



Mason Homes Limited
0 & 1224 Chemong Road,
1339, 1345, 1349 & 1371 Hilliard Street
15T-10507 / O1006 / Z1017SB

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this Subdivision File No. 15T-10507 are as follows:

Identification

1. That this approval applies to the Draft Plan 15T-10507, prepared by MHBC Planning Limited dated January 11, 2011 (File No. Y5142B), as amended in accordance with the resolution of Council dated March 14, 2011.
2. That upon receipt of the revised Draft Plan of Subdivision, the conditions of Draft Plan Approval be updated to reflect the revised Lot/Block numbering in the Draft Plan of Subdivision.
3. That if Final Approval is not given to this Plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse.
4. That prior to Final approval, the City Engineer will confirm the servicing allocation for this Plan as services are allocated on a “first-come, first-served” basis.

Public Roads and Walkways

5. That the road allowances included in this Draft Plan shall be shown on the Plan and dedicated as public highways.
6. That the streets shall be named to the satisfaction of the City of Peterborough.
7. That any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.
8. That temporary turning circles be established at the termination of road allowances to the satisfaction of the City of Peterborough.
9. That daylight triangles be established at all intersections to the satisfaction of the City Engineer as follows:
 - i) Local to local roads – 5.0m x 5.0m
 - ii) Collector to collector roads – 8.0m x 8.0m

- iii) Local to collector roads – 5.0m x 8.0m
 - iv) Collector to arterial roads – 10.0m x 10.0m
10. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct sidewalks in accordance with the City's Sidewalk Policy except where deemed inappropriate by the City Engineer in accordance with Official Plan Section 10.8.2.16. Streets with a right-of-way width of 16.5 metres shall have only have a sidewalk on one side of the street.
 11. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct a walkway over Block 56, having regard to the requirements of the Kawartha Pine Ridge District School Board, to the satisfaction of the City Engineer.
 12. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct a permanent emergency access over Block 52 and Block 99, Plan 45M-231 to facilitate emergency access to both the Draft Plan of Subdivision and the adjacent Plan of Subdivision, to the satisfaction of the City Engineer.
 13. That Street 'L' be included within the limit of the Draft Plan from Street 'A' to Milroy Drive and that, prior to Final Approval of the first phase of development, the owner shall agree in the Subdivision Agreement to construct Street 'L' between Street 'A' and Milroy Drive as part of the first phase of Development.
 14. The applicant shall acknowledge in the Subdivision Agreement that the final design of Street 'L' to Milroy Drive must not adversely impact the existing baseball field in Fisher Park.
 15. That Block 9 be deleted from the Draft Plan and replaced with Street 'B' and that Street 'B' be included within the limit of the Draft Plan to County Road 19.
 16. Prior to Final Approval, the owner shall agree in the Subdivision Agreement to obtain any necessary approvals for and construct the extension of Street 'B' to County Road 19 either as part of the first phase of development or, if a permanent emergency access is operational over Block 52, at the time of the construction of Street 'B' internal to the Draft Plan of Subdivision. The owner shall acknowledge that approvals for the Street 'B' extension to County Road 19 may be required from the County of Peterborough, Otonabee Region Conservation Authority, Hydro One Networks Inc. and the City Engineer, among others.
 17. That Street 'A' be illustrated on the Draft Plan and constructed to the following standards:
 - i) As a 26-metre right-of-way between Chemong Road and Street 'I';

- ii) As a 23-metre right-of-way between Street 'I' and Street 'L';
 - iii) With a minimum travelled road width of 10.0 metres throughout unless additional travelled road width is required to the satisfaction of the City Engineer.
- 18. That Streets 'B' and 'L' be illustrated on the Draft Plan and constructed to the following standards:
 - i) With a 20-metre right-of-way width throughout; and,
 - ii) With a minimum travelled road width of 10.0 metres throughout unless additional travelled road width is required to the satisfaction of the City Engineer.
- 19. That Street 'H' be removed from the plan between Chemong Road and Street 'I'.
- 20. That prior to Final Approval, the owner shall agree in the Subdivision to upgrade Chemong Road across the frontage of the subject property to the satisfaction of the City Engineer.
- 21. That prior to Final Approval, the owner shall agree in the subdivision to design and construct the intersection of Chemong Road and Street 'A' to the satisfaction of the City Engineer in accordance with the following standards:
 - i) Ensuring Chemong has a minimum right-of-way width of 36 metres;
 - ii) Ensuring Street 'A' has a minimum right-of-way width of 26 metres plus necessary day-lighting;
 - iii) Auxiliary lanes, channelization, traffic signals, signage and communication facilities as directed by the City Engineer; and;
 - iv) Ensuring accommodation is made for integration of future eastbound approach.
- 22. That prior to Final Approval, the owner shall agree in the subdivision agreement to design all streets and intersections, including the proposed roundabout intersection, to the satisfaction of the City Engineer based on the following parameters:
 - i) All streets must demonstrate a total vehicular clearance based on a 37 foot turning radius measured to the outside wheel to allow for turning maneuvers for the City's single axle garbage packers;

- ii) All intersections should meet at right angles; and,
- iii) The radius for the roundabout must demonstrate compliance with TAC standards for a City Bus.

Other Municipal Conditions

- 23. That prior to Final Approval, the owner shall enter into an Agreement with the City to share the cost of implementing the intersection improvements noted in Section 7 of the *Avonlea Phase 2 Chemong East Planning Area Update Traffic Impact Study* prepared by Tranplan Associates dated May 2010 to the satisfaction of the City Engineer.
- 24. That prior to Final Approval of the first phase of development, the owner shall submit a traffic assessment to identify transportation improvements required to address the traffic corridor capacity issues identified in Table 9.1 of the *Avonlea Phase 2 Chemong East Planning Area Update Traffic Impact Study* prepared by Tranplan Associates dated May 2010 to the satisfaction of the City Engineer.
- 25. That prior to Final Approval, the owner shall prepare a right-of-way cross section for the 16.5 metre road allowance showing all utility locations to the satisfaction of the City Engineer and all affected utility companies.
- 26. The owner shall acknowledge in the Subdivision Agreement that on-street parking and on-lane parking may be restricted and/or prohibited at the discretion of the City Engineer as follows:
 - i) Parking will be prohibited on any collector street with a travelled road width of less than 10.0 m; and,
 - ii) Parking will be restricted on any street with a travelled road width of less than 8.5 m.
- 27. The owner shall acknowledge in the Subdivision Agreement that rear laneways shall be subject to the following standards:
 - i) Lanes shall be one-way only;
 - ii) Parking will be prohibited on all laneways;
 - iii) The maximum length of drainage in one direction of a laneway shall not exceed 90 metres from the crest of the laneway to the closest municipal drainage inlet and be graded at minimum 1%;

- iv) The length of a rear laneway shall not exceed 170 metres;
 - v) Laneways shall not intersect each other; and,
 - vi) No storm, sanitary, water, gas or telecommunications services shall be installed in laneways.
28. Prior to Final Approval, the owner shall submit a Parking Study to the satisfaction of the City Engineer that ensures adequate onsite parking capacity within the development and provides parking plans to be displayed at any new home sales office for the Plan of Subdivision and attached as a schedule to all Purchase and Sale Agreements for dwellings within the subdivision that identifies the parking spaces provided for each dwelling unit.
29. That prior to Final Approval, the owner shall submit a geo-technical and hydro-geological report to the satisfaction of the City Engineer to identify soil types throughout the plan area and provide recommendations on:
- a) various design aspects within the subdivision;
 - b) ensuring no adverse impacts on adjoining properties and all proposed dwellings within the draft plan;
 - c) the groundwater recharge function of the subject lands relative to providing baseflow to Bear's Creek and its associated headwater/wetland area; and,
 - d) methods to enhance groundwater recharge within the site.
30. That prior to Final Approval, the owner decommission any existing drinking water wells or private septic systems within the Draft Plan in accordance with applicable legislation to the satisfaction of the City Engineer.
31. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Peterborough concerning the provision of roads, installation of services and drainage including, but not limited to, the following design criteria:
- i) Sewer depths on 16.5m right-of-ways shall not exceed 4.0m under Type 1 and 2 Soils. Any other soil condition will require reduced depths.
 - ii) Sewer depths on 18.5m right-of-ways shall not exceed 5.0m under Type 1 and 2 Soils. Any other soil condition will require reduced depths.

- iii) Storm and sanitary sewers installed within the right-of-way shall be offset 1.5m from the centerline of road.
- 32. That the owner agrees in the Subdivision Agreement to provide gravity storm service connections from the foundation drains to the main line for each dwelling unit within the draft plan.
- 33. That prior to Final Approval of the first phase of development, the owner shall investigate, to the satisfaction of the City Engineer, the feasibility of using the 15-metre buffer from the Bear's Creek headwater wetland as a trunk sanitary sewer corridor together with maintenance access.
- 34. Concurrent with Final Approval for the first phase of development, the owner shall convey a trunk sanitary sewer corridor between Chemong Road and Hilliard Street to the City to the satisfaction of the City Engineer. Furthermore, the owner shall acknowledge in the Subdivision Agreement that the trunk sanitary sewer servicing for the Chemong Secondary Plan area will be routed through the subject lands to the satisfaction of the City Engineer.
- 35. Prior to Final Approval, the owner shall prepare a Functional Servicing Report to demonstrate that adequate sanitary sewer capacity exists downstream to accommodate the proposed development and/or to identify any upgrades of the downstream sanitary sewer system required to provide the necessary capacity. The owner acknowledges that flow-splitting and surcharging of the existing downstream sanitary sewer system is not permitted based on peaked 450 litres/capita/day flows and 0.25 litres/second/ha of extraneous flow. Additionally, any impacts arising from the proposed subdivision design on the external serviceability of the remainder of the Chemong Planning Area must be detailed, all to the satisfaction of the City Engineer.
- 36. Prior to Final Approval, the owner shall be responsible for undertaking any upgrades required to the sanitary sewer system to provide capacity for the proposed development to the satisfaction of the City Engineer.
- 37. That the owner agree in the Subdivision Agreement that a trunk sanitary sewer must be constructed from the Parkway right-of-way, along Hilliard Street, and through the subject lands to Chemong Road concurrent with the servicing of the first phase of registration of the Plan of Subdivision. The City will make every effort possible to secure approval of the said sewer by the end of 2012 with construction to follow in 2013 provide the proponent's sanitary sewer system design for the Draft Plan of Subdivision is submitted in a timely fashion.
- 38. That such easements as may be required for temporary access, utility, or drainage purposes, including snow storage at the end of all "stub" streets, shall

be granted to the appropriate authority, prior to the registration of the Subdivision Agreement and Final Plan.

39. That upon plan registration, the owner establish easements along all side lot lines for lots/blocks to be developed for single detached, semi-detached and townhome purposes in order to permit access for property maintenance/repair purposes. Additionally, the owner shall agree in the Subdivision Agreement to provide notice of the easements describing all land use rights and restrictions associated with the easements in a wording satisfactory to the City Engineer to all prospective purchasers in all agreements of Purchase and Sale.
40. Prior to Final Approval, the owner shall prepare an overall composite utility distribution plan that allows for the safe installation of all utilities, including required separation between utilities and driveways, and curbside waste collection locations, to the satisfaction of the City Engineer and all affected utility authorities. The owner shall agree in the Subdivision Agreement to construct all streets and services in accordance with the approved composite utility plan.
41. The owner shall acknowledge in the Subdivision Agreement that private waste collection services will be required for all commercial, high density residential, and condominium uses.
42. That the owner agree in the Subdivision Agreement to ensure sufficient curbside waste placement space is made available in front of each dwelling unit in order to place waste at the curbside for weekly collection. Furthermore, the owner shall acknowledge that a common collection point serving more than one residential property will not be permitted.
43. The owner acknowledges that all lots within the Draft Plan of Subdivision shall be sized and designed to implement City lot grading standards.
44. Prior to Final Approval, the owner shall prepare a Stormwater Management Report to the satisfaction of the City Engineer with designs and specifications in accordance with the Ministry of the Environment (MOE) "Stormwater Management Planning and Design Manual", March 2003, the Bear's Creek Detailed Flood Reduction Study (XCG Consultants, February, 2008), and City of Peterborough flow quantity attenuation for the 2 to 100 year flood return periods as well as the Regional (Timmons) flood. The report shall also include volumetric capacities of the existing, 'as constructed' stormwater management pond to ensure assumptions in the report are valid for the Draft Plan.
45. That the owner agree in the Subdivision Agreement to undertake Quality and Quantity Monitoring of the receiving stormwater management ponds to the satisfaction of the City Engineer for the duration of draft plan construction.

46. That the owner acknowledge in the Subdivision Agreement that the City may implement a Special Area Charge for properties abutting rear laneways pursuant to Section 326 of the Municipal Act, 2001 to reflect the enhanced level of municipal service that may be provided to those properties.
47. Should a Special Area Charge not be established concurrent with Final Approval as per Condition No. 46, the owner shall agree in the Subdivision Agreement to make an up-front financial contribution to the City in an amount to be determined by the City Engineer at the time of Final Approval to reflect the anticipated cost of the enhanced level of municipal service to be provided to the development.
48. For any lot or block to be developed without frontage on a public street, the owner shall:
 - i) Acknowledge in the Subdivision Agreement that municipal curbside collection of waste (garbage, recycling, leaf and yard waste, organics collection) will not be provided;
 - ii) Agree to include a clause in all Purchase and Sale Agreements to the satisfaction of the City Engineer advising prospective purchasers that curbside waste collection is not available and that they will be responsible for arranging for their own waste collection services;
 - iii) Demonstrate, prior to Final Approval, demonstrate fire department access (including width of travelled roadway and radius of curves) to the proposed dwellings as per Ontario Building Code requirements;
 - iv) ensure, prior to Final Approval, that the proposed dwellings comply with City of Peterborough Zoning By-law 97-123, as amended.
49. That Block 2 be conveyed to the City of Peterborough for stormwater management purposes.
50. That Blocks 56 and 60 be conveyed to the City of Peterborough for walkway / servicing corridor purposes.
51. That parkland/open space blocks illustrated on the Draft Plan that do not meet the Official Plan standard for acceptable parkland dedication as determined by the City Engineer and the Director of Community Services be conveyed to the City as Open Space and/or consolidated with adjacent land uses.
52. That the Bear's Creek headwater, wetland area and its associated buffer, and flood plain, including the driveway access from the lands to Hilliard Street, be incorporated into the Draft Plan and conveyed to the City for Open Space purposes.

53. That the owner illustrate a 15 metre wide corridor on the Draft Plan along the Draft Plan limit between Blocks 52 and 56 and dedicate that corridor to the City for Open Space purposes.
54. That the owner agree in writing to convey parkland dedication to the City in accordance with the *Planning Act* and Official Plan policy and in conjunction with any parkland dedication owing from the owner through the development of Plan of Subdivision 45M-231. For calculation purposes, lands within the regional floodplain, lands required as an environmental setback, and lands designated for stormwater management purposes shall not constitute any portion of the parkland dedication. Lands to be accepted for Parkland Dedication will be determined by the City Engineer and the Director of Community Services in accordance with Official Plan standards for sizing, drainage and topography. Any balance of parkland dedication owing to the City following this conveyance shall be paid to the City as cash-in-lieu of parkland in accordance with the *Planning Act*.
55. That prior to Final Approval the owner shall prepare a park development and grading plan for all lands to be accepted as Parkland Dedication to the satisfaction of the City Engineer and the Director of Community Services. The owner shall further agree in writing prepare the said lands in accordance with the approved park development and grading plan.
56. That prior to Final Approval the owner shall prepare a detailed landscape and planting plan for any plantings to occur on site including streetscaping, parks, slope stabilization, stormwater management etc. to the satisfaction of the City of Peterborough. Any plantings on-site must consist of trees and shrubs that are native to the Peterborough area.
57. That the owner shall agree in the Subdivision Agreement to design and construct suitable permanent fencing as required along the mutual boundary between any residential lot/block and commercial block and any abutting open space, stormwater management, or parkland area as deemed necessary by the City Engineer.
58. That the owner agree in the Subdivision Agreement to undertake and implement a study that assesses the potential for traffic and stationary noise impacts on Block 79 as well as the potential impact of any stationary noise sources on Blocks 79 and 80 on surrounding land uses, prior to the granting of Site Plan Approval for each block respectively.
59. That the owner shall erect a sign, to the satisfaction of the City depicting the approved Plan of Subdivision and Zoning, within 90 days of the date of Draft Plan Approval.

60. That the owner shall enter into an agreement with Peterborough Distribution Inc. and Peterborough Utilities Commission for electrical and water servicing respectively.
61. That the owner agrees to not undertake any clearing, grading and grubbing of the site during the main bird breeding season of May 1st to August 1st.
62. That the owner agrees to limit the amount of lighting directed toward the adjacent wetland and aquatic communities to the satisfaction of the City Engineer.
63. That prior to Final Approval, any proposed use of decorative street lighting shall receive approval from the City Engineer.

Other Agency Conditions

64. That prior to Final Approval of the Plan of Subdivision and any on-site grading or construction, Otonabee Region Conservation Authority and the City Engineer must have reviewed and approved reports describing/containing:
 - a) The intended means of controlling stormwater runoffs in terms of quantity, frequency and duration for all events up to and including the 1:100 year storm;
 - b) the intended means of conveying stormwater flow from the site, including use of stormwater management water quality measures, both temporary and permanent, which are appropriate and in accordance with the Ministry of the Environment (MOE) "Stormwater Management Planning and Design Manual", March 2003;
 - c) the means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction. These means should be in accordance with the provincial "Guidelines on Erosion and Sediment Control for Urban Construction." Supporting technical documentation should also be submitted which meets or exceeds standards in the "Technical Guidelines – Erosion and Sediment Control", February 1989, published by the Ministry of Natural Resources and/or the "Erosion and sediment Control Training Manual", MOE, 1997;

Please Note:

Temporary ponds for sediment control should be capable of accommodating 125 cubic metres/hectare of contributing drainage area for a period of not less than 12 hours or removing particles sizes down to 40 microns.

- d) site soil conditions, including grain size distribution profiles; and,
 - e) site grading plans.
65. That prior to Final Approval, the owner shall develop and agree to implement a multi-year program to monitor effects of development on Bear's Creek and its associated headwater/wetland including benthic sampling, creek temperature monitoring, amphibian surveys and breeding bird monitoring to the satisfaction of the Otonabee Region Conservation Authority.
66. The Subdivision Agreement between the owner and the City of Peterborough shall contain the following provisions in wording acceptable to the Otonabee Region Conservation Authority and the City Engineer:
- a) That the owner agrees to implement the works referred to in Condition Nos. 64 and 65. The approved reports should be referenced in the Subdivision Agreement.
 - b) That the owner agrees to inspect and maintain all stormwater management, erosion and sedimentation control structures operating in good repair during the construction period in a manner satisfactory to the Otonabee Region Conservation Authority and the City Engineer.
 - c) That the owner agrees to notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.
 - d) That any trail to be developed in the wetland buffer area shall be located in the outer third (adjacent to development blocks) of the buffer and designed and constructed in a manner satisfactory to the City Engineer and Otonabee Region Conservation Authority.

In order to expedite clearance of these conditions, a copy of the Subdivision Agreement should be sent to Otonabee Region Conservation Authority.

67. a) Bell Canada shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Bell Canada for the installation of Bell Canada facilities to serve this Draft Plan of Subdivision.
- b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.

- c) If there are any conflicts with existing Bell Canada facilities or easements, the owner shall be responsible for re-arrangements or relocation.
- 68.
- a) Cogeco Cable Solutions shall confirm that satisfactory arrangements, financial and otherwise have been made with Cogeco Cable Solutions for any Cogeco Cable Solutions' facilities serving this Draft Plan of Subdivision which are required to be installed underground, a copy of such confirmation shall be forwarded to the City of Peterborough.
 - b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Cogeco Cable Solutions, to grant to Cogeco Cable Solutions any easements that may be required for telecommunication services.
 - c) If there are any conflicts with existing Cogeco Cable Solutions' facilities or easements, the owner shall be responsible for re-arrangements or relocation.
69. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:
- a) Inform all prospective purchasers, through a clause in all Agreements of purchase and sale, as to those lots identified for potential Community Mailbox, mini-park and/or locations.
 - b) Provide, at the Owner's expense, curb depressions at the Community Mailbox location 2 metres in width and no higher than 25 mm and a poured concrete pad to City of Peterborough sidewalk specifications.
 - c) Provide, at the Owner's expense, a paved lay-by at the Community Mailbox location when required by the municipality.
 - d) If a grassed boulevard is planned between the curb and the sidewalk where the Community Mailbox is located, install at the Owner's expense, a walkway across the boulevard. The walkway is to be 1.0 metre in width and constructed of a material suitable to the municipality (e.g. interlock, asphalt, concrete etc.) in addition, the developer shall ensure, by forming or cutting the curb, that this walkway is handicapped accessible by providing a curb depression between the street and the walkway. This depression should be 1.0 metres wide and no higher than 25mm.
70. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Enbridge Gas Distribution Inc. and the City Engineer:

- a) To grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
 - b) To provide easements at no cost to Enbridge Gas Distribution Inc. in the event that it is not possible to install the natural gas distribution system within the proposed road allowances.
71. That prior to Final Approval the owner enter into an agreement with the County of Peterborough to pay for a percentage of any upgrades or repairs to County Road 19 necessitated by the construction of Street 'B' to County Road 19.
72. That prior to Final Approval, the owner shall obtain written confirmation from the Ministry of Culture that all provincial concerns with respect to archaeological resources have been satisfied for the Draft Plan of Subdivision.
73. That prior to Final Approval, copies of the lot grading and drainage plan, showing existing and final grades, must be submitted to Hydro One Networks Inc. (HONI) in triplicate for review and approval. Drainage must be controlled and directed away from the Ontario Realty Corporation (ORC)/HONI transmission corridor.
74. That the owner agree to install temporary fencing along the edge of the transmission corridor prior to the start of construction, at the owner's expense, to the satisfaction of HONI.
75. That the owner agree to install permanent fencing after construction is completed along the ORC/HONI transmission corridor, at the owner's expense, to the satisfaction of HONI.
76. That the owner agree to not use the ORC/HONI transmission corridor without the express written permission of Hydro One Networks Inc. on behalf of ORC. During construction there will be no storage of materials or mounding of earth or other debris on the transmission corridor. The proponent will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision.
77. That Prior to Final Approval the owner obtain permission from ORC and HONI through the Provincial Secondary Land Use Program to construct Street 'B' through the ORC/HONI transmission corridor to County Road 19.
78. That the owner agree that access to, and road construction on the ORC/HONI transmission corridor shall not occur until the proposed road allowance has been dedicated and transferred to the City of Peterborough. Arrangements for the dedication and transfer of the proposed road allowance shall be undertaken by the owner to the satisfaction of ORC/HONI.

79. That the owner agrees to be financially responsible for any relocations or revisions to HONI facilities that are necessary to accommodate this subdivision.

CLEARANCES

1. Prior to final approval, the Director of Planning & Development Services shall be advised by the Otonabee Region Conservation Authority that Conditions 16, 64, 65 and 66 have been carried out to the their satisfaction. The letter from the Authority shall include a brief but complete statement detailing how each condition has been satisfied.
2. Prior to final approval, the Director of Planning & Development Services shall be advised by Bell Canada that Conditions 25, 40 and 67 have been carried out to the their satisfaction. The letter from Bell shall include a brief but complete statement detailing how each condition has been satisfied.
3. Prior to final approval, the Director of Planning & Development Services shall be advised by Cogeco Cable Solutions that Conditions 25, 40 and 68 have been carried out to their satisfaction. The letter from Cogeco shall include a brief but complete statement detailing how each condition has been satisfied.
4. Prior to final approval, the Director of Planning & Development Services shall be advised by Canada Post that Conditions 40 and 69 have been carried out to the their satisfaction. The letter from Canada Post shall include a brief but complete statement detailing how each condition has been satisfied.
5. Prior to final approval, the Director of Planning & Development Services shall be advised by the Enbridge Consumers Gas that Conditions 25, 40 and 70 have been carried out to the their satisfaction. The letter from the Enbridge shall include a brief but complete statement detailing how each condition has been satisfied.
6. Prior to final approval, the Director of Planning & Development Services shall be advised by the Ministry Culture that Condition 72 has been carried out to the their satisfaction. The letter from the Ministry shall include a brief but complete statement detailing how the condition has been satisfied.
7. Prior to final approval, the Director of Planning & Development Services shall be advised by the County of Peterborough that Conditions 16 and 71 have been carried out to the their satisfaction. The letter from the County shall include a brief but complete statement detailing how each condition has been satisfied.
8. Prior to final approval, the Director of Planning & Development Services shall be advised by Peterborough Utilities Services Inc. (PUSI) that Conditions 25, 40 and

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

9. Prior to final approval, the Director of Planning & Development Services shall be advised by Hydro One Networks Inc. (HONI) that Conditions 16 and 73 to 79 inclusive have been carried out to the their satisfaction. The letter from HONI shall include a brief but complete statement detailing how each condition has been satisfied.

Otonabee Conservation
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Peterborough ON K9H 7M9

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Cogeco Cable Solutions
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Manager, Access Network
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Delivery Planner
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Planning Supervisor
Enbridge Consumers Gas
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Richmond Hill ON L4C 5G1

Ministry of Culture
Culture Programs Unit
400 University Avenue, 4th Floor
Toronto, ON M7A 2R9

Hydro One Networks Inc.
Facilities & Real Estate
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Markham, ON L3R 5Z5
Courier:
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Peterborough Utilities Services Inc.
1867 Ashburnham Drive
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Peterborough, ON K9J 6Z5

County of Peterborough
County Court House
470 Water Street
Peterborough, Ontario
K9H 3M3

NOTES TO DRAFT APPROVAL

1. It is the Owner's responsibility to fulfill the Conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate

agencies to the City of Peterborough Planning Division quoting the City file numbers.

2. We suggest that you make yourself aware of Section 144 of the Land titles Act and subsection 78(10) of the *Registry Act*.

Subsection 144(1) of the *Land Titles Act* requires that a Plan of Subdivision of land that is located in a land titles division be registered under the *Land Titles Act*. Exceptions to this provision are set out in subsection 144(2).

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

Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

3. If the Owner wishes to request an extension to Draft Approval, a written explanation must be submitted for Council approval prior to the lapsing date. Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.
4. The City of Peterborough and the Peterborough Utilities Commission have established a Development Control Monitoring Program for the purpose of managing sanitary and water services City-wide. Draft Approval does not assign a servicing allocation to the Plan of Subdivision. Services will be allocated on a “first-come” “first-served” basis in response to bonafide development pressure.
5. It is the Owner’s responsibility to advise the City of Peterborough Planning Division of any changes in ownership, agent, address, and phone and fax number.
6. The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the proponent’s responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

NOTICE OF PUBLIC MEETING

TAKE NOTICE that pursuant to the *Planning Act*, R.S.O., 1990, c.P.13, the Planning Committee will hold a public meeting in the Council Chamber, City Hall, 6:30 p.m. on Monday, February 28, 2011 to consider the following applications under Sections 17, 34 and 51 of the *Act*.

1. **File:** O1005 / Z1013SB / 15T-10506
Address: 420 Simons Avenue, 748 Hemlock Street
Applicant: RD Land Corp.

The applicant has submitted an application for Draft Plan of Subdivision Approval together with applications to amend the Official Plan and Zoning By-law in order to develop a plan of subdivision consisting of 53 lots for single detached residential purposes, four blocks for future development purposes, a stormwater management facility, and open space areas associated with The Parkway road allowance, flood plain/creek buffer, and Raymond and Cochrane Park. The plan proposes to extend Raymond Street approximately 300 metres from its current terminus to terminate as a cul-de-sac approximately 100 metres east of Simons Avenue. The plan also proposes to extend Hemlock Street from its current terminus approximately 160 metres over City-owned lands (748 Hemlock Street) to intersect with proposed Raymond Street.

Please note that Staff's preferred layout for the proposed development differs from that of the Applicant. The Staff-preferred development concept, which will also be considered at the Public Meeting, would amend the Applicant's plan to provide for the development of up to 51 single detached residential lots and a street connection between Raymond Street and Simons Avenue.

The majority of the subject lands are part of an area that was annexed from the former Township of Smith-Ennismore-Lakefield on January 1, 2008 and have retained the previous Township land use designation and zoning since that time.

To permit this development, the applicant is proposing to designate portions of the property for residential and open space purposes and to recognize existing environmental features on-site in the Official Plan. Additionally, the applicant proposes to zone the property to permit the proposed single detached dwellings and open space uses as well as to preserve lands for future development purposes as a Development District.

2. **File:** O1006 / Z1017SB / 15T-10507
Address: 0 & 1224 Chemong Road
1339, 1345, 1349 & 1371 Hilliard Street
Applicant: Mason Homes Limited

The applicant has submitted an application for Draft Plan of Subdivision Approval together with applications to amend the Official Plan and Zoning By-law in order to develop a "new urbanist" plan of subdivision with up to 761 dwelling units consisting of a mix of single detached units, single detached and townhome units with rear laneways, medium density and high density residential units. Additionally, the plan proposes to establish a Community Nucleus commercial area in keeping with the draft Chemong Secondary Plan presented to City Council in November 2009, a Local Commercial shopping facility, a stormwater management facility, a centralized neighbourhood park and numerous smaller parks throughout the site. The plan provides for a main vehicular access to Chemong Road with potential street connections to County Road 19 and Milroy Drive. Additionally, the plan proposes to extend sanitary services through Milroy Park to the south and to potentially establish a service and/or trail corridor to Hilliard Street.

The subject lands are part of an area that was annexed from the former Township of Smith on January 1, 1998 and have mostly retained the previous Township land use designation and zoning since that time.

To permit this development, the applicant is proposing to establish a new Secondary Land Use Plan for the site, to designate portions of the property for residential (including medium and high density designations), open space and commercial purposes and to recognize existing environmental features on-site in the Official Plan. Additionally, the applicant proposes to zone the property to permit the proposed residential, open space and commercial uses as well as to permit secondary or accessory dwellings/suites in low and medium density residential districts.

BE ADVISED that if a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Peterborough before the proposed Official Plan Amendments are adopted, the Zoning By-laws are passed, and the approval authority gives or refuses to give approval to the draft plans of subdivision, the person or public body is not entitled to appeal the decision of City of Peterborough Council to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Peterborough before the proposed Official Plan Amendments are adopted, the Zoning By-laws are passed, and the approval authority gives or refuses to give approval to the draft plans of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

If you wish to be notified of adoption of the proposed Official Plan Amendments, or of the refusal of a request to amend the Official Plan, the passing of the proposed Zoning By-laws, or of the decision of the City of Peterborough Council in respect of the proposed plans of subdivision, you must make a written request to the City Clerk at the address below.

ANY PERSON may attend the above Public Meeting and/or make written or verbal representation, either in support of or in opposition to the application. (Please quote appropriate file number).

ADDITIONAL INFORMATION relating to these applications may be obtained from the Planning Division, City Hall, (8:30 a.m. to 4:30 p.m., Monday to Friday), or by contacting the Planning Department at 742-7777 – Brad Appleby at ext. 1886 (email bappleby@peterborough.ca)

Staff reports will be available by 2:00 p.m., Friday, the 25th day of February, 2011.

Dated at the City of Peterborough this 8th day of February, 2011.



Nancy Wright-Laking, B.A., C.M.O.
City Clerk
City of Peterborough, City Hall
500 George Street North
Peterborough, Ontario
K9H 3R9
nwright-laking@city.peterborough.on.ca

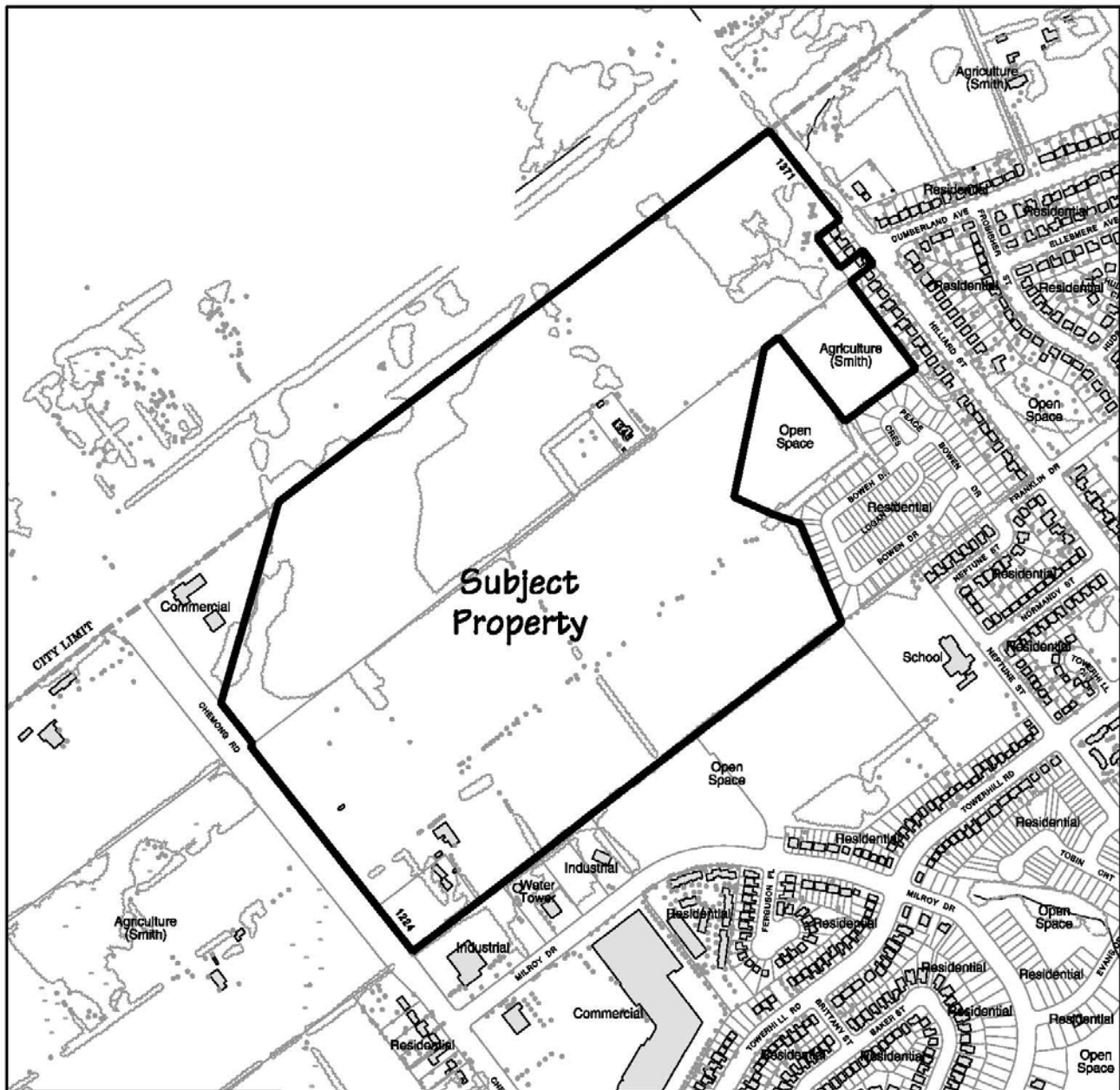
www.peterborough.ca

Land Use Map

File # z1017, O1006, 15T-10507

Property Location: 0,1224 Chemong Rd & 1339,1345,1349&1371 Hilliard St

EXHIBIT
SHEET OF



The City of Peterborough Planning Division

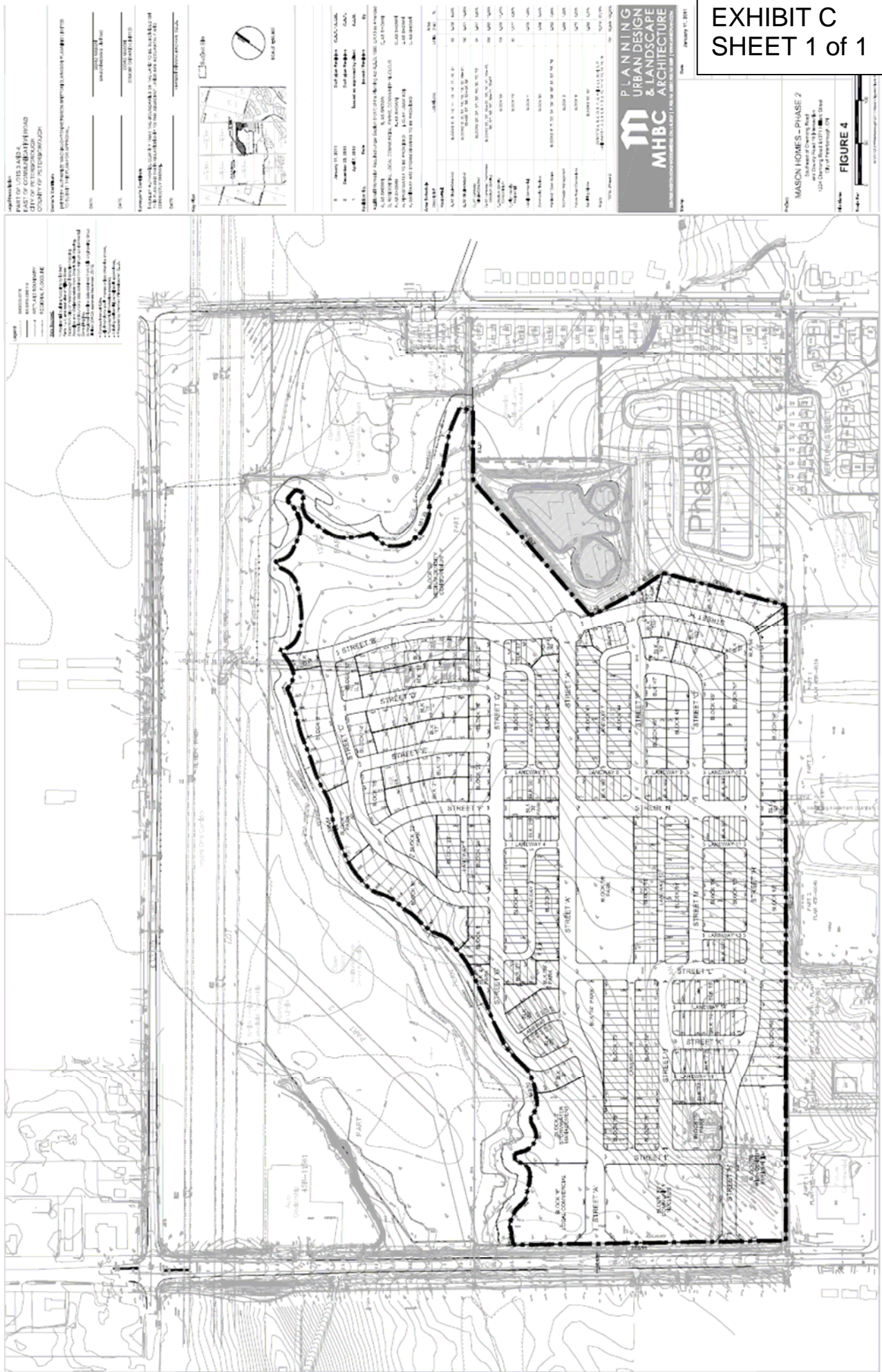
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Date - January 2011
Dwg. by - CBerg
Scale - 1:8000

EXHIBIT B
SHEET 1 of 1

EXHIBIT C
SHEET 1 of 1



THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 11-_____

**BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO THE
OFFICIAL PLAN OF THE CITY OF PETERBOROUGH FOR CERTAIN
LANDS WITHIN THE CHEMONG PLANNING AREA**

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL
THEREOF HEREBY ENACTS AS FOLLOWS:

1. Section 10 – Secondary Plans of the Official Plan of the City of Peterborough is amended by inserting the following:

“10.8 CHEMONG SECONDARY PLAN

10.8.1 The Chemong Secondary Land Use Planning Area is generally bounded by County Road 19 / Third Line of Smith Township, Fairbairn Street, Towerhill Road, Milroy Drive and Hilliard Street. The actual limits of the Planning Area are as shown on Schedule “F” – Key Map to Secondary Land Use Plans and on Schedule “Q” of the Official Plan. It is the policy of Council that land within the Chemong Secondary Land Use Plan shall be developed in accordance with the land use pattern shown on Schedule “P”. Reference shall also be made to the policies of section 10.8 in addition to other policies of the Official Plan. The land use categories of Schedule “Q” shall have the same meaning as in the Official Plan or Zoning By-law.

10.8.2 DEVELOPMENT POLICIES

Development of the Chemong Planning Area shall take place in conformity with detailed regulations for all properties within the Planning Area established in the Zoning By-law and in accordance with the following policies:

10.8.2.1 The land use designations applied to lands within the Chemong Secondary Planning Area, do not imply a pre-commitment of municipal services to future development. Conditions of Draft Plan of Subdivision Approval and “H” – Holding Provisions will be applied to development applications to allow the consideration of development proposals within this planning area without committing municipal servicing. Official Plan, Draft Plan of Subdivision and Zoning approvals granted to development applications within this

area will not be considered in the calculation of the City's uncommitted reserve capacity until Final Approval for plans of subdivision are granted, and "H" – Holding Provisions are removed.

- 10.8.2.2 It is intended that the land use areas, location of streets and limits of other features or site specific land uses shown on Schedule "Q"-Chemong Secondary Land Use Plan are approximate. Adjustments can be made without amendment to the Official Plan provided the general intent and purpose of the Secondary Plan is maintained. The location and alignment of streets will be determined at the time of subdivision approval without amendment to the Secondary Plan.
- 10.8.2.3 Development of the Planning Area will proceed in a logical sequence having regard for the adequacy of municipal services including water, stormwater and sanitary systems.
- 10.8.2.4 When reviewing development proposals, the City will require development proponents to assess the internal and external water and sanitary servicing needs of the proposal to the satisfaction of the City Engineer and to secure implementation of any required upgrades in a manner satisfactory to the City Engineer either prior to the issuance of development approval, or as a condition of development approval.
- 10.8.2.5 The City will have the authority to expand designated road rights-of-way at collector/collector street intersections and collector/arterial street intersections if determined necessary for intersection design.
- 10.8.2.6 When reviewing development proposals, the City will have regard for the existing natural features of the Secondary Planning Area, particularly the headwater areas of Bear's Creek and Jackson Creek. Development proposals adjacent to these features shall define, through the preparation of an Environmental Study as described in Section 3.3.7, the limit of the Natural Area, development setback requirements, and the limit of any flood plain within the Natural Area. Areas defined as Natural Area or required as a buffer to the Natural Area shall be dedicated to the City at no cost.
- 10.8.2.7 The City may require the dedication of additional open space lands outside of the lands designated "Major Open Space" to facilitate useable parkland and linear open space systems.
- 10.8.2.8 Where flood plain modeling is absent in the Planning Area, proponents shall undertake the required modeling to the satisfaction of the Authority. All lands deemed to be flood plain

shall be zoned Open Space District 1 and shall be deemed to be designated as Flood Plain on Schedule “C” – Natural Areas and Flood Plain without amendment to this Plan.

- 10.8.2.9 The City will co-ordinate with the County and the Township of Smith-Ennismore-Lakefield and other affected authorities to ensure that adequate external roadway capacity is provided to serve the Secondary Plan area.
- 10.8.2.10 When reviewing development proposals, the City will require development proponents to assess the internal and external road servicing needs of the proposal to the satisfaction of the City Engineer, consistent with the City’s Comprehensive Transportation Plan, and to secure implementation of any required upgrades in a manner satisfactory to the City Engineer either prior to the issuance of development approval, or as a condition of development approval.
- 10.8.2.11 The Chemong Secondary Plan and Functional Planning Study and the Detailed Flood Reduction Studies prepared for the Bear’s Creek and Jackson Creek watersheds and the recommendations contained therein will serve as the basis for completing stormwater management plans, including water quality and quantity measures for the Planning Area.
- 10.8.2.12 Pursuant to Section 4.2.3.9 of this Plan, the City will encourage the development of secondary suites in areas designated for Low Density Residential use on Schedule Q. The development of secondary suites will be controlled through the application of Zoning By-law regulations.
- 10.8.2.13 Medium and high density residential development and the Neighbourhood Centre commercial area will be designed to incorporate appropriate linkages that promote pedestrian and non-motorized activity as well as vehicular access.
- 10.8.2.14 The Neighbourhood Centre commercial area identified on Schedule Q will be developed with a mix of local and neighbourhood commercial uses that, in conjunction with adjacent medium and high density residential uses and parkland will serve as a focal point for the east half of the Chemong Community in accordance with the following principles:
 - a) The designated area will be designed to reinforce its role as the focal point of the surrounding community through strategic

orientation of buildings and access points, integration with the Chemong community, and urban design; and,

- b) Up to 2,700 square metres (29,000 square feet) of Local and Neighbourhood Commercial floor space as described in Chapter 4, of this Plan, excluding neighbourhood scale food retail, will be permitted within the designated area.

Additional studies including a Planning Analysis pursuant to Section 4.3.7 of this Plan and an Urban Design Study may be required as part of any application for site plan control approval in the designated area to ensure implementation of the identified principles for the designated area.

- 10.8.2.15 Where development within the Secondary Plan area is subject to site plan control in accordance with Section 3.8 of this Plan, Council may require the submission of drawings noted in paragraph 2 of Subsection 41(4) of the Planning Act, R.S.O. 1990, c. P.13, as amended, including drawings that are sufficient to display matters relating to, without limitation, the character, scale, appearance and design features of buildings, and their sustainable design insofar as they relate to exterior design.
- 10.8.2.16 Notwithstanding any other policy in this Plan to the contrary, the City will give consideration to development proposals in the Chemong Planning Area that employ alternative development standards such as reduced road right-of-way widths, rear laneways, alternative parkland sizing and placement, reduced lot sizes and building setbacks in order to facilitate the creation of a compact community that achieves a minimum average density of 50 residents and jobs per hectare over the entire Planning Area subject to the review and approval of the City Engineer.
- 10.8.2.17 Notwithstanding Section 5.7.2 of this Plan, where consideration is given to the development of a Local Street with a right-of-way width of less than 18.5 metres, the City shall have the ability to require sidewalks on only one side of the street.
- 10.8.2.18 Where consideration is given to the development of a Street with a right-of-way width that is less than the expected width for the proposed street class as noted in Section 5.4.1 of this Plan, the City may restrict or prohibit on-street parking pursuant to Section 5.11.3 of this Plan.
- 10.8.2.19 Where a development proposes the creation of municipally-maintained rear laneway, the City may require, as a condition of

development approval, an upfront maintenance fee from the proponent. Additionally, the City may establish, by By-law, a Special Area Charge for abutting properties pursuant to Section 326 of the Municipal Act, 2001 or any successor thereof to reflect the enhanced level of municipal service required for the development.

2. The Official Plan of the City of Peterborough is amended by adding Schedule 'Q' – Chemong Secondary Land Use Plan in accordance with the Schedule 'A' attached hereto.
3. Schedule 'A' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'B' attached hereto.
4. Schedule 'B' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'C' attached hereto.
5. Schedule 'C' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'D' attached hereto.
7. Schedule 'D' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'E' attached hereto.
8. Schedule 'E' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'F' attached hereto.
9. Schedule 'F' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'G' attached hereto.
10. Schedule 'I' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'H' attached hereto.
11. Schedule 'L' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'J' attached hereto.

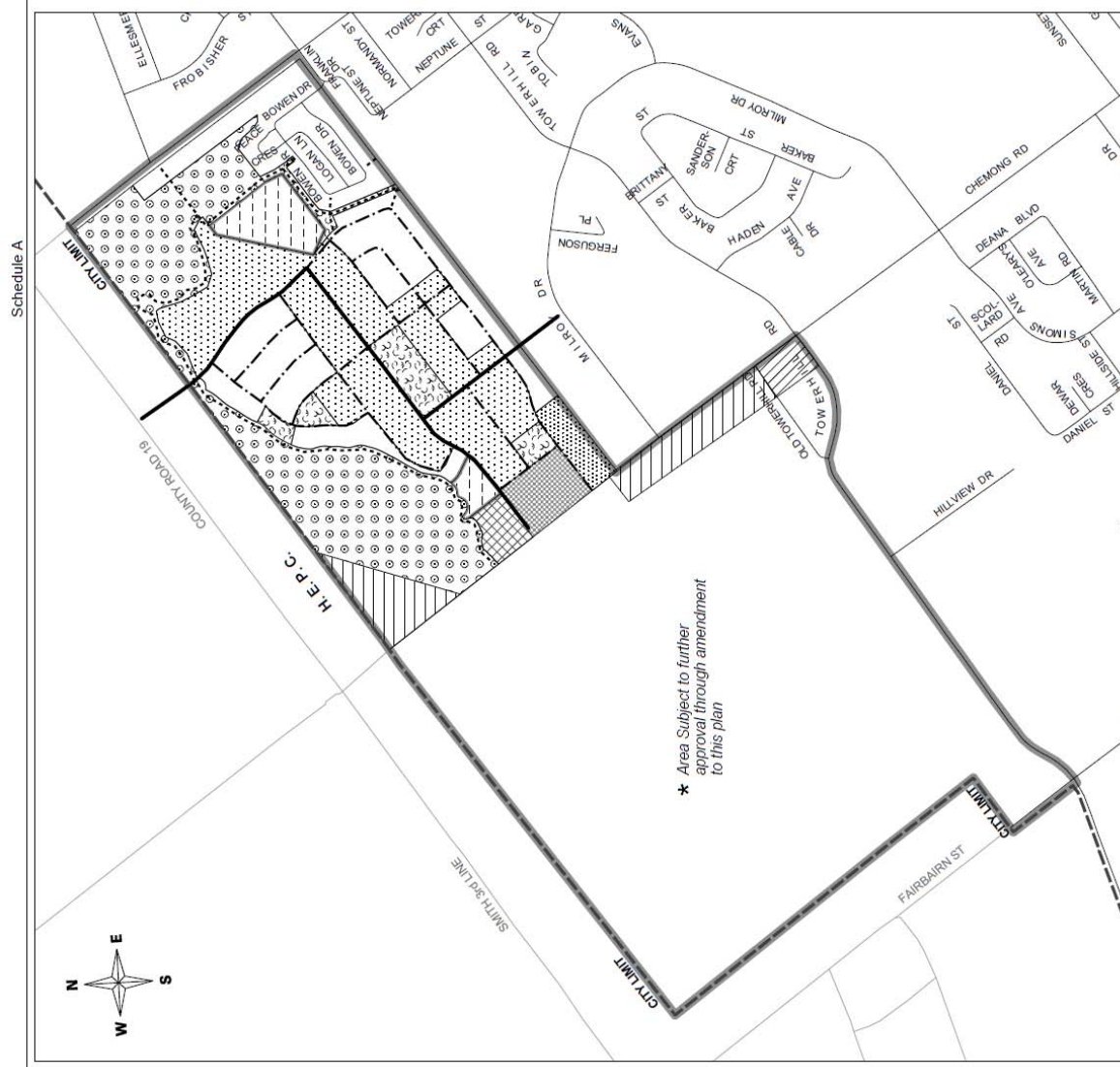
By-law read a first, second and third time this day of _____, 2011.

Daryl Bennett, Mayor

Nancy Wright-Laking, City Clerk

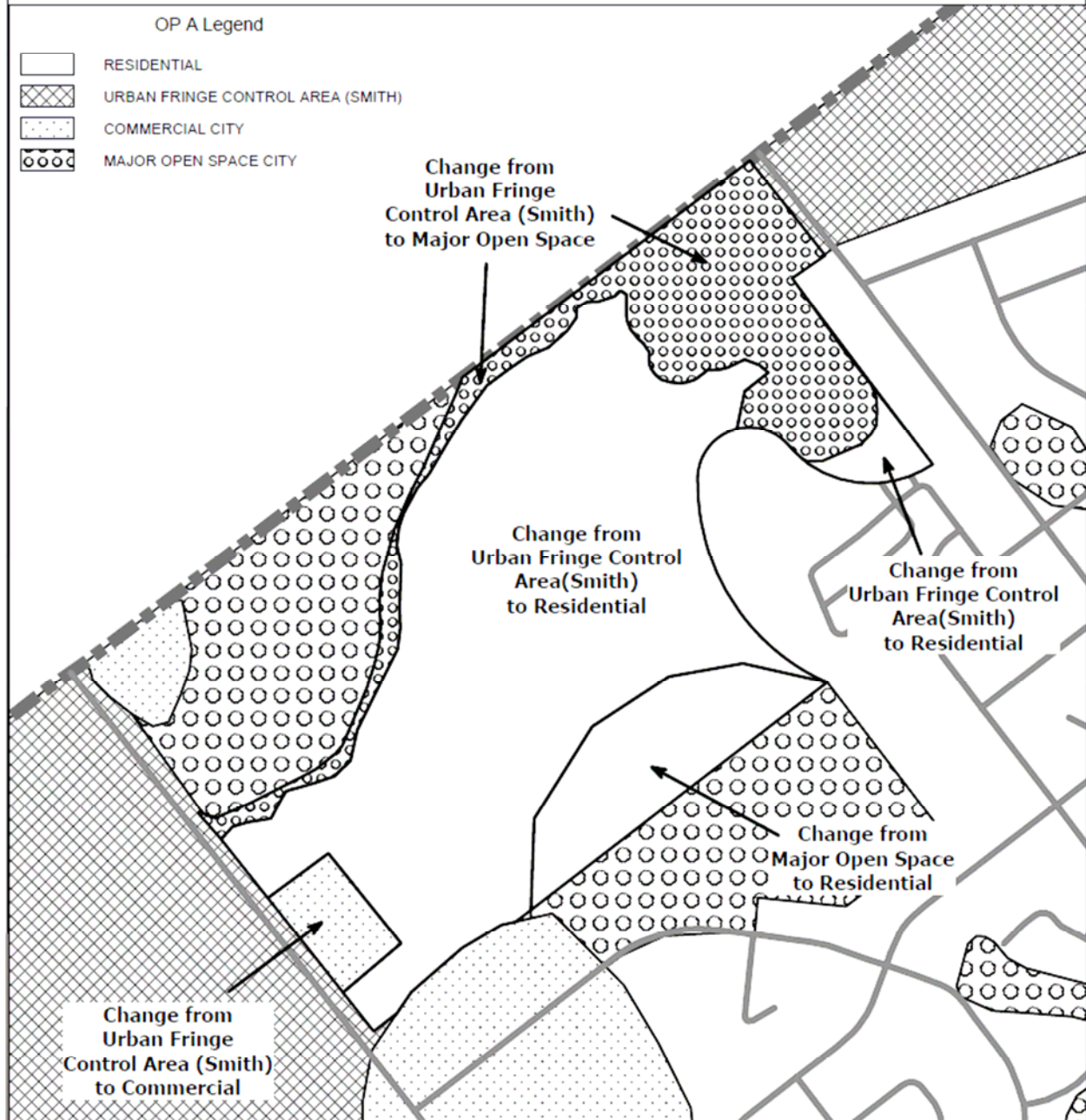
~ SCHEDULE - Q ~

Chemong Secondary Land Use Plan



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Official Plan Amendment to Schedule - A Land Use



City of
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File: O1006






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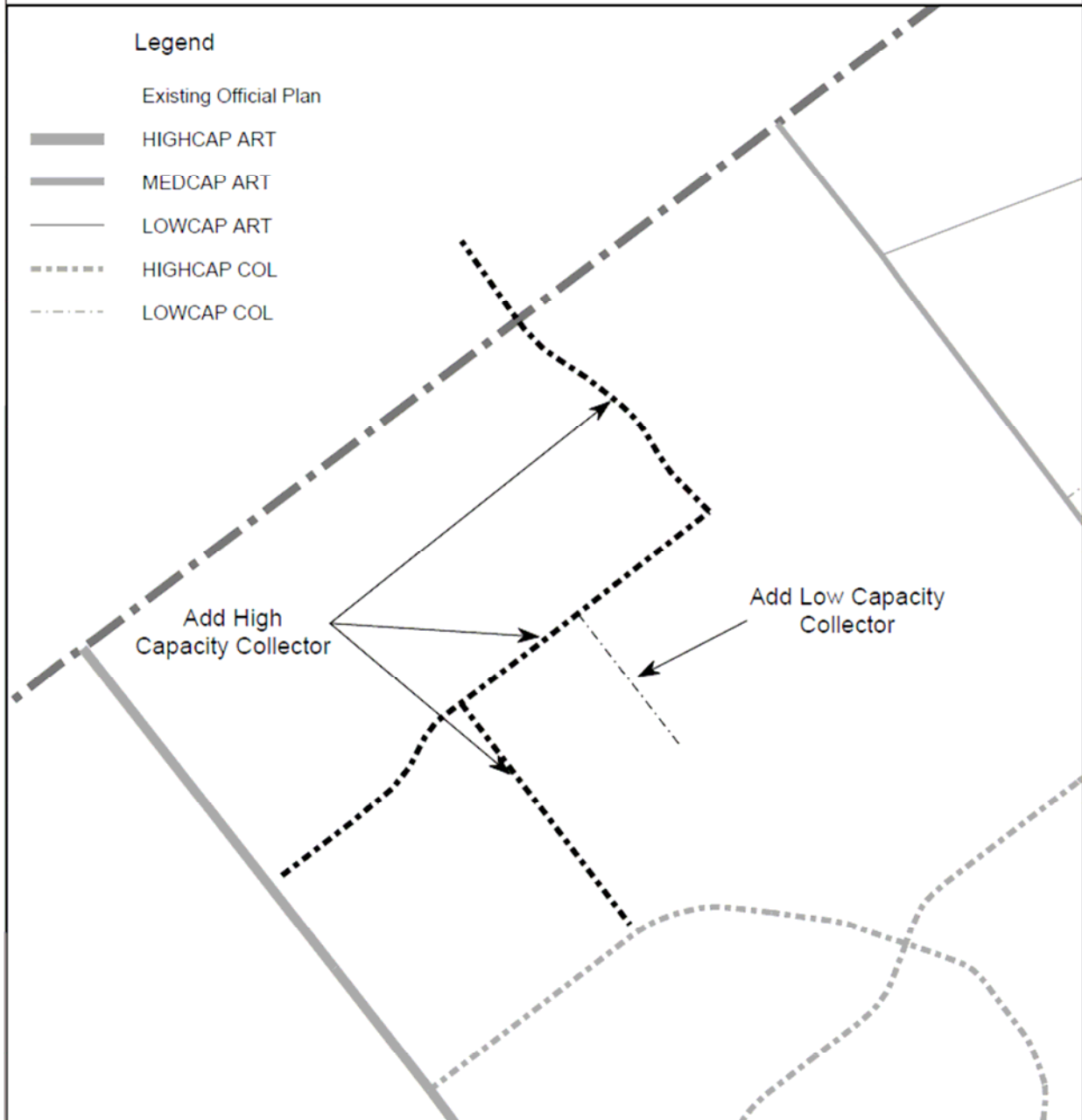
Schedule C

Official Plan Amendment to Schedule - B Roadway Network

Legend

Existing Official Plan

-  HIGHCAP ART
-  MEDCAP ART
-  LOWCAP ART
-  HIGHCAP COL
-  LOWCAP COL



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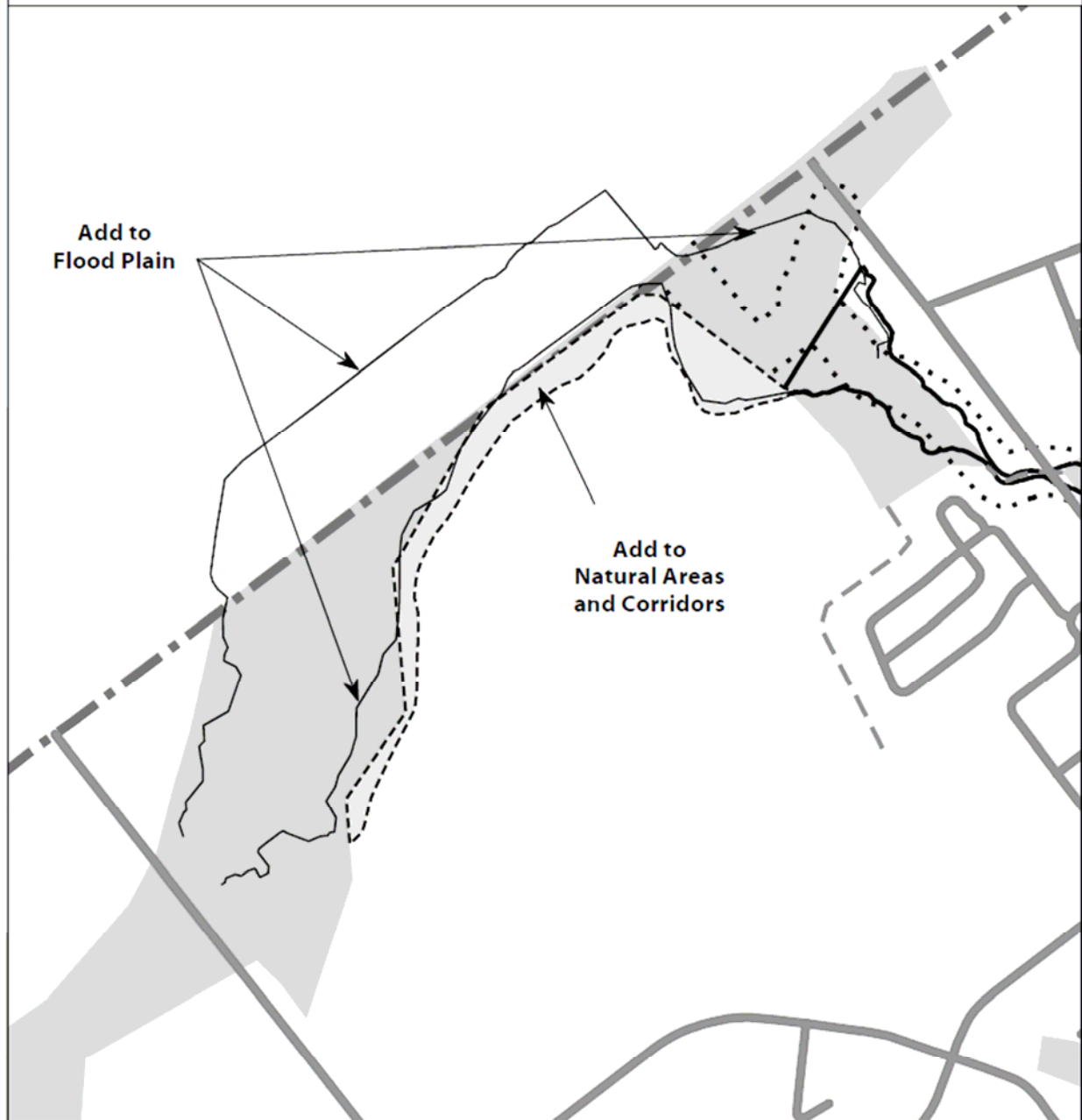


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Schedule D

Official Plan Amendment to Schedule - C Natural Areas & Flood Plains



**City of
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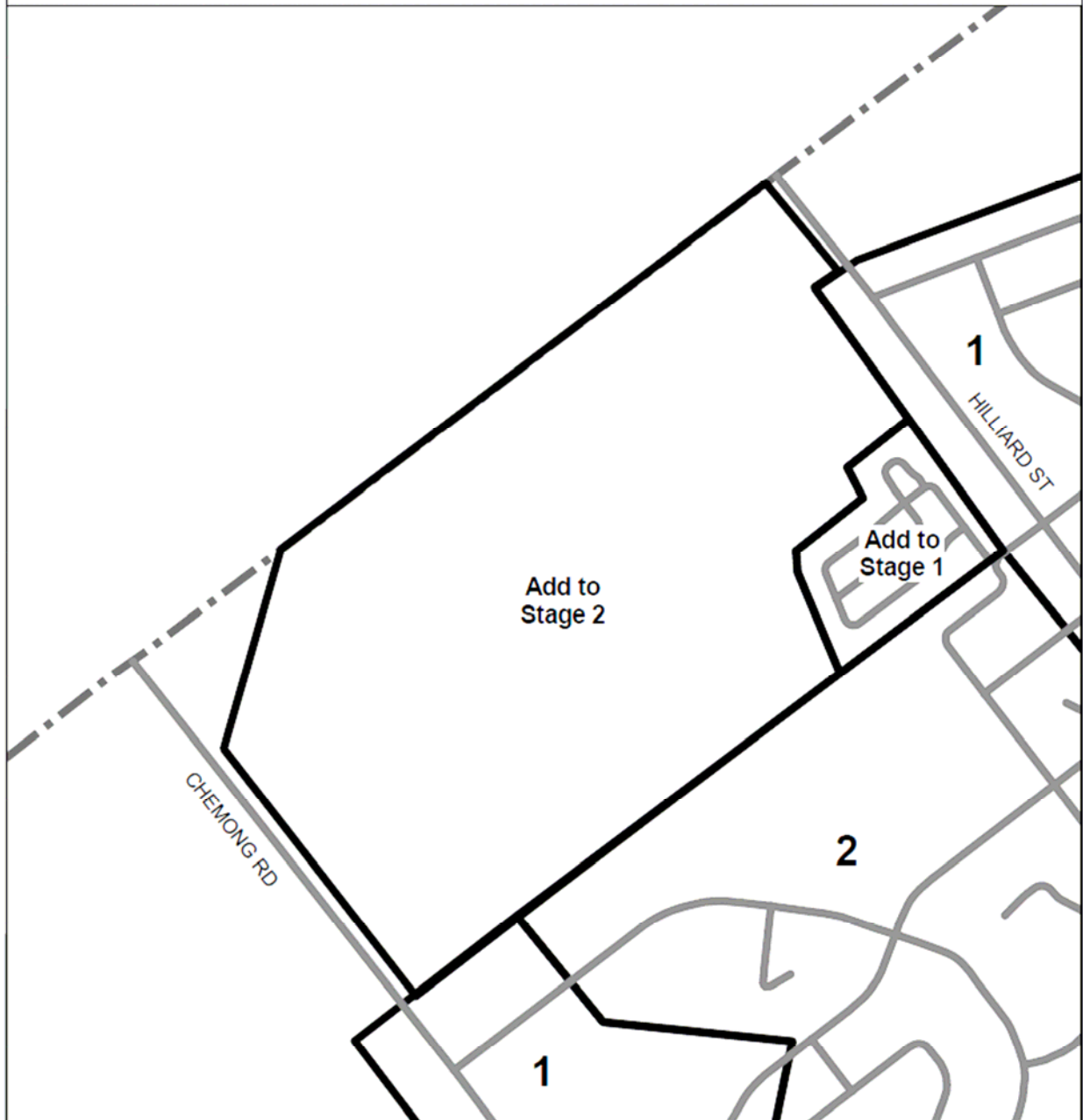


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Schedule E

Official Plan Amendment to Schedule - D Development Areas



City of
Peterborough



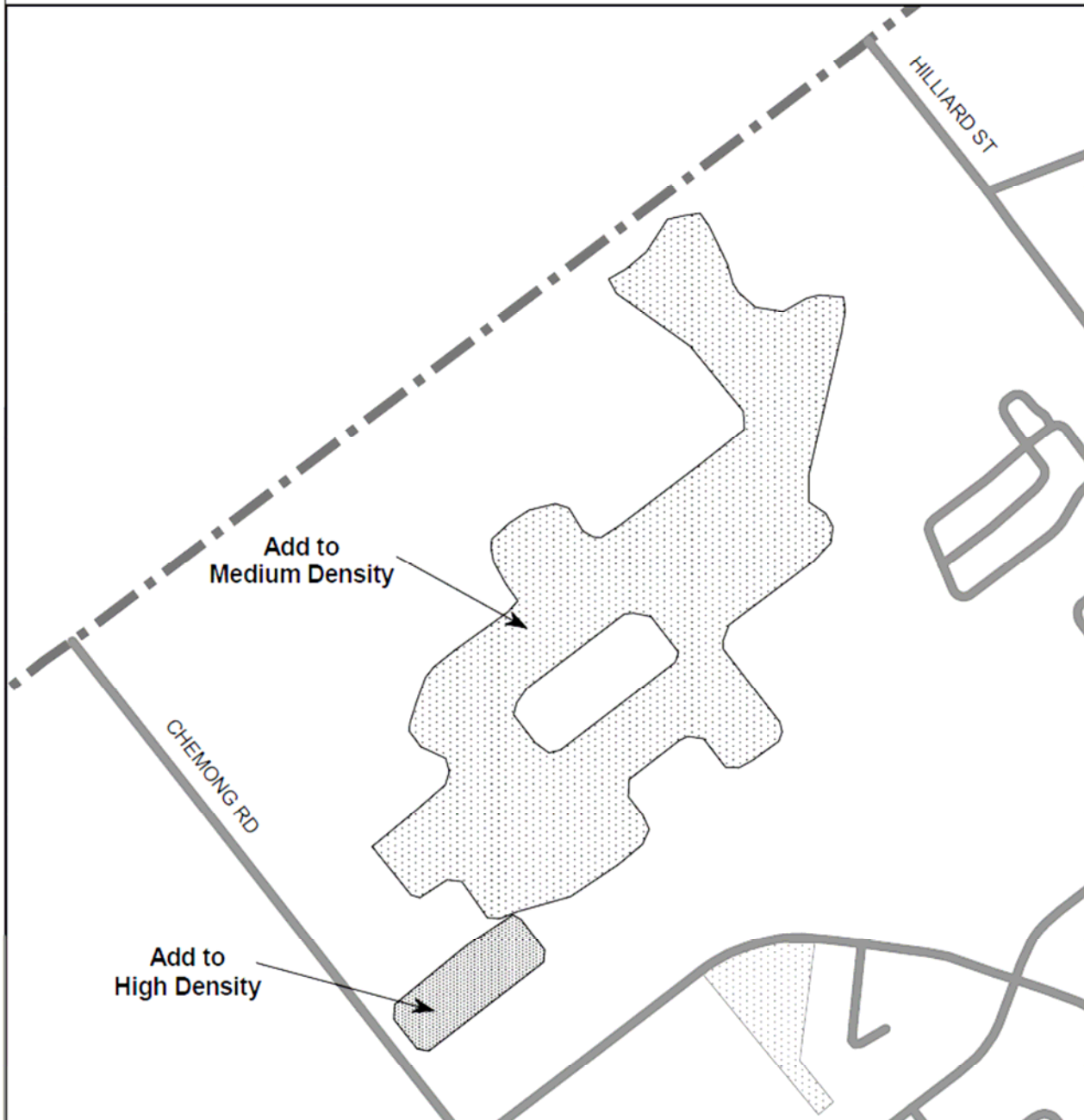
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Scale: 1:8000

Schedule F

Official Plan Amendment to Schedule - E Residential Density



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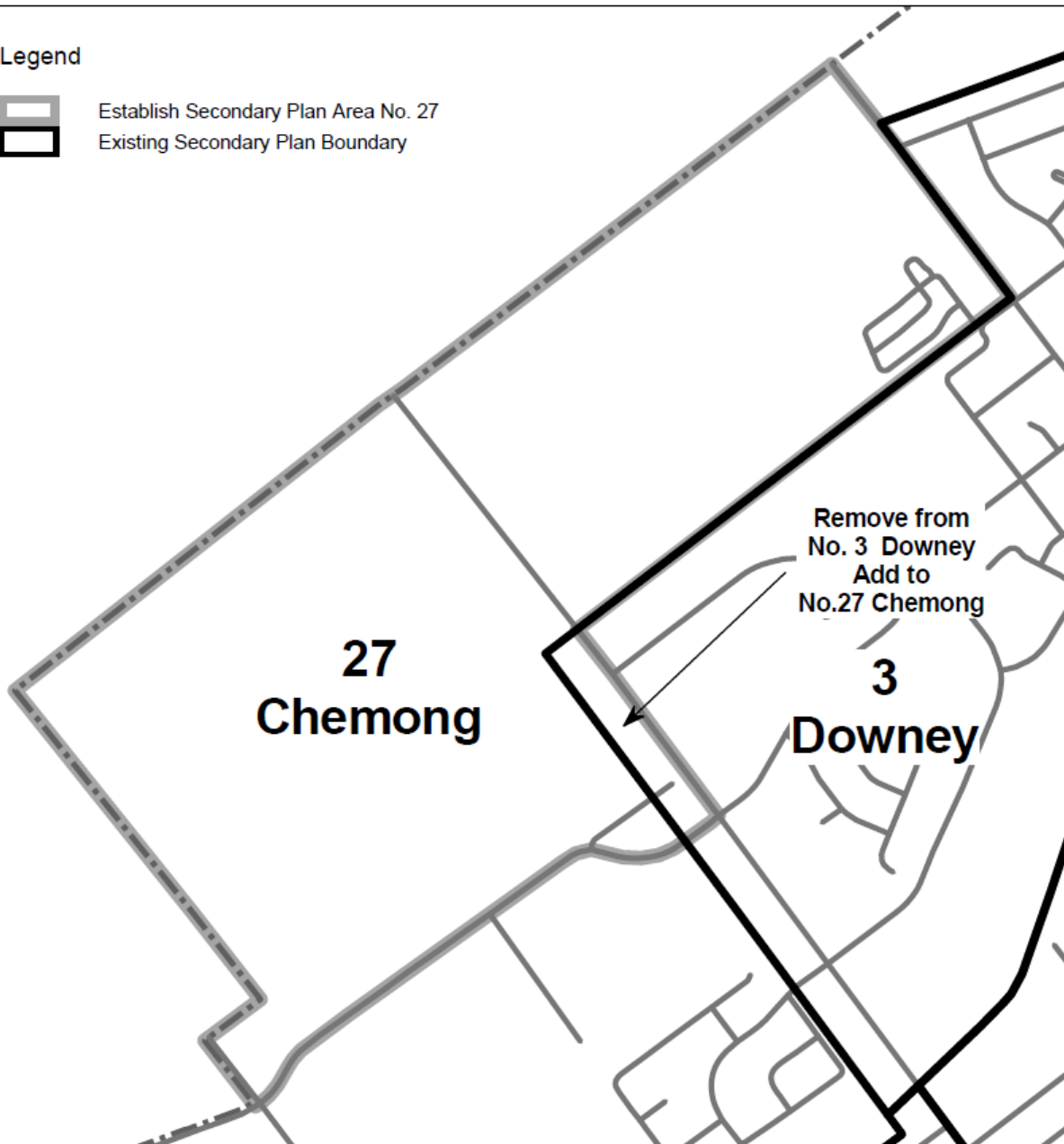
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Schedule G

Official Plan Amendment to Schedule - F Key Map to Secondary Land Use Plans

Legend

-  Establish Secondary Plan Area No. 27
-  Existing Secondary Plan Boundary



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File: O1006

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Schedule H

Official Plan Amendment to Schedule - I Commercial Area

OP I Legend



CENTRAL AREA
MAJOR SHOPPING
NEIGHBOURHOOD CENTRE
SERVICE COMMERCIAL
SPECIAL PURPOSE RETAIL

**Add to
Neighbourhood
Centre**

**City of
Peterborough**

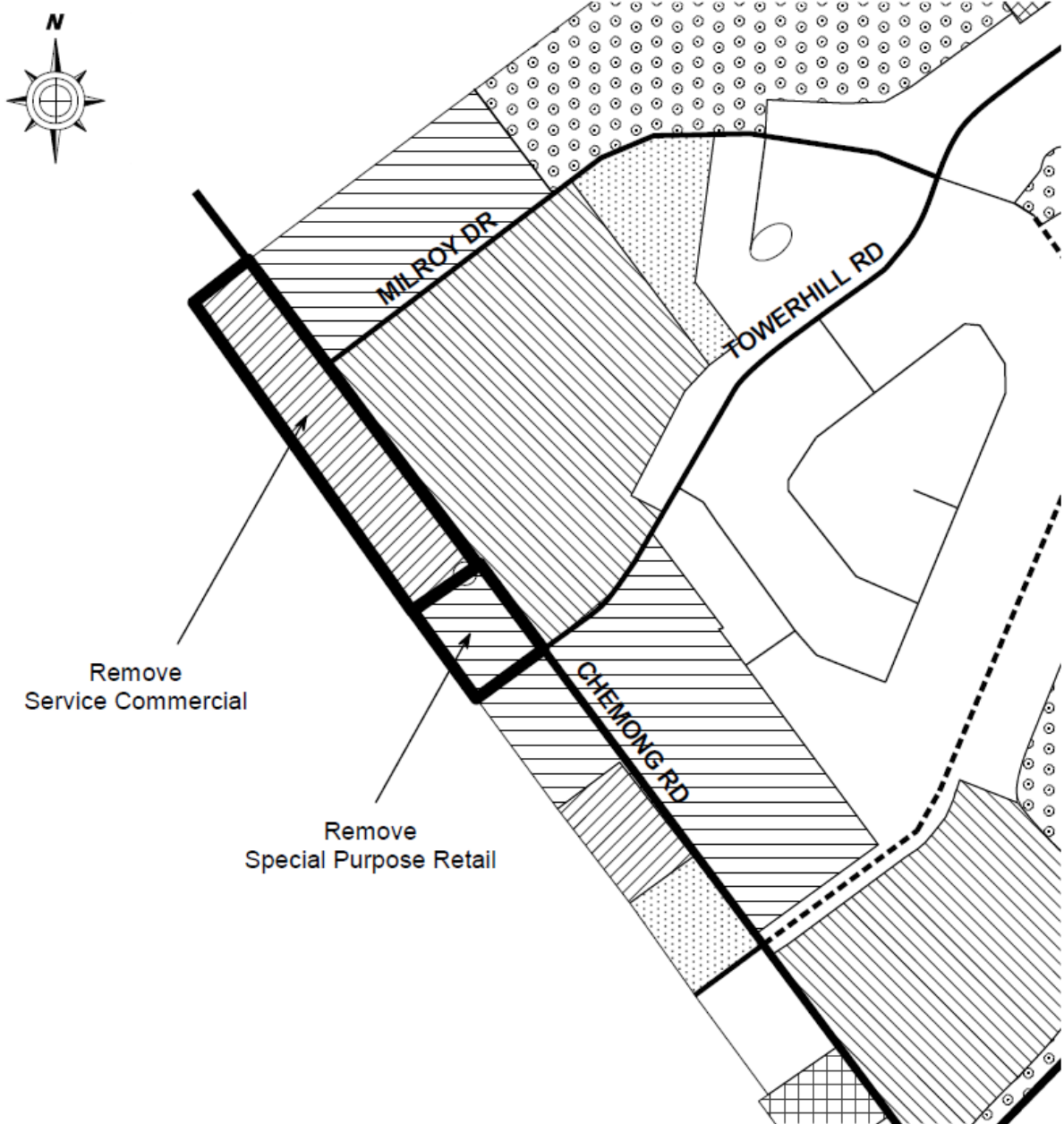


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File: O1006

Scale: 1:5000

Official Plan Amendment to Schedule - L Downey West Secondary Land Use Map



City of
Peterborough

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File: O1006

Scale: 1:6000

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 11-_____

**BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR THE
PROPERTIES AT 0 AND 1224 CHEMONG ROAD AND 1339, 1345,
1349 AND 1371 HILLIARD STREET**

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL
THEREOF HEREBY ENACTS AS FOLLOWS:

1. By-Law 1997-123 is amended by adding Section 378 as follows:

“SECTION 378

SPECIAL DISTRICT 348 (SP.348)

378.1 For the purpose of this by-law, land use district “Special District 348” is hereby established and may be referred to as the symbol “SP.348”.

PERMITTED USE:

378.2 No person shall within an SP.348 District, use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a dwelling

REGULATIONS:

378.3 No person shall within an SP. 348 District, use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Type	Requirement
a) maximum number of dwelling units per lot	8
b) minimum lot area per dwelling unit	112.5 square metres
c) minimum lot width per dwelling unit	4.5m
d) minimum lot depth	25m
e) minimum building setback i) side lot line	1.2 metres

ii) rear lot line	6.0m
f) maximum building coverage	65%
g) maximum number of storeys	2
h) minimum floor area per dwelling unit	70 square metres
j) maximum coverage by open parking areas, driveways and vehicle movement areas	25%
k) Notwithstanding the provisions of Section 6.11, the minimum building setback from the street line shall be:	
i) 3.0 metres for a dwelling, excepting an attached garage or carport	
ii) 6.0 metres for an attached garage or carport	
iii) 1.5 metres for a verandah	
l) A lot line which abuts a public lane shall be deemed to be a rear lot line.	

378.4 SP.348 District is hereby designated as a residential district.”

2. By-Law 1997-123 is amended by adding Section 379 as follows:

“SECTION 379

SPECIAL DISTRICT 349 (SP.349)

379.1 For the purpose of this by-law, land use district “Special District 349” is hereby established and may be referred to as the symbol “SP.349”.

PERMITTED USE:

379.2 No person shall within an SP.349 District, use any land or erect, alter or use any building or part thereof for any purpose other than:

- b) a dwelling

REGULATIONS:

379.3 No person shall within an SP. 349 District, use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Type	Requirement
a) minimum lot area per dwelling unit	200 square metres
b) maximum lot area per dwelling unit	400 square metres

c) minimum building setback i) side lot line	6.0 metres
ii) rear lot line	6.0 metres
d) maximum number of storeys	2
e) minimum floor area per dwelling unit	70 square metres
f) maximum coverage by open parking areas, driveways and vehicle movement areas	25%
g) minimum number of motor vehicle parking spaces to be provided per dwelling unit	2
h) Notwithstanding the provisions of Section 6.11, the minimum building setback from the street line shall be: i) 3.0 metres for a dwelling, excepting an attached garage or carport ii) 6.0 metres for an attached garage or carport iii) 1.5 metres for a verandah	

379.4 SP.349 District is hereby designated as a residential district.”

3. By-Law 1997-123 is amended by adding Section 380 as follows:

“SECTION 380

SPECIAL DISTRICT 350 (SP.350)

380.1 For the purpose of this by-law, land use district “Special District 350” is hereby established and may be referred to as the symbol “SP.350”.

PERMITTED USE:

380.2 No person shall within an SP.350 District, use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a dwelling

REGULATIONS:

380.3 No person shall within an SP. 350 District, use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Type	Requirement
a) minimum lot area per dwelling unit	91 square metres
b) maximum lot area per dwelling unit	133 square metres
c) minimum lot width	45 metres
d) minimum lot depth	45 metres
e) minimum building setback i) side lot line ii) rear lot line	6.0 metres or 3 metres per storey, whichever is greater 6.0 metres or 3 metres per storey, whichever is greater
f) maximum building coverage	40%
g) maximum number of storeys	5
h) maximum coverage by open parking areas, driveways and vehicle movement areas	25%

380.4 SP.350 District is hereby designated as a residential district.”

4. By-Law 1997-123 is amended by adding Section 381 as follows:

“SECTION 381

SPECIAL DISTRICT 351 (SP.351)

381.1 For the purpose of this by-law, land use district “Special District 351” is hereby established and may be referred to as the symbol “SP.351”.

PERMITTED USE:

381.2 No person shall within an SP.351 District, use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a video rental establishment
- b) a personal service establishment
- c) a sub post office
- d) a dry cleaning depot (Class 2)
- e) a printing shop
- f) a clinic
- g) a convenience retail store
- h) a bake shop
- i) a self service laundry

- j) a studio or craft workshop
- k) a day nursery
- l) a repair shop for electronics and appliances
- m) a mailbox rental service outlet
- n) a retail establishment
- o) a retail catalogue sales establishment
- p) a rental establishment with no outdoor display and/or storage
- q) a food store
- r) a drug store
- s) a hardware store
- t) an art school, music school, dance school or fine arts school
- u) a gymnasium or health club
- v) a place of assembly
- w) a restaurant
- x) a bowling alley
- y) a bank, financial institution or loan company
- z) an office

REGULATIONS:

381.3 No person shall within an SP. 351 District, use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

Type	Requirement
a) minimum lot width	85 metres
b) minimum lot depth	80 metres
c) minimum building setback	
i) side lot line	9.0 metres or twice the height of the building, whichever is greater
ii) rear lot line	9.0 metres or twice the height of the building, whichever is greater
f) maximum building coverage	30%
g) maximum number of storeys	3
h) landscaped open space of a minimum width of 6 metres shall be provided and maintained along a lot line abutting a residential or development district	
i) landscaped open space including a planting strip, having a minimum width of 3 metres shall be provided and maintained along all other lot lines	

c) maximum floor area per commercial purpose: i) uses (a) to (p) inclusive ii) use (q) iii) uses (r) and (s) iii) uses (t) to (y) inclusive iv) use (z)	330 square metres 464 square metres 1725 square metres no restriction 300 square metres
e) maximum floor area for all commercial purposes, including basements	2,700 square metres

381.4 SP.351 District is hereby designated as a commercial district.”

5. Section 3.9 Exceptions of By-law 1997-123 is hereby amended by adding the following:

“.259 Notwithstanding the provisions of Section 125.2 I), a service station shall not be permitted.

Notwithstanding the provisions of Section 125.2 , a gas bar shall be permitted.

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

Notwithstanding the provisions of Section 125.3 h), landscaped open space of a minimum width of 6 metres shall be provided and maintained on a lot line abutting a residential or development district and landscaped open space of a minimum width of 1.5 metres with planting strips shall be provided and maintained along all other lot lines.

.260 Notwithstanding the provisions of Section 362.3 b), the minimum lot area shall be 190 square metres.

Notwithstanding the provisions of Section 362.3 d), the minimum lot depth shall be 25 metres.

Notwithstanding the provisions of Section 362.3 f), the maximum building coverage shall be 60%.

Notwithstanding the provisions of Section 362.3 g), the maximum number of storeys shall be 3.

Notwithstanding the provisions of Section 362.3 h), the minimum floor area per dwelling unit shall be 56 square metres.

- .261 Notwithstanding the provisions of Section 363.3 b), the minimum lot area shall be 142 square metres.

Notwithstanding the provisions of Section 363.3 c), the minimum lot width per dwelling unit shall be 5.7 metres.

Notwithstanding the provisions of Section 363.3 d), the minimum lot depth shall be 25 metres.

Notwithstanding the provisions of Section 363.3 f), the maximum building coverage shall be 60%.

Notwithstanding the provisions of Section 362.3 g), the maximum number of storeys shall be 3.

Notwithstanding the provisions of Section 363.3 h), the minimum floor area per dwelling unit shall be 56 square metres.”

6. Section 3.4 Alternative Regulations of By-law 1997-123 is hereby amended by adding the following to 4. MINIMUM LOT DEPTH:

“4. m. 25m”

7. Section 3.4 Alternative Regulations of By-law 1997-123 is hereby amended by adding the following to 13. MINIMUM FLOOR AREA PER DWELLING UNIT:

“13. k. 56 sq. m”

8. **Map 3** forming part of Schedule 'A' to By-law 1997-123 is amended by changing the area shown on the sketch attached hereto as Schedule 'A' from **A2(Smith), H Hazard Zone (Smith), RuR(Smith), and D.2-96 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', SP.350-H', SP.351-H', SP.95-259-H', OS.1 and OS.3.**

EXHIBIT E
SHEET 8 of 9











9. The 'H' – Holding Symbol will be removed from:
- i. Areas to be developed in accordance with Districts SP.328, SP.329, SP.330, SP.332 and SP.333 illustrated on the sketch attached hereto as Schedule 'A' upon registration of the Plan of Subdivision in the Land Registry Office; and,
 - ii. Areas to be developed in accordance with Districts SP.95, SP.331, SP.348, SP.349, SP.350, and SP.351 as illustrated on the sketch attached hereto as Schedule 'A' upon Site Plan Approval being granted for the respective parcels.
10. The By-law shall come into effect upon the approval of Official Plan Amendment No. ???.

By-law read a first, second and third time this day of _____, 2011.

Daryl Bennett, Mayor

Nancy Wright-Laking, City Clerk

Legend

-  Change from D.2-96 & H (Smith) & A2 (Smith) to OS.1
-  Change from H (Smith) & A2 (Smith) & D.2-96 & RuR (Smith) to OS.3
-  Change from A2 (Smith) & H (Smith) & D.2-96 to SP.328,13a-"H"
-  Change from A2 (Smith) & H (Smith) & D.2-96 to SP.328,13a-"H", SP.329,11j,13k-"H", SP.330,11j,13k-"H", SP.331,3q,11j,13k,16c-"H"
-  Change from A2 (Smith) to SP.328,4f,10e,13a-"H", SP.329,4f,10e,11j,13k-"H", SP.330,4f,11j,13k-"H", SP.331,4f,10e,11j,13k-"H"
-  Change from A2 (Smith) & H (Smith) & D.2-96 to SP.332-260-"H", SP.333-261-"H", SP.348,11j,13k-"H"
-  Change from A2 (Smith) & D.2-96 to SP.349,11j,13k-"H"
-  Change from RuR (Smith) & A2 (Smith) to SP.350-"H"
-  Change from RuR (Smith) & A2 (Smith) to SP.351-"H"
-  Change from A2(Smith) & H (Smith) to SP.95-259-"H"

SCHEDULE 'A' TO
BYLAW 2011-
PASSED THE DAY
OF 2011
MAYOR
CLERK



City of
Peterborough



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Scale 1: 6500