/115 ramp and to realign the ramp to Bensfort Road directly.

Based on more recent discussions with MTO in light of the current proposed plan, MTO has indicated that they are willing to support a phased approach to development in the Coldsprings Area provided that the transportation network improvements and corresponding construction timelines identified in the Coldsprings Transportation Study are implemented. The proposed conditions of Draft Plan Approval reflect this phased development approach. To ensure these proposed conditions are equally applied to adjacent Draft Approved Plan of Subdivision 15T-05503, staff will proceed to amend the conditions of approval for that plan under a separate report to Council in the near future. As noted previously, City and MTO are currently working with each other to commence an Environmental Assessment for transportation improvements in the Wallace Point Road / Bensfort Road / Guthrie Drive / Highway 7/115 area, the details of which will be provided in a report to Council at a later date.

As MTO had requested through their review of adjacent Draft Approved Plan of Subdivision 15T-05503, the proposed conditions of Draft Plan Approval require that all construction traffic use an alternate route (e.g. Street A) to access the lands rather than using Guthrie Drive from Bensfort Road and that the MTO receive and approve a detailed stormwater management report.

## **b) Public Responses**

Notice of a Complete Application was published in the Peterborough Examiner on March 31, 2010. Three written requests to be notified of any decisions pertaining to the subject applications were received in response to this notice.

On July 14, 2010 the applicant hosted a neighbourhood open house at St. Matthews United Church (4014 Wallace Point Road). The applicant mailed a notice of the meeting to all persons that own property within 120 metres of the subject property on June 30, 2010. This meeting was held in conjunction with an open house hosted by the City to present the findings of the Coldsprings Functional Planning Study. The City provided notice of its open house, and referenced the applicant's open house, in its Notice of Public Meeting as described below. The meeting was attended by approximately 40 people and generated a healthy discussion and three written comment submissions.

Notice of the Public Meeting was mailed to the prescribed agencies, all property owners within 120 metres of the Coldsprings Planning Area, all persons who requested to receive notice of the Public Meeting during the review of the subject applications and all persons who, during the completion of the Coldsprings Transportation Study in 2008, requested to receive notice of any planning matters affecting implementation of the Coldsprings Transportation Study. The Notice of Public Meeting was published in the Peterborough Examiner on July 2, 2010. No written submissions were received in response to the Public Meeting notice.

Comments raised during the Public Open House and in the written submissions generally focussed on property and lifestyle impacts resulting from any alterations that may be made to the existing road network and from the proposed street network, the potential for adverse groundwater quality and quantity impacts on nearby well users, the impact of development on the Otonabee River ecosystem, and the potential for existing residents using private services to receive municipal services.

### Transportation

Development of the Coldsprings Planning Area will change the area's character from rural to urban and will generate potential impacts on existing residents and ecosystems.



Through the detailed planning application review process, it is the municipality's responsibility as the Plan of Subdivision Approval Authority to take all reasonable steps to minimize any potential adverse impacts from new development.

Full development of the subject plan will trigger the need for significant change to the area road network. Before any of those significant changes can be made, a Class Environmental Assessment must be completed that will evaluate the environmental, social, economic and cultural impacts of a range of road improvement options in order to recommend an option that best addresses the traffic needs while minimizing overall adverse impact. Through that process, the specific configuration of and land needs for any road improvements will be determined, with opportunity for the public to participate in formal Public Information Centres.

#### Groundwater Impacts

As part of the Coldsprings Functional Planning Study, a geotechnical and hydrogeological assessment of the area was undertaken. Generally, the study found that groundwater flows from northeast to southwest in the area except where local topography (e.g. drumlins) may influence groundwater flow direction. Most wells in the area are developed in deep overburden (over 15 metres/50 feet deep) or bedrock aquifers and are therefore not anticipated to be impacted by development. However, to ensure extra vigilance is taken to protect existing well users from adverse impacts, the study recommends that area wells be surveyed prior to development and monitored pre, during and post development. As a condition of Draft Plan Approval, it is proposed that the developer be required to conduct further hydrogeological investigation to assess the potential for adverse groundwater quality and quantity impacts on area well users and to develop and implement a monitoring program for area wells to the satisfaction of the City Engineer.

#### Otonabee River Ecosystem

Section 4.5.2.7 of the Official Plan recognizes the significance of the Otonabee River in the City and seeks to maintain the river's environmental integrity. The river supports a diverse warmwater sport fishery and some coolwater species, provides the City with drinking water, and connects both upstream and downstream natural areas. In order to provide the river with enhanced protection from potential development impacts, areas along the river are to be acquired by the City as open space and enhanced with additional plantings. In addition, in order to protect river water quality, the proposed conditions of Draft Plan Approval require the developer to prepare a stormwater management report to the satisfaction of the City, ORCA and Trent-Severn Waterway as well as to prepare an Environmental Study that assesses the potential impacts of the proposed stormwater management facilities on nearby aquatic habitat and recommends measures to mitigate any impacts.

### Servicing of Existing Residents

Existing residents within the Coldsprings Planning Area rely on private wells and septic systems. In order for subdivision development to proceed, full municipal services must be extended into the area. In accordance with the *Development Charges Act, 1997* and City's Development Charge By-laws, developers are financially responsible for the provision of local services. For the subject development, the developer must provide the local services such as water distribution mains and sanitary sewers that are required to serve the proposed development. Similarly, if existing residents on private services wish to gain access to municipal services, they are financially responsible for extending services to their property (if services are not already available to the property line) and for connecting to the services.

Generally, staff are satisfied that all matters raised by the public during Public Open House and in their written submissions have either been addressed through the design of the proposed Draft Plan of Subdivision or will be addressed through the Conditions of Draft Plan Approval prior to the issuance of Final Approval.

## **PROPOSED FINANCIAL ARRANGEMENT**

In order for this subdivision to proceed or for any development to proceed in the Coldsprings Planning Area, a significant \$2.5 million financial investment is required to construct a sanitary pumping station and forcemain that are to be 100% funded from the Coldsprings Area Specific Development Charge. As proposed, Recommendation (f) effectively pre-commits the 2011 Capital Budget to ensure the \$2.5 million is approved.

When the Area Specific Development Charge By-law was introduced in 2004, it was recognized that capital works required to enable growth within each area would have to be constructed before any development charge revenue could be collected.

Recommendation (g) proposes the City enter into a financing agreement with AON Inc. whereby the City would construct the required sanitary pumping station and forcemain at an estimated cost of \$2.5 million which would be charged to the Coldsprings Area Specific Development Charge Reserve Fund. As Plans of Subdivision register within the area, Area Specific Development Charges will be paid and credited to the Reserve. Interest on the reserve overdrawn balance would be added at prescribed rates (the same rate of interest that is credited to other DC reserve fund balances with positive balances). Within a maximum ten-year period from the date that Final Subdivision Approval is granted, any balance of the initial \$2.5 million initial outlay, plus any accrued interest charges, that remains owing to the Coldsprings Area Specific Development Charge Reserve Fund would be paid by AON Inc. to the City.

Specific details of the agreement need to be negotiated and would come back to Council for final approval. In addition, the detailed engineering design stage may provide opportunities for a more efficient cost recovery for the City and AON Inc. and this would be reflected in the agreement.

## **SUMMARY**

Approval of the applications for Official Plan Amendment, Draft Plan of Subdivision Approval and Zoning By-law Amendment is recommended for the following reasons:

- i. The Plan of Subdivision will provide additional residential land for the City thus helping to ensure that the City has an appropriate lot inventory pursuant to the Provincial Policy Statement;
- ii. The proposed Draft Plan of Subdivision facilitates the planned extension of services to, and commencement of the development of the Coldsprings Planning Area, which was annexed into the City in 1998 to accommodate long-term residential growth;
- iii. The proposed Draft Plan of Subdivision, together with adjacent Draft Plan of Subdivision 15T-05503, complies with the conclusions of the Coldsprings Functional Planning Study and the Coldsprings Transportation Study and is being implemented through an Official Plan Amendment to adopt part of a Coldsprings Secondary Plan;
- iv. The proposed Draft Plan of Subdivision, Zoning By-law Amendment and Official Plan Amendment are consistent with the matters of Provincial Interest as established under the Planning Act, do not conflict with any Provincial Plan, and, if approved, will comply with the City Official Plan; and,
- v. All matters considered during the review pursuant to Section 51(24) of the Planning Act have either been addressed or will be addressed through the Conditions of Draft Plan Approval prior to the issuance of Final Approval.

Submitted by,

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**Ken Hetherington,**  
Manager, Planning Division

Prepared by,

Concurred with,

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Planner, Subdivision Control  
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Attachments:

Schedule 1 - Conditions of Draft Plan of Subdivision Approval  
Exhibit A - Notice of Public Meeting  
Exhibit B - Land Use Map  
Exhibit C - Draft Plan of Subdivision  
Exhibit D - Draft Official Plan Amendment  
Exhibit E - Draft Zoning By-law Amendment