



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: February 28, 2011

SUBJECT: Report PLPD11-013
Official Plan Amendment O1006
Zoning By-law Amendment Z1017SB
Draft Plan of Subdivision 15T-10507
Mason Homes Limited
0 & 1224 Chemong Road,
1339, 1345, 1349 & 1371 Hilliard Street

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 property at 0 & 1224 Chemong Road, 1339, 1345, 1349 & 1371 Hilliard Street.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD11-013 dated February 28, 2011, of the Manager, Planning Division, as follows:

- a) That the Official Plan be amended by adding Schedule 'Q' – Chemong Secondary Land Use Plan, attached to Report PLPD11-013 as Schedule 'A' of Exhibit D.
- b) That Schedules "A" – Land Use, "B" – Roadway Network, "C" – Natural Areas & Flood Plain, "D" – Development Areas, "E" – Residential Density, "F" – Key Map to Secondary Land Use Plans, "I" – Commercial Area, and "L" – Downey West Secondary Land Use Map of the Official Plan be amended in accordance with

Exhibit D of Report PLPD11-013 in order to reflect the land use planning objectives of the Chemong Secondary Land Use Plan.

- c) That Section 10 - Secondary Plans of the Official Plan be amended in accordance with Exhibit D of Planning Report PLPD11-013.
- d) That Draft Plan of Subdivision Approval for Plan 15T-10507, File No. Y5142B dated January 11, 2011 by MHBC Planning Ltd., be granted, subject to the following Draft Plan amendments and the Conditions of Draft Plan Approval attached to Report PLPD11-013 as Schedule 1:
 - i) That street frontage be provided to all Blocks within the Draft Plan of Subdivision.
 - ii) That the balance of the Applicant's lands encompassing the Bear's Creek headwater area and the laneway to Hilliard Street that are subject to Official Plan and Zoning By-law Amendment applications O1006 and Z1017SB be incorporated into the Draft Plan as an Open Space Block and dedicated to the City for the same purpose.
 - iii) That the extension of Street 'L' to Milroy Drive be included within the limit of the Draft Plan of Subdivision.
 - iv) That Block 9 be deleted from the Draft Plan of Subdivision and the extension of Street 'B' to County Road 19 be included within the limit of the Draft Plan of Subdivision.
 - v) That Street 'A' be revised on the Draft Plan of Subdivision to have a right-of-way width of 26 metres between Chemong Road and Street 'I' and a right-of-way width of 23 metres between Streets 'I' and 'L'.
 - vi) That Street 'H', between Chemong Road and Street 'I' be deleted from the Draft Plan of Subdivision.
 - vii) That all street intersections within the Draft Plan of Subdivision be illustrated to meet at right angles.
 - viii) That the Draft Plan of Subdivision ensure the length of a rear laneway does not exceed 170 metres.
 - ix) That the intersection of laneways be deleted from the Draft Plan of Subdivision.

- x) That a trunk sanitary sewer corridor between Chemong Road and Hilliard Street be established on the Draft Plan of Subdivision to the satisfaction of the City Engineer and conveyed to the City for such purposes.
 - xi) That a 15 metre wide Open Space Corridor be established on the Draft Plan of Subdivision between Blocks 52 and 56, adjacent to the Draft Plan Limit and be dedicated to the City for such purposes.
 - xii) That Blocks 58, 60, 62 and 68 be revised to provide a minimum lot depth of 38 metres from the southern Draft Plan limit.
- e) That Zoning By-law 1997-123 be amended by adding Special Districts 348, 349, 350 and 351 in accordance with Exhibit E of Report PLPD11-013.
- f) That Section 3.9 Exceptions of Zoning By-law 1997-123 be amended by adding exceptions 259, 260 and 261 in accordance with Exhibit E of Report PLPD11-013.
- g) That Section 3.4 Alternative Regulations of Zoning By-law 1997-123 be amended by adding regulations 5.m. and 13.k. in accordance with Exhibit E of Report PLPD11-013.
- h) That the subject property be rezoned from A2 Rural Zone (Smith), H Hazard Zone (Smith), RuR Rural Residential Zone (Smith.), and D.2-96 Development District to SP.328,13a-H', SP.328,4f,10e,13a-H', SP.329,11j,13k-H', SP.329,4f,10e,11j,13k-H', SP.330,11j,13k-H', SP.330,4f,10e,11j,13k-H', SP.331,3q,11j,13k,16c-H', SP.331,4f,10e,11j,13k-H', SP.332-260-H', SP.333-261-H', SP.348,11j,13k-H', SP.349,11j,13k-H' and SP.350-H' – Residential Districts, to SP.351-H' and SP.95-259-H' – Commercial Districts and to OS.1 and OS.3 – Open Space Districts in accordance with the Draft Plan of Subdivision as amended per Recommendation d) of Report PLPD11-013 and generally in accordance with Exhibit E of Report PLPD11-013.
- i) That staff conduct a background study and recommend updates to Development Charge By-law 08-128 (Chemong Development Area) for Council approval prior to Final Approval of the first phase of Draft Plan of Subdivision 15T-10507.
- j) That Council endorse, in principle, including the funds required to construct a trunk sanitary sewer through the subject lands from Hilliard Street to Chemong Road in the 2012 Capital Budget as an item to be financed from the Chemong Area Specific Development Charge Reserve Fund.

- k) That the implementing zoning by-laws be withheld from passage until the applicant submits an amended Draft Plan of Subdivision that reflects the requisite modifications outlined in recommendation d).

OTHER PERTINENT CONSIDERATIONS

Following Final Approval and registration of the plan at the Land Registry Office, the 'H' – Holding Symbol will be removed from lots and blocks that are to be developed in accordance with zones that permit one and two dwelling units per lot.

For Blocks to be developed in accordance with zones that permit the development of more than two units per lot and Blocks zoned for commercial purposes, the Holding Symbol will be removed upon execution of a Site Plan Agreement.

Should Council approve Recommendation No. d) which requires a number of amendments to the Draft Plan of Subdivision, the schedule to the proposed Zoning By-law attached as Exhibit E to Report PLPD11-013 will likely require amendments to reflect the revised Draft Plan of Subdivision. Any necessary amendments to the By-law will be made prior to the reading of the By-law at Council.

BUDGET AND FINANCIAL IMPLICATIONS

The construction of Street 'B' to County Road 19 will necessitate upgrades to County Road 19 to the satisfaction of the County of Peterborough. Prior to the Applicant's construction of Street 'B', the City-wide Development Charge By-law will need to be updated to reflect the City's share of the cost associated with upgrading County Road 19 pursuant to Section 2(6) of the *Development Charges Act, 1997*. Additionally, the project will need to be included in a current year approved capital budget.

Trunk sanitary sewer upgrades including the construction of a trunk sanitary sewer within the lands and downstream upgrades along Hilliard Street, Chemong Road and Bethune Street are required to service the subject lands. The Bethune Street upgrades are included in the area-specific development charge by-law for the Chemong and Carnegie development areas while the upgrade of the Hilliard Street sewer and the construction of a trunk sewer within the site is included in the Chemong area-specific development charge by-law.

Since the area-specific development charge by-law for the Chemong area was passed in 2008, the scope of the planned Hilliard Street trunk sewer and the planned trunk sewer through the site has expanded. Accordingly, the estimated cost for these sewers has increased.

The 2011 budget includes funding for the upgrade of the Hilliard Street sanitary sewer in accordance with the revised estimated cost (Project No. 5-6.04) however the area-specific development charge does not account for the estimated cost increase. Similarly, the area-specific development charge does not account for the revised estimated cost of the trunk sewer to be constructed through the lands.

Before construction of these sewers can commence, a scoped development charges background study and Council amendment to Development Charges By-law 08-128 will be required to adjust the area-specific development charge rate for the Chemong development area in order to adjust the Chemong area development charge to account for the increased estimated cost of these sewers. This amendment must occur prior to Final Approval of the first phase of development to ensure that all units within the Plan of Subdivision contributing towards the required sewers.

Also, the required trunk sewer through the site is currently not in an approved budget. Prior to Final Approval of the first phase of development, this sewer will need to be included in an approved budget. Accordingly, staff have recommended that Council endorse, in principle, including the required funds for the internal trunk sewer within the 2012 budget as an item to be financed from the Chemong area-specific development charge. Should the Applicant wish to proceed with development in advance of the City's completion of the required sewer works, the Applicant will be required to provide the necessary upgrades at their own expense.

A portion of the funding for the upgrade of the Bethune Street trunk sewer is included in the approved 2011 capital budget with the remaining funds anticipated for 2012, 2013 and 2014 (Project No. 5-6.06). Should the upgrade of the Bethune Street sewer be required to accommodate the proposed development and the Applicant wishes to proceed with development ahead of the City's completion of the required upgrades, the Applicant will be required to undertake the upgrades at their own expense.

When this subdivision is fully occupied and enjoying full City services, the operational budget increases for these services will be approximately \$100,000 per year exclusive of any additional costs solely related to the operation and maintenance of the rear lanes.

Similar to the Final Approval of Phase 1 (45M-231), and pending the adopting of the recommendations of the Interim Engineering Design Standards Policy Review (Report USEC11-003, February 28, 2011) the Applicant will be required to make a payment to the City upon Final Approval, the amount of which shall be determined by the City

Engineer, in order to offset the initial increase in servicing and maintenance cost associated with laneways to be assumed by the City. Alternatively, at the time of Final Approval, a Special Area Charge may be established pursuant to Section 326 of the *Municipal Act, 2001* in lieu of a developer payment to reflect the enhanced level of municipal service that may be provided to those properties abutting laneways.

Staff have been contemplating a new standard provision for all subdivisions which would require a financial payment by the developer for maintenance and street lighting costs until roads and services are assumed by the City. This will offset increased costs, particularly for large subdivisions in the early stages of house construction when houses are scattered throughout a developing subdivision. Staff will be reviewing this issue with the development industry and return to Council with a formal recommendation to include this provision as a standard condition in all subdivision agreements.

BACKGROUND

The subject lands are approximately 55.5 hectares (137 acres) in size and represent approximately 33% of the 169.5 hectare (419 acre) Chemong Planning area. The lands are part of an area annexed from Smith Township on January 1, 1998. The subject properties have historically been used for agricultural purposes save and except for an existing residential dwelling located in the central portion of the lands (municipally known as 1345 Hilliard Street) and a residential property located at 1349 Hilliard Street. Currently a temporary new home sales office is located on the lands near Chemong Road.

The subject lands are bounded by an open space/wetland area, Hydro One corridor and County Road 19 to the north, an open space corridor associated with Bear's Creek, existing residential uses (including Plan of Subdivision 45M-231 under construction by Mason Homes) and Hilliard Street to the east, Milroy Park, Fisher Park, R.F. Downey Public School, and designated industrial / commercial uses along Milroy Drive to the south, and Chemong Road to the west.

Mason Homes Limited is proposing to develop a “new urbanist” plan of subdivision as shown in Exhibit C with up to 761 dwelling units consisting of a mix of single detached units, laneway singles, semis and townhomes, medium density and high density residential units. Additionally, the plan proposes to establish a Neighbourhood Centre commercial facility in conjunction with adjacent medium and high density residential uses in keeping with the Community Nucleus concept described in the draft Chemong Secondary Plan presented to Council in November 2009 (Report PLPD09-070), a Local Commercial shopping facility, a stormwater management facility, a centralized neighbourhood park and numerous smaller parks/parkettes throughout the site.

The plan proposes to establish a primarily grid-pattern street network consisting of collector streets accessing Chemong Road, Milroy Drive and County Road 19,

numerous local streets using 20 metre and 16.5 metre right-of-ways and 9.0 metre wide rear laneways. The Plan represents Mason Homes' second phase of development in the area. Phase One, which abuts the southeast limit of the proposed plan, has been developed using similar design principles.

In order to facilitate the proposed draft plan of subdivision, the Applicant has submitted applications to amend the Official Plan and Zoning By-law concurrently. The proposed Zoning and Official Plan amendments apply to the entire 55.5-hectare site however the proposed draft plan of subdivision only encompasses approximately 36.8 hectares (91 acres) of that area. The remainder of the subject lands excluded from the proposed subdivision which consists of wetland, flood plain and woodland areas are to be conveyed to the City as open space. To ensure this conveyance occurs concurrent with registration of the Draft Plan of Subdivision, the staff has recommended that the Draft Plan be amended to include these lands.

The subject lands are encompassed within the area subject to the Chemong Functional Planning Study (FPS). As described in Report PLPD06-031 dated May 29, 2006, the Chemong FPS comprehensively reviewed the major planning issues affecting the area north of Towerhill Road (west of Chemong Road) and the former (pre-1998) City boundary (east of Chemong Road), between Fairbairn Street and Hilliard Street and provided recommendations to form the basis of a secondary plan. These recommendations were received by Council in May, 2006. In November 2009, staff presented a draft secondary plan to Council for the Chemong Planning Area however that plan has yet to be approved due to the need for additional traffic modeling and public consultation.

The proposed plan of subdivision seeks to implement development and servicing standards that depart from typical standards seen in conventional subdivisions since the 1950s. As described in Report PLPD06-087 (December 4, 2006), alternative development standards such as reduced road allowances, shallow lots, rear laneways and reduced building setbacks have been proposed by the development industry in response to the provincial Growth Plan for the Greater Golden Horseshoe and a growing body of academic literature calling for change in the way our communities are planned. Alternative development standards are intended to foster more liveable communities that emphasize transit-supportive densities, pedestrian-friendly environments, housing diversity and affordability, and servicing efficiency. In 2007 Council adopted an interim policy regarding the use of alternative Subdivision Planning and Engineering Design Standards (Schedule 1 to Report PLPD07-007, February 12, 2007). With the subject application, the Applicant is effectively requesting Council to enshrine many of the principles of the interim policy as permanent policy.

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

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 an efficient mix of residential densities and land uses.

In accordance with Section 1.1.1 of the PPS, the draft plan of subdivision will be municipally serviced and will provide a portion of the infrastructure required to meet the projected needs for the developing Chemong community, including an appropriate range and mix of land uses to accommodate long-term needs, and resident accessibility.

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 all streets.

The proposal is 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 2.1.1 of the PPS, the proposed development incorporates appropriate setbacks from the wetland associated with the Bear's Creek headwater area as recommended by the Natural Environment Component of the Chemong FPS prepared by Ecoplans Limited.

In accordance with Section 2.6 of the PPS, Amick Consultants Limited undertook a Stage I and II archaeological investigation of the subject lands. In correspondence

dated February 22, 2007 the Ministry of Culture advised that provincial concerns for archaeological resources within the proposed development have been met save and except for a small portion of the site to be dedicated to the City as open space for which the Ministry requires confirmation of the future development potential. As a condition of Draft Plan Approval, the Applicant will be required to obtain the necessary clearance from the Ministry.

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 on the proposed commercial sites or potential home-based employment, the proposed plan of subdivision provides for a residential density that achieves the prescribed Growth Plan density target (approximately 53 persons per hectare over developable portions of the site). When employment opportunities are considered with the proposed residential density, staff is satisfied that the plan will ensure the achievement of the Places to Grow density target for the east half of the Chemong Planning Area.

Furthermore, the proposed plan is generally consistent with the principles described in Section 2.2.7 of the Growth Plan. Because the planning for early integration of transit services is an important principle of the Growth Plan, the proposed conditions of Draft Plan Approval require amendments to the Draft Plan to ensure an appropriate road allowance width and construction timing for the proposed transit routes (Streets ‘A’, ‘B’ and ‘L’).

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.

b) Official Plan

The subject lands are currently designated as follows:

Schedule ‘A’ Land Use	Urban Fringe Control Area (Smith) Residential Major Open Space
Schedule ‘A1’ City Structure	Designated Greenfield Area
Schedule ‘B’ Roadway Network	Chemong Road – High Capacity Arterial Hilliard Street – Medium Capacity Arterial Milroy Drive – High Capacity Collector Northern limit of area is identified as a Future Roadway Corridor

Schedule 'B(a)' Bikeway Network	Hilliard Street – On-Road Bikeway
Schedule 'C' Natural Areas & Flood Plain	Natural Areas and Corridors (Bear's Creek Headwater) Connecting Link Lands Adjacent to Fish Habitat (Bear's Creek) Flood Plain

As described above, the lands are subject to designations in the City of Peterborough Official Plan and designations in the Township of Smith Official Plan that have remained on the lands since being annexed in 1998. Accordingly, an Official Plan Amendment is required to bring the designations on the lands 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 all lands between the Draft Plan and Hilliard Street as the first stage of a Chemong Secondary Plan and to adopt policies for the Secondary Plan that reflect this stage of urban development in the Planning Area.

As part of their application, the Applicant prepared a draft Official Plan Amendment however, in order to ensure consistency with existing Official Plan terminology and to address staff comments on the proposed applications, staff has recommended a number of revisions to the Applicant's proposed Official Plan Amendment. Accordingly, the recommended Official Plan Amendment, as detailed in Exhibit D to Report PLPD11-013, would amend the Official Plan as follows:

SCHEDULE A – LAND USE

- Change 'Urban Fringe Control Area (Smith)' designation to 'Residential' for lands proposed to be developed for residential and local commercial purposes;
- Change 'Major Open Space' designation to 'Residential' for land proposed to be residentially developed in the vicinity of Milroy Park;
- Change 'Urban Fringe Control Area (Smith)' designation to 'Commercial' for lands identified on the Draft Plan as a "Community Nucleus"; and,
- Change 'Urban Fringe Control Area (Smith)' designation to 'Major Open Space' for lands to be preserved for environmental protection purposes.

SCHEDULE B – ROADWAY NETWORK

- Add Streets 'A','B' and 'L' as a High Capacity Collector Streets; and,
- Add Street 'N' as a Low Capacity Collector Street.

SCHEDULE C – NATURAL AREAS & FLOOD PLAIN

- Add Natural Areas and Corridors for portions of Bear's Creek Headwater not already designated as such; and,
- Add Flood Plain to reflect revised mapping prepared as part of the development.

SCHEDULE D – DEVELOPMENT AREAS

- Add the subject lands as 'Stage 2'; and,
- Add adjacent plan of subdivision 45M-231 (Mason Homes Phase 1) as 'Stage 1'.

SCHEDULE E – RESIDENTIAL DENSITY

- Add areas proposed for townhomes and medium density condominiums as 'Medium Density'; and,
- Add Block 79 as 'High Density'.

SCHEDULE F – KEY MAP TO SECONDARY LAND USE PLANS

- Add "Chemong" Secondary Plan No. 27.
- Move certain lands from "Downey" Secondary Plan No. 3 to "Chemong" Secondary Plan No. 27.

SCHEDULE I – COMMERCIAL AREA

- Add Block 80 (commercial facility) as "Neighbourhood Commercial"

SCHEDULE L – Downey West Secondary Land Use Map

- Remove the lands along the west side Chemong Road, north of Towerhill Road, from Schedule L and include them in Schedule Q – Chemong Secondary Land Use Plan.

SECTION 10 – SECONDARY PLANS

- Add new Section 10.8 – Chemong Secondary Plan
- Add new Schedule "Q" – Chemong Secondary Land Use 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 Applicant is proposing to develop approximately 761 residential units of a variety of styles and densities including 223 single detached units with typical lot widths ranging from 11 metres to 14 metres (36 to 46 feet), 94 laneway-based singles with a typical lot width of 8.2 metres (27 feet), 259 laneway-based townhomes with lot widths ranging from 4.5 metres (15 feet) to 5.8 metres (19 feet), 105 medium density units (e.g. cluster housing), and an 80-unit apartment building.

Compared to conventional subdivisions, the proposed lots are more narrow and shallow in size owing in large part to the use of rear-lanes that enables garages/parking areas to be developed in-line with the dwelling rather than to the side of the dwelling. The zoning proposed for the development provides flexibility for the Applicant to build both smaller and larger homes in order to provide a wide range of housing opportunities and improve housing affordability.

With the exception of similar homes developed by Mason Homes in their Phase 1 development (Bowen Drive), none of the proposed dwellings abut any existing residential uses. Consequently, staff is satisfied that the proposed housing is suitable for the neighbourhood.

Additionally, given the range and diversity of housing types and densities proposed, staff is satisfied that an adequate supply of affordable housing opportunities will be provided within proposed plan.

ii. Surrounding Land Uses

Immediately north of the proposed Draft Plan is wetland and flood plain associated with the headwater of Bear's Creek. These lands are to be protected from development and dedicated to the City as open space. Additionally, a 120-metre wide transmission corridor owned by Hydro One is located north the subject lands, adjacent to County Road 19. Consequently, staff does not anticipate any land use conflicts between the proposed development and any land uses to the north.

To the east, the Draft Plan abuts Mason Homes' Phase 1 development for the area. The homes developed in that particular phase are similar in nature to the homes proposed in the current application and are therefore compatible. Additional open space areas between the east limit of the plan and existing homes on Hilliard Street are to be dedicated to the City and will therefore provide suitable buffer between the proposed development and those existing uses.

To the south, the Draft Plan abuts Milroy Park, Fisher Park, R.F. Downey Public School, and designated industrial / commercial uses along Milroy Drive to the south. To provide additional protection to the existing hedgerow that runs along the southern limit of the plan as recommended by the Natural Heritage Component of the Chemong Functional Planning Study, staff recommends that all residential lots backing onto that lot line have an enhanced minimum lot depth of 38 metres (124 feet) and an enhanced rear-yard building setback of 15 metres (49 feet). In addition to facilitating hedgerow protection, this enhanced lot depth and building setback will also help minimize any perceived incompatibility between the proposed homes and the existing adjacent uses. Prior to construction, Block 79 (High Density) will be subject to site plan approval thereby ensuring that issues related to compatibility with adjacent land uses can be addressed.

The west limit of the Draft Plan is bounded by Chemong Road and vacant agricultural land further west. As a condition of Draft Plan Approval, the Applicant will be required to agree in the Subdivision Agreement to undertake and implement a study that assesses the potential traffic noise impact of Chemong Road and any adjacent stationary noise sources on the High Density Block as well as the potential impact of any stationary noise sources located on both the High Density block and the “Community Nucleus” commercial block on surrounding land uses, prior to the granting of Site Plan Approval for each block respectively.

iii. Adequacy of Municipal Services

Sanitary Service

Presently, there are no trunk sanitary sewers within the Chemong Planning Area. Local sanitary sewers are located along Chemong Road, south of the northern Milroy Drive intersection; within Hilliard Street, south of Cumberland Avenue; through Milroy Park from Ferguson Place/Milroy Drive; and within Mason Homes’ Phase 1 development.

As part of the Chemong Functional Planning Study, a Water and Sanitary Servicing Options Study was prepared by Richardson Foster Ltd. (December 2004) which identified sewage capacity limitations in the downstream sewer system, and the improvements that are necessary to accommodate development in the Chemong Planning Area.

The Chemong Functional Planning Study recommended a servicing strategy whereby all sanitary flow from the entire planning area (both east and west of Chemong Road) would flow by gravity easterly in a trunk sanitary sewer system developed through the subject lands and outlet to an upgraded trunk

sewer in Hilliard Street. Using this strategy as the basis for capital works planning, the City has included costs associated with implementing the strategy in an Area-Specific Development Charge By-law for the Chemong Planning area. To date, one portion of the required work, the upgrade of the Aylmer Street Trunk Sewer, has been completed.

Presently, the Applicant has proposed a significantly different servicing strategy whereby future wastewater flows from areas west of Chemong Road would not be accommodated through the site. Under the proposed scenario, wastewater from the subject lands would be directed through Milroy Park to the existing Milroy Drive sanitary sewer which drains to a sewer in Towerhill Road and eventually to the trunk sewer in The Parkway allowance. Reasons for pursuing this approach include eliminating the need for trunk sewer upgrades along Hilliard Street for which the Applicant would be partly responsible and also to alleviate, in part, staff concerns with trunk sewer depths that have been proposed by the Applicant previously.

In order to implement this strategy, new Area-Specific Development Charges would be required to accommodate the downstream upgrades necessitated by this approach. Additionally, further study would be required to determine how areas west of Chemong Road would be serviced if the strategy prepared as part of the Chemong Functional Planning Study is not implemented.

In staff's opinion, the principle of servicing the entire Chemong Planning Area through the subject lands as outlined in the Chemong Functional Planning Study remains the most appropriate long-term servicing strategy for the Planning Area. Accordingly, staff recommends that the conditions of Draft Plan Approval require the Applicant to implement this principle by dedicating a trunk sanitary sewer corridor to the City to allow for the sewer's installation from Chemong Road to Hilliard Street during the first phase of development.

Should the Applicant wish to service all or part of proposed development through their proposed alternative strategy or in advance of the completion of the necessary downstream sanitary sewer upgrades for the larger Planning Area, the Applicant will be required to demonstrate that adequate sanitary sewer capacity exists downstream for the phase and/or identify and implement the upgrades required to provide this capacity. Any impacts arising from the proposed subdivision design on the serviceability of the remainder of the Chemong Planning Area (i.e. west of Chemong Road) will also need to be detailed.

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.

Water Distribution Service

The development is proposed for full municipal water service. Both the Chemong Functional Planning Study and the Functional Servicing Report prepared by Cole Engineering (January 2011) in support of the proposed development do not identify any significant constraints for providing water service.

Water distribution service currently exists along Chemong Road, Milroy Drive, and within Mason Homes’ adjacent draft plan of subdivision that is currently under construction. To service the lands, the applicant is proposing to upgrade and extend the existing service on Chemong Road to the lands via the proposed east-west collector street (Street ‘A’). Additionally, the existing watermain on Milroy Drive would be extended into the site as the proposed collector street (Street ‘L’) is constructed to Milroy Drive and the watermain within Mason Homes’ adjacent plan of subdivision would also be extended into the site.

As a condition of Draft Plan Approval, the developer will be required to enter into a subdivision agreement with Peterborough Utilities Commission for the provision of water service.

Stormwater Management

Quality and quantity control of stormwater is proposed to be accommodated in two pond facilities: one that is already constructed and in operation within Mason Homes’ adjacent plan of subdivision to the east, and another pond to be constructed near Chemong Road, adjacent to the headwater area of Bear’s Creek. The existing pond outlets to Bear’s Creek while the proposed pond will outlet to the Bear’s Creek headwater area.

Prior to Final Approval, the owner will be required to submit a final stormwater management report to the satisfaction of the City Engineer and Otonabee Region Conservation Authority (ORCA).

Other Services

The Chemong Functional Planning Study does not identify any significant constraints for providing other utility services to the subject lands. As a condition of Draft Plan Approval, the Applicant will be required to enter into a subdivision agreement with Peterborough Distribution Inc. for the provision of electrical services to this plan. Additionally, the applicant will be required to make satisfactory arrangements with Bell Canada, Cogeco Cablesystems, Enbridge Gas Distribution Inc. and Canada Post for the installation/delivery of their services as well.

A number of blocks within the plan propose lane-based housing fronting onto parkland or open space. Because of the size of the City's existing garbage and fire fighting equipment, these services can not be provided within the proposed laneways. Accordingly, all dwellings should be designed to have frontage onto a public street.

iv. Traffic Impacts

Generally, the collector street pattern proposed as part of the subject application is consistent with that identified in the Chemong Functional Planning Study. The Draft Plan proposes a collector street to access the site from Chemong Road and the future extension of collector streets to Milroy Drive and County Road 19. In order to address the requirements of the Municipal Class EA process for the construction of new roads, staff recommends that the Draft Plan be amended to include the limits of the proposed road connections to Milroy Drive and County Road 19 as illustrated in the Notice of Public Meeting issued by mail on February 4, 2011.

As part of the City's Chemong Functional Planning Study, improvements to the external road network have been considered by IBI Group Ltd. and Earth Tech Canada Inc. Following preparation of the Draft Chemong Secondary Plan in 2009, however, it was determined that additional traffic analysis was required to assess the external transportation network improvements required to accommodate full build-out of the Chemong Planning Area given increased development and population expectations for the area in light of the Growth Plan for the Greater Golden Horseshoe. To date, that additional analysis has not been completed.

In order to advance the subject application to proceed, the Applicant submitted a Traffic Impact Study prepared by Tranplan Associates (May 2010) and an update letter dated January 10, 2011. Among other things, this study concluded that by 2021 a number of area intersections will require improvements to accommodate growth. Accordingly, as a condition of Draft

Plan Approval, the Applicant will be required to share in the cost of upgrading the noted intersections.

Additionally, the Applicant's report indicates that with localized intersection improvements completed, development in the overall area will continue to negatively impact network capacity and result in peak hour corridor capacity deficiencies specifically in the Towerhill Road and Hilliard Street corridors. In the absence of a supplementary traffic review for the Chemong Planning Area, the applicant will be required to undertake additional assessment to identify transportation network improvements to address the noted corridor deficiencies.

The Peterborough Fire Department has requested that Street 'B' be constructed through to County Road 19 as part of the first phase of development in the plan. Staff acknowledges that implementation of Street 'B' will enhance Fire response time to the site however the timing of the construction of Street B will depend on a number of factors including obtaining any environmental approvals from Otonabee Region Conservation Authority, negotiating upgrades to County Road 19 with the County and the sequence of servicing for the development. In Mason Homes' Phase 1 development, a block was set aside off Bowen Drive to provide emergency service access to the subject lands. As a condition of approval, staff recommends that either Street B or the emergency access be completed in order to serve the first phase of development.

Comments generated during the plan review process regarding transportation and the proposed street network have been reflected as proposed conditions of Draft Plan Approval.

v. Adequacy of Amenities, Parks and Recreation Opportunities

As part of the Chemong Functional Planning Study completed in 2006, a review of the open space system in the Planning Area was undertaken. In addition to preserving the environmentally sensitive lands associated with Bear's Creek, it was recommended that the City should secure land for a significant expansion to Milroy Park where two soccer fields and a baseball diamond presently exist. The expansion, which would have transformed Milroy Park into a Regional recreation facility, was approved by the Board of Parks and Recreation and provided for in previous capital budgets.

Since that time, however, in light of unsuccessful negotiations with the Applicant to acquire land adjacent to Milroy Park for this purpose, it is staff's position as outlined in Report CSD11-005 (February 14, 2001) that efforts to

expand Milroy Park should shift to focus on opportunities elsewhere in the City.

Consequently, the parkland development concept proposed for the site by the Applicant focuses on neighbourhood scale parkland strategically distributed throughout the neighbourhood to maximize resident accessibility. While this approach to parkland development may not fit within some of the parameters of current City policy which seeks to consolidate parks with natural features and create a linked system of parks and open space, staff recognizes that a different approach may be appropriate for this development.

An important design feature of “new urbanism” or “traditional” community design is the incorporation of smaller open space areas internal to the subdivision. The intent of these areas is to provide close to home, informal recreation space and community gathering spaces for area residents. Accordingly, in order to facilitate this design concept, the proposed Secondary Plan Policies create flexibility for the City to consider the development of smaller park spaces in the Planning Area. Notwithstanding this, not all open space will be considered parkland for the purpose of satisfying the parkland dedication requirements of the Planning Act; only those spaces that satisfy the criteria of Section 6.5.3 of the Official Plan will be considered toward the parkland dedication requirement. Smaller open space areas that are not considered as parkland may be considered acceptable for open space purposes but shall be dedicated at no cost to the City.

Under Section 51.1 of the Planning Act and Section 6.5.2 of the Official Plan, the City can require the greater of 1 hectare for every 300 dwellings units or 5% of the land devoted to residential development and 2% of the land devoted for commercial development for parkland dedication. Alternatively, the City may collect cash-in-lieu of the said parkland dedication. For the subject plan, the City is entitled to collect approximately 2.59 ha (6.4 acres) of parkland dedication which includes 0.0129 ha owing from the Applicant through the development of Phase 1 to the east.

As a condition of Draft Plan Approval, the Applicant will be required to convey the required amount of parkland dedication to the City.

vi. Parking, Buffering and Landscaping

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. In keeping with the alternative development standards employed in their Phase 1 development, the Applicant is proposing to use reduced lot depth, width, and sizes as well as reduced building setbacks and varying side-yard setbacks. These

alternative zoning standards will allow homes to be moved closer to the street, creating a more pedestrian-oriented streetscape. These alternative standards will also facilitate an increase in development density as per Provincial Growth Plan and City Official Plan objectives while maintaining a standard relationship between dwellings and the street. To ensure that the alternative standards do not interfere with the installation of underground services, the Applicant will be required to prepare a utility coordination plan showing the location of all utilities, including driveways, and potential curb-side waste collection locations, to the satisfaction of the City and the affected utilities, prior to Final Approval.

As per standard zoning regulations, all dwelling units within the plan will be required to provide a minimum of two off-street parking spaces.

At the September 13, 2010 meeting of Council, staff was requested to report on side-yard setback easement provisions for new plans of subdivisions. In recent subdivision developments it has come to Council and staff's attention that where sideyard setback provisions are reduced between dwellings, some residents are experiencing difficulty accessing portions of their dwelling for maintenance purposes without encroaching on neighbouring properties. This issue appears particularly prevalent where lots zoned for R.2 purposes are subdivided to allow the creation of 9-metre wide single detached lots.

Through the conditions of Draft Plan Approval, staff recommends that the Applicant be required to establish easements along all side lot lines where detached dwellings are proposed. Establishing easements in this manner would allow residents to access the portion of their neighbour's property subject to the easement in order to perform maintenance on their own dwelling. Additionally, such an easement would prevent the placement of a fence between homes where sideyard setbacks are reduced thus ensuring unencumbered access to the sideyard should extensive maintenance work such as foundation repair be required.

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 contain a portion of Bear's Creek and its headwaters. As part of the Chemong Functional Planning Study, Ecoplans Limited prepared a natural heritage assessment which concluded that there are no identified areas of Natural and Scientific Interest (ANSI) or Environmentally Sensitive Areas on-site. Notwithstanding this, Ecoplans did recommend that Bear's

Creek and its headwaters be protected from future development as well as a number of key hedgerows in the area.

Through the proposed development, the Applicant has submitted a further Natural Heritage Assessment prepared by Azimuth Environmental Consulting Inc. (April 2010 and January 10, 2011) which confirmed the limits of the Bear's Creek headwaters and its associated wetland and provided recommendations for buffering, vegetation enhancement, tree preservation, breeding bird protection, light pollution and future monitoring. Also, Cole Engineering modeled the flood plain in the headwater area to ensure that development will not encroach into flood plain.

Presently, although the lands encompassing the Bear's Creek headwater and wetland are subject to the proposed Zoning By-law and Official Plan amendments, they are not included in the limits of the Draft Plan of Subdivision. As a condition of Draft Plan Approval, these lands will be required to be incorporated into the Draft Plan and dedicated to the City upon plan registration for open space purposes.

Additionally, a key aim of the Chemong Functional Planning Study and part of the rationale behind the design of Mason Homes' Phase 1 is the desire to protect the existing hedgerow that currently links Milroy Park to the woodlot adjacent to the stormwater management pond constructed during Phase 1. This hedgerow is currently identified on Schedule C – Natural Areas and Flood Plan of the Official Plan as a 'Connecting Link' and its' protection was, in part, an important reason why a through street connection between Phase 1 and Phase 2 has not been provided. In order to ensure protection for this hedgerow remains, staff recommend that the Draft Plan be amended to establish this hedgerow within a 15 metre wide open space corridor to be dedicated to the City that can accommodate a future walking trail between Milroy Park and the stormwater management pond area.

Furthermore, in order to preserve the mature hedgerow that runs east-west along the southern limit of the plan, staff recommend that lots backing onto that hedgerow be required to provide enhanced lot depths and rear-yard building setbacks.

c) Draft Plan of Subdivision

As noted previously, the proposed Draft Plan provides for the development of up to 761 dwelling units including 223 single detached units with typical lot widths ranging from 11 metres to 14 metres (36 to 46 feet), 94 laneway-based singles with a typical lot width of 8.2 metres (27 feet), 259 laneway-based townhomes with lot widths ranging from 4.5 metres (15 feet) to 5.8 metres (19 feet), 105 medium density units (e.g. cluster housing),

and an 80-unit apartment building. Adjacent to Chemong Road, the plan proposes to establish a Neighbourhood Centre commercial facility which, in conjunction with adjacent medium and high density residential uses, is intended to be in keeping with the Community Nucleus concept described in the draft Chemong Secondary Plan presented to Council in November 2009 (Report PLPD09-070) and a Local Commercial shopping facility. A small stormwater management pond is proposed near Chemong Road, adjacent to the open space area associated with the Bear's Creek headwaters while a centralized neighbourhood park and numerous smaller parks/parkettes are proposed throughout the site.

The plan proposes to establish a primarily grid-pattern street network consisting of a 26-metre wide collector street accessing the site from Chemong Road and 20 metre wide collector streets that serve the interior of the site and provide for the potential connection of the site to Milroy Drive and County Road 19. Local streets within the site are proposed with 16.5 metre wide right-of-ways and 9.0 metre wide rear laneways.

In order to plan for the site's integration with the surrounding road network, servicing (including public transit, sanitary sewers, snow plowing, garbage collection and emergency services), and open space preservation, staff recommends that a number of revisions be made to the Draft Plan including (but not limited to):

- Inclusion of Street B to Country Road 19 and Street L to Milroy within the Draft Plan limit;
- Inclusion of the Bear's Creek headwater open space system in the Draft Plan as open space;
- Inclusion of a trunk sanitary sewer servicing corridor in the Draft Plan from Chemong Road to Hilliard Street;
- Provision to ensure all lots have street frontage;
- Removal of intersecting rear lanes;
- Inclusion of daylight triangles at intersections;
- Inclusion of an open space corridor to preserve the hedgerow between Milroy Park and the existing stormwater management pond;
- The elimination of the Street H access to Chemong Road; and,
- The deepening of lots/blocks that abut the southern limit of the plan.

All requested Draft Plan amendments have been reflected in the recommendations of this report.

d) Zoning By-law

The proposed Zoning By-law amendment seeks to create a number of new Special District residential zones by modifying a number of the Special District zones that were used in Mason Homes' Phase 1 Plan of Subdivision. The amendment also proposes to introduce a number of new Special District residential zones and two new commercial Special District zones. Because the draft plan is shown as lotless blocks, a number of zoning categories are proposed to be applied to each block in order to provide flexibility for lotting both at the time of draft plan registration and following registration should blocks be further subdivided by Part-Lot Control exemption. The proposed zoning details are summarized as follows:

DISTRIBUTION OF PROPOSED ZONING DISTRICTS BY APPLICANT

Lots/Blocks	Zoning	Use
Blocks 3,5,12, 14,16,18, 20,46- 51,53-55,57,58,62-64,68	Amended Special Districts (SP) 328, 329, 330, 331	Singles, Semis, Townhomes, Secondary Suites
Blocks 23-32, 35,37, 40, 41, 43-45, 59, 61, 65-67, 69-73, 75-77	New Special Districts (SP) A, B, C	Singles, Semis, Townhomes, Secondary Suites
Blocks 6,8, 10, 11, 13, 15, 17, 19, 21	Amended Special District (SP) 328	Singles
Block 33	New Special District (SP) D	Medium Density Residential
Block 79	New Special District (SP) E	High Density Residential
Bear's Creek headwater/ wetland	Open Space District 1 (OS.1)	Open Space
Blocks 2, 4, 7, 9, 22, 34, 36, 38, 39, 42, 52, 56, 60, 74, 78	Open Space District 3 (OS.3)	Park, Stormwater Management
Block 1	New Special District	Local Commercial
Block 80	New Special District	Community Nucleus (Neighbourhood Centre Commercial)

PROPOSED RESIDENTIAL ZONING REGULATIONS BY APPLICANT

Proposed District	Use	Min. Lot Width	Min. Lot Depth	Min. Lot Area	Max. Building Coverage	Min. Floor Area	Building Height (storeys)
SP.328	Single	13.7m	25	340 sq.m	50%	60 sq.m	2
SP.329	Single	9.1m	25	227 sq.m	55%	45 sq.m	3
SP.330	Semi	7m/unit	25	175sq.m/unit	60%	55 sq.m/unit	3
SP.331	Town	4.5m/unit	25	110 sq.m/unit	65%	50 sq.m/unit	3
A	Single	7.6m	25	190 sq.m	60%	50 sq.m	3
B	Semi	5.7m/unit	25	142 sq.m/unit	60%	45 sq.m/unit	3
C	Town	4.5m/unit	25	112.5 sq.m/unit	65%	45 sq.m/unit	3
D	Single/ Semi/ Town	n/a	n/a	n/a	Density 105- 210 units	45 sq.m/unit	3
E	Apts.	45m	45m	n/a	40%	n/a	5

BUILDING SETBACKS:

For zoning districts that permit singles, semis and townhomes, the developer is proposing to use the same reductions to the building setbacks from lot lines as was used in Phase 1 as follows:

*Front Lot Line:

- i) To garage - 6m;
- i) To dwelling - 3m;
- ii) To porch -1.5m;

*Rear Lot Line:

- i) To dwelling – 6m;
- ii) To garage or accessory building 0.5m;

*Side Lot Line:

- i) 0.6m one side, 1.2m other side (singles);
- ii) 1.2m one side, 0.0m other side (semis, townhomes);
- iii) 0.3m for accessory building (single, semis, townhomes);
- iv) 0.0m for semi-detached garage (rear lane single) ;
- v) 6m – medium density condominium units, high density building; and,
- vi) Corner Lots – 3 metres.

Throughout all single detached, semi-detached, townhouse and medium density condominium zones, the Applicant has proposed to permit secondary suites as of right however their proposed Zoning By-law does not provide any supplementary regulations to address secondary suites. Generally, staff supports the inclusion of secondary suites in the proposed plan. In fact, staff has encouraged the Applicant to include secondary suites as part of their proposed zoning amendment. However, it is staff's position that secondary suites do require supplemental regulation to address issues such as parking, unit size and location to ensure they are compatible with their surroundings and can function appropriately within their surroundings.

As part of the review of the proposed Zoning By-law amendment, staff have surveyed several municipalities to understand the regulatory approach others have taken with respect to secondary suites. Generally, secondary suites are typically regulated on a municipal-wide basis rather than on a development by development or zone by zone basis. Regulating secondary suites on a City-wide basis provides an advantage for both encouraging new suites City-wide and for regulating existing suites across the City. Accordingly, rather than establishing specific zones to allow for secondary suites within the subject development, staff recommends that permission for secondary suites be removed from the proposed By-law amendment in favour of a City-wide secondary suites regulation to be advanced by staff at a later date.

Currently, the minimum floor area for a residential dwelling in the Zoning By-law is 56 square metres (600 square feet) plus 14 square metres (150 square feet) for each habitable room over four. In Phase 1, the smallest residential dwelling permitted was a minimum 70 square metres (750 square feet). For Phase 2, the Applicant is seeking permission to create smaller dwelling units in order to address what they feel is a market potential for smaller, more affordable homes in response to demographics of smaller families, the proposed lot design, and the financial implications of a weaker economy.

Staff supports the Applicant's effort to create smaller homes but believes the minimum standard of 56 square metres as currently established should be maintained. Accordingly, where the Applicant has requested a reduction in minimum floor area to less than 56 square metres, staff recommends that the minimum floor area be maintained at 56 square metres. In order to minimize the creation of new Special District zones, staff propose to create and use new alternative regulations 13.k. that would identify a minimum floor area of 56 square metres where applied.

Similar to Phase 1, the Applicant is proposing to develop lots with a minimum depth of 25 metres (82 feet). Traditionally, all new single detached, semi-detached and street-fronting townhome properties created in the City are required to have a minimum lot depth of 30 metres (98.5 feet). Additionally, the Applicant has sought permission to develop three-storey single detached, semi-detached, and townhome residential dwellings whereas the traditional maximum building height in new subdivisions is two

storeys. Subject to compliance with Ontario Building Code requirements at the time of house design, staff supports the use of a three-storey height limit in the proposed neighbourhood in order to encourage a diverse range of housing opportunities. By reducing lot depths in conjunction with the use of alternative building setbacks and alternative building heights, the Applicant will be able to incorporate rear lanes into the site and build homes that have flexibility in sizing to suit market demands. Because the lands are currently vacant and, as recommended, none of the proposed homes will directly abut other residential properties, staff does not anticipate any land use incompatibilities arising from the use of these alternative zoning standards. To facilitate the use of reduced building setbacks, staff has recommended that a new alternative regulation, No. 4.m., be created to identify a minimum lot depth of 25 metres.

In several instances, the zoning proposed by the Applicant seeks to apply alternative regulations to the residential zoning districts established for Phase 1. Rather than create new Special District zones to recognize the site-specific zoning regulations proposed by the Applicant, staff is proposing the use of alternative regulations in conjunction with existing zones where possible. Where it is not feasible to use alternative regulations, staff recommends creating two new exemption regulations, 260 and 261, to be used in conjunction with the proposed zoning. Consequently, the staff-recommended Zoning By-law as detailed in Exhibit E a total of three new residential Special District zones – SP.348 (townhomes), SP.349 (medium density condominium) and SP.350 (high density apartments).

Additionally, one new Special District commercial zone is proposed for the “Community Nucleus” / Neighbourhood Centre commercial block within the Draft Plan. The district is modeled after the SP.121 neighbourhood commercial zone that was amended by Council in 2010 but is currently under appeal with regulations to limit the size of certain commercial uses, including food stores, and the overall size of the commercial development.

For the proposed Local Commercial block, staff recommends that the SP.95 zone be used in conjunction with a new exception, No. 259 in order to allow a gas bar and increase the permitted floor area per commercial purpose relative to the existing SP.95 zone. The new special zoning district that was proposed by the Applicant for this site was modeled after the SP.95 zone but excluded many of the size-limiting regulations that staff feel are essential for ensuring development that is local-serving in nature. Additionally, the local commercial district proposed by the Applicant contained regulations (i.e. outdoor display of merchandise) that is more typical of a service commercial district than a local commercial district and is therefore recommended for removal.

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 and/or upon the granting of site plan approval, as applicable.

RESPONSES TO NOTICE

a) Agency Responses

As part of staff's processing of the application, and pursuant to the Planning Act, staff provided notice of the application to, and sought comments from, the prescribed commenting agencies on June 15, 2010. Following the submission of revised applications for Draft Plan of Subdivision Approval, Official Plan and Zoning By-law Amendment in January 2011, a revised notice of application was sent to the prescribed commenting agencies on January 14, 2011. 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:

- That fencing be provided along the mutual boundary between any development and the open space area associated with the Bear's Creek headwaters;
- That any trail to be developed in the buffer area alongside the Bear's Creek headwaters should be located in the outer third (i.e. adjacent to development blocks) of the buffer;
- A pre-, during and post-development monitoring program to assess any impacts of the development on the adjacent wetland area and Bear's Creek,
- Preparation and distribution of a "Natural Systems Stewardship Brochure" to all prospective and subsequent purchasers of lots within the subdivision that explains the significance and sensitivity of the adjacent wetland and Bear's Creek headwater area to disturbances from residential development, and restrictions/regulations associated with the use of wetland buffer areas;
- Zoning all wetland, flood plain and buffer areas OS.1; and,
- A detailed stormwater management report, including measures to minimize the effect of erosion and sedimentation both during and after construction.

With the exception of the natural systems brochure, 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. Staff has not recommended the requirement for a natural systems brochure in this particular case

because the site is not adjacent to a Provincially Significant Wetland. Elsewhere in the City, natural systems brochures have been required where development is adjacent to Provincially Significant Wetlands. The precedent for this requirement stems from an Ontario Municipal Board settlement for a subdivision that was proposed adjacent to the Downer's Corners wetland in the City's east end.

ORCA has expressed some concern with the potential of using any wetland buffer area as a potential corridor for a future trunk sanitary sewer. The potential impacts of using the buffer area as a sewer corridor will need to be investigated by the Applicant as part of the feasibility analysis proposed as a condition of Draft Plan Approval.

Peterborough Utilities Services Inc.

PUSI requires the owner to enter into a standard servicing agreement for water and electrical service. In letters dated July 12, 2010 and February 14, 2011, PUSI provided a number of detailed engineering comments that have been provided to the Applicant.

Generally, PUSI has concerns certain aspects of the proposed development including proposed lots without frontage on a public street, reduced road allowance widths, and the use of laneways. In staff's opinion, PUSI's concerns can be effectively addressed through the recommended amendments to the Draft Plan of Subdivision and through the approval of standard road cross sections and utility coordination plans as provided for in the recommended Conditions of Draft Plan Approval.

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.

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 has advised that if Street B is extended to County Road 19, the Applicant will be required to enter into a Cost Sharing Agreement with the County to pay for a percentage of any upgrades or repairs to County Road 19.

Kawartha Pineridge District School Board

Kawartha Pineridge District School Board (KPRDSB) has advised that students generated within this plan will attend R.F. Downey Public School (JK – 6), Adam Scott Intermediate School (7-8) and Adam Scott Secondary School (9-12). 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. Additionally, the Board has requested that a walkway over Block 56 between the Draft Plan and R.F. Downey School be included in the first phase of development to facilitate student access to the school, that the walkway be maintained year round by the City, and that the walkway design include a bollard where it meets the school yard to prevent access by motorized vehicles.

The Board also requests that Street L be extended to Milroy Drive to facilitate greater connectivity between the Draft Plan and areas to the south and that the existing sidewalk on the north side Milroy Drive, opposite Ferguson Place, be continued further west to meet Street L.

Peterborough Victoria Northumberland and Clarington Catholic District School Board

The PVNCCDSB has advised that the majority of the plan of subdivision is within the current student walking distance to St. Paul's Elementary School on Hilliard Street. The Board notes that safety of students walking to and from school is of paramount importance and that students should have safe and un-obstructed access through established walkways and sidewalks in a fairly direct route from their place of residence to school.

With complete build out of the proposed plan of subdivision, the anticipated student population for the Board is anticipated to be approximately 117 students. This increase in student population can easily be supported the Board's existing elementary and secondary schools in the area.

Hydro One Networks Inc.

Hydro One Networks Inc. has advised that Ontario Realty Corporation, as agent for the Province, must review and approve all secondary land uses such as roads that are proposed on the adjacent transmission corridor. Hydro One has no objection the proposed application subject to the inclusion of their standard conditions of Draft Plan Approval. Hydro One notes that any proposal for a road through the transmission corridor must be reviewed by Hydro One, as a service provider to Ontario Realty Corporation and that should a road crossing be granted, the Applicant shall make arrangements satisfactory to Hydro One for the dedication and transfer off the proposed road allowance directly to the City of Peterborough. Access to, and road construction on the corridor is not to occur until all legal transfers of lands or interests are completed.

b) Public Responses

Notice of a Complete Application was published in the Peterborough Examiner on June 25, 2010. Notice of Public Meeting was published in the Peterborough Examiner on February 8, 2011 and mailed to all persons that own property within 120 metres of the subject lands on February 4, 2011. Two public inquiries was made in response to these notices; one from an individual wishing to purchase a home in Phase 2, and one from an individual with a question regarding the map published in the notice.

On February 2, 2011, the Applicant hosted a neighbourhood open house at Adam Scott Secondary School. The Applicant mailed a notice of the meeting to all persons that own property within 120 metres of the subject property. The meeting was attended by approximately 10 people who are residents of the Phase 1 development.

Comments raised during the Public Open House generally focused on existing residents' opinions regarding their experience living in a new laneway-based neighbourhood as well as the proposed parkland planning for the area. Specifically, residents living on the lane generally enjoyed their experience so far while those living off the lane expressed some displeasure with services such as garbage collection not routed through the laneway.

OTHER CONSIDERATIONS

Mason Homes' Phase 1 Plan of Subdivision was developed as the test case for the City's Interim Policy regarding Alternative Planning and Engineering Design Standards for plans of subdivision which was adopted by Council in 2007 (Report PLPD07-007, February 12, 2007). The purpose of adopting an interim policy for alternative planning and engineering design standards was to test the market acceptability and operational performance of a neighbourhood employing alternative development standards. In the case of Mason Homes' Phase 1 development, the site was very successful in the marketplace; most of the site's 96 units were sold within 18 months of plan registration.

From an operational perspective, however, the test case has not been without its challenges. The Utility Services Department has conducted an operational review of the development to date and notes that the use of alternative subdivision design standards has created reduced efficiency for certain services such as waste collection and winter maintenance, has made underground work difficult for utility companies, and can lead to duplication of City infrastructure and increased operation, maintenance, reconstruction and street lighting costs. Possible solutions to these operational challenges include providing sidewalks on only one side of streets that have a reduced right-of-way width and recouping the additional costs associated with maintaining such neighbourhoods by imposing a fee on developers at the time of subdivision approval and/or a Special Area charge on future residents that will live in these neighbourhoods and receive an enhanced level of service from the City.

Notwithstanding the test case's operational challenges, staff see the implementation of alternative design standards as a positive development towards achieving more liveable, walkable and human-oriented neighbourhoods that not only fulfill provincial and City density objectives but also improve quality of life. The proposed Chemong Secondary Plan policies provide the City the flexibility to pursue both implementation of alternative development standards and the suggested means for addressing some of the operational challenges noted above.

SUMMARY

Approval of the applications for Official Plan Amendment, Draft Plan of Subdivision Approval and Zoning By-law Amendment, as amended in Schedule 1 and Exhibits D and E to Report PLPD11-013, is recommended for the following reasons:

- i. The recommended Plan of Subdivision provides 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 recommended Draft Plan of Subdivision facilitates the planned extension of services to, and commencement of the development of the Chemong Planning Area, which was annexed into the City in 1998 to accommodate long-term residential growth;
- iii. The recommended Draft Plan of Subdivision generally complies with the conclusions of the Chemong Functional Planning Study and is being implemented through an Official Plan Amendment to adopt part of a Chemong Secondary Plan;
- iv. The recommended Draft Plan of Subdivision, Zoning By-law Amendment and Official Plan Amendment is 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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Prepared by,

Concurred with,

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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