



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: August 27, 2012

SUBJECT: Report PLPD12-054
Official Plan Amendment O1204
Zoning By-law Amendment Z1215SB
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 applications to amend the Official Plan and Zoning By-law as they relate to Draft Approved Plan of Subdivision 15T-10507 located at 0 and 1224 Chemong Road, and 1339, 1345, 1349 and 1371 Hilliard Street.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD12-054 dated August 27, 2012, of the Manager, Planning Division, as follows:

- a) That Schedules "B" – Roadway Network, and "Q"- Chemong Secondary Land Use Plan of the Official Plan be amended in accordance with Exhibit F of Report PLPD12-054 to enable proposed Flitton Avenue to develop as a local street.
- b) That Subsection (11.1) Flitton Avenue of Section 6.10 Exceptions (Building Setback – Collector Streets) of By-law 97-123 be deleted in accordance with Exhibit G of Report PLPD12-054.

- c) That the subject property be rezoned from OS.3 – Open Space District to SP.328,4g,10b,13a-'H', SP.329,4g,10b,11j,13k-'H', SP.330,4g,10b,11j,13k-'H', and SP.331,3q,4g,10b,11j,13k,16c-'H' in accordance with Exhibit G of Report PLPD12-054.
- d) That Council direct the Director of Planning and Development Services to amend the plan and conditions of approval for Draft Approved Plan of Subdivision 15T-10507 in general accordance with Report PLPD12-054 upon receipt of confirmation from the City Clerk that the by-laws associated with Recommendations a), b) and c) of Report PLPD12-054 have come into effect.

BUDGET AND FINANCIAL IMPLICATIONS

There are no direct budget or financial implications arising from the approval of these amendments.

BACKGROUND

In 2011 Council granted Draft Plan Approval to Plan of Subdivision 15T-10507 attached hereto as Exhibit C for the development of approximately 770 residential units consisting of a mix of single detached units, townhomes, medium density and high density residential units together with lands for neighbourhood and local commercial uses, parkland, stormwater management and open space (Report PLPD11-013). The plan is unique among other new developments in Peterborough for its use of rear laneways and reduced local street right-of-way widths (16.5 metres vs. typical 20 metre local road allowances).

To facilitate the development Council also approved Official Plan Amendment No. 152 and Zoning By-law 11-046 which, among other things, established a Chemong Secondary Land Use Plan and zoning regulations for the lands.

Presently, Mason Homes Limited is completing the detailed engineering design for the first phase of the Draft Plan of Subdivision to be built which is anticipated to receive Final Approval and plan registration this year.

When the Draft Plan of Subdivision was originally approved by Council, Mason Homes intended to install a deep sanitary trunk sewer within Street 'M' (which is to be named

Flitton Avenue) and through Milroy Park to Milroy Drive. In order to accommodate the anticipated deep sewer, the road allowance for Street 'M' was planned to be wider than the typical 16.5 metre local street allowance that was proposed for most other streets in the development. Additionally, at the termination of Street 'M' near Milroy Park, a dedicated block of land, Block 53, was planned in order to enable the sewer to access Milroy Park.

To recognize that Street 'M' was to be developed to a greater width than a typical local street in the subdivision, the approved Official Plan and Zoning By-law amendments treated Street 'M' as a collector street. Additionally, to ensure that Block 53 only served as a corridor for the proposed sewer, the Zoning By-law zoned the block for open space purposes.

Through the review of the detailed engineering design, it has been determined that a deep sanitary sewer is no longer required in Street 'M' and that no sanitary sewer connection is required through Milroy Park. Accordingly, Mason Homes Limited has requested that the Official Plan, Zoning By-law and Draft Approved Plan of Subdivision be amended to allow Street 'M' to develop to a local street standard as established in the Chemong Secondary Land Use Plan and to allow Block 53 to be developed for residential purposes rather than as an open space block. By virtue of developing Flitton Avenue as a local street rather than a collector street, sidewalk would only be required on one side as opposed to both sides to ensure adequate room within the road allowance for underground infrastructure.

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 Official Plan and Zoning Amendments help provide for the efficient use of available land, proposed infrastructure and resources within the development and does not compromise the overall development's compliance with provincial policy as described in Report PLPD11-013.

b) Official Plan

The lands subject to the proposed Official Plan and Zoning By-law Amendments are currently designated as follows:

Schedule 'A' Land Use	Block 53 – Residential
Schedule 'B' Roadway Network	Street 'M' (Flitton Avenue) – Low Capacity Collector
Schedule 'Q' Chemong Secondary Land Use Plan	Block 53 – Low Density Residential Street 'M' (Flitton Avenue) – Low Capacity Collector

Within the Chemong Secondary Land Use Plan, Local Streets are subject to Policies 10.8.2.16 and 10.8.2.17 which allow them to be developed with alternative construction standards such as reduced right-of-way widths and sidewalks on one side of the street despite contrary policy elsewhere in the Official Plan. This policy consideration was established in order to enable this portion of the city to develop in a way that promotes principles of 'new urbanism' including street-oriented housing and social life.

Accordingly, in order to enable Flitton Avenue to develop as a local street as contemplated in the Secondary Land Use Plan policy, Mason Homes has requested that the Official Plan be amended as follows:

SCHEDULE B – ROADWAY NETWORK

- Delete the Low Capacity Collector designation from Street 'M' (Flitton Avenue).

SCHEDULE Q – Chemong Secondary Land Use Plan

- Change the designation of Street 'M' (Flitton Avenue) from Low Capacity Collector to Local.

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 which was considered in detail for the overall development in report PLDP11-013. The proposed Official Plan and Zoning By-law Amendments do not fundamentally affect the analysis undertaken in that report and staff is satisfied that the proposed amendments are supportable within an Official Plan policy context. Transportation and Infrastructure Planning staff from Utility Services have reviewed the proposed amendments and are satisfied that Flitton Avenue is not required for Collector Street purposes and that it is appropriate for Flitton Avenue to develop as a Local Street.

c) Zoning By-law

In order to enable Block 53 on the Draft Plan of Subdivision to develop for residential purposes in conjunction with the adjacent lands, Mason Homes Limited has requested that the Zoning By-law be amended as follows:

Block	Zoning	Proposed Use	Minimum Lot Width
Block 53	From OS.3 Open Space District To SP.328,4g,10b,13a SP.329,4g,10b,11j,13k SP.330,4g,10b,11j,13k SP.331,3q,4g,10b,11j,13k,16c	Singles, Semis, Townhomes	13.7m (SP.328 - singles) 9.1 m (SP.329 - singles) 7.0m (SP.330 - semis) 6.0m (SP.331 - towns)

The zoning proposed for Block 53 is consistent with the zoning on the adjacent lands and is in conformity with the residential Official Plan designation of the lands.

As is customary with plans of subdivision, a Holding Symbol will be placed on the zoning for Block 53 consistent with the adjacent lands 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.

In order to enable Street 'M' (Flitton Avenue) to develop as a Local Street, Mason Homes Limited has also requested an amendment to the Zoning By-law to ensure streetline building setbacks (i.e. front yard setback) for homes constructed along that street are consistent with the building setbacks established throughout the development.

Typically, for streets that are designated as a Collector, the Zoning By-law measures the required from the centreline of the road whereas for local streets, the building setback is measured from the streetline (i.e. the mutual property line between the lot and the street). Accordingly, if Flitton Avenue is to be designated and developed as a local street, Section Subsection (11.1) Flitton Avenue of Section 6.10 Exceptions (Building Setback – Collector Streets) will need to be deleted. If that Subsection is deleted, the building setback would then be measured from the streetline as provided for in the residential zoning districts along that street. Under both the existing and proposed Zoning, the actual distance of the building setback on the lot will remain unchanged; only the location from which the setback is measured will change.

c) Draft Plan of Subdivision Approval

Concurrent with their request to amend the Official Plan and Zoning By-law, Mason Homes also requested that the Draft Approved Plan of Subdivision (see Exhibit C) be amended illustrate Street 'M' reduced to a 16.5m right-of-way width and Block 53 merged with adjacent Blocks 51 and 55 for residential purposes.

In order to accommodate this request, the conditions of Draft Plan Approval attached hereto as Exhibit D also need to be amended as follows:

- Update any block number references in the conditions to reflect the amended Draft Plan of Subdivision (including the elimination of Block 53);
- Delete Conditions 36 and 37 which relate to the provision of a sanitary sewer through Milroy Park to Milroy Drive in order to reflect the elimination of the said sewer from the site's design; and,
- Apply the requirements of Conditions 53 and 54 which require the preservation of trees within those residential lots/blocks that back onto Milroy Park to any residential development to occur on Block 53.

Additionally, staff has reviewed the current conditions of Draft Plan Approval and have identified the following conditions that are either no longer applicable or require revision due to details illustrated on the proposed amended Draft Plan of Subdivision:

- Condition No. 2 which requires the conditions of Draft Plan Approval to be updated to reflect revised Lot/Block number is no longer applicable and can be deleted;
- Condition No. 19 which requires the elimination of any Street 'H' connection to Chemong Road is obsolete and can be deleted; and,
- Condition No. 47 which relates to residential blocks being developed without municipal road frontage can be amended to reflect that any rear lane to service such blocks will provide a minimum travel width of 6m as illustrated on the Draft Plan.

Furthermore, with the recent approval of By-law No. 12-121 which established a new City-wide Engineering Services Development Charge, Condition No. 16 has become obsolete because the expense of a collector street connection between the lands and County Road 19 is now included in an approved Development Charge By-law. Accordingly, Condition No. 16 can now be deleted.

Overall, with the proposed amendments to the Draft Plan of Subdivision, the total unit count and mix proposed remains unchanged from the original plan.

Should Council approve the proposed Official Plan and Zoning By-law amendments as recommended and no appeals are received, it is staff's opinion that the proposed amendments to the Draft Plan of Subdivision and conditions of Draft Plan Approval as described here are minor in nature pursuant to Section 51(47) of the Planning Act. Accordingly, staff recommends that Council direct staff to make the said amendments to the Draft Plan of Subdivision 15T-10507 and its conditions of Draft Plan Approval in accordance with Subdivision Approval Delegation By-law No. 11-082 upon the coming into effect of the amending Official Plan and Zoning By-laws.

RESPONSES TO NOTICE

a) Agency Responses

As part of staff's processing of the applications, and pursuant to the Planning Act, notice of the application was provided to, and comments sought from, the prescribed commenting agencies on May 22, 2012.

City of Peterborough Fire Service, County of Peterborough, Kawartha Pine Ridge District School Board, Otonabee Conservation, Peterborough Utilities Services Inc., and Township of Smith-Ennismore-Lakefield advised that they have no objection to the proposed amendments.

Peterborough County-City Health Unit provided a number of comments on both the proposed Official Plan, Zoning By-law and Draft Plan of Subdivision amendments and on the larger Draft Approved development in general. In order of priority, the Health Unit made 11 recommendations:

1. That Condition No. 47 of Draft Plan of Subdivision Approval be modified to require the Owner to provide sufficient street width to enable municipal curbside collection of waste (garbage, recycling, leaf and yard waste, as well as organics collection);
2. Install a walkway on Block 53 to allow pedestrians to easily access neighbouring areas, including Milroy Park, Fisher Park and R.F. Downey Public School;

3. Provide curb depressions in front of houses with rear lane driveways to ensure greater accessibility for individuals with disabilities;
4. Ensure that parks are wheelchair accessible and easily accessible by way of public transit as well as pedestrian and cyclist routes.
5. Introduce affordable, efficient and non-polluting public transit services.
6. Require the integration of sun protection features and landscapes, including shade trees, into the proposed development using the Urban Forest Plan as a guide.
7. Implement traffic calming measures, such as speed reduction laws, speed bumps and raised intersections and crosswalks.
8. Maintain Street M's Low Capacity Collector designation to allow for sidewalks on both sides of the street.
9. Install cycling lanes on streets to ensure cyclist safety and to provide linkages to the cycling trail network as well as to neighbouring communities.
10. Revise the zoning policy to ensure that the commercial area (Block '1' Local Commercial and Block '69' Community Nucleus) does not contain tobacco, alcohol or fast-food retailers.
11. Provide a subsidy for a fresh food outlet to occupy part of Block '69' Community Nucleus.

While the Health Unit provided a thorough and well-reasoned rationale for each of their recommendations, several of the recommendations are either not directly germane to the Official Plan and Zoning By-law amendment applications that Council has been asked to consider, or are not currently within City's ability to address. Recommendations such as providing curb depressions in front of laneway homes to improve accessibility, traffic calming, and cycling lanes speak to development standards that reach far beyond this particular Plan of Subdivision or the applications at hand. Such recommendations would be best addressed on a more comprehensive basis as part of the development of complete streets policies as described in the Major Transportation Plan Update approved by Council earlier this year.

With respect to the provision of transit service to the development and sun protection features such as shade trees, the subdivision has been designed to accommodate of transit once development levels warrant it in accordance with the City's Public Transit Business Plan and Mason Homes is required to plant shade trees both along all streets and within park spaces to the City's satisfaction. For that period while the site is not served by a direct transit route, initial residents of the development would have access to Peterborough Transit's Trans-cab and Handi-Van services.

Within the Draft Approved Plan of Subdivision, all park sites have been situated along collector roads that would reasonably be expected to accommodate transit service in the future or are located within two to three minute walk of such roads. The subdivision provides a number of smaller parks throughout the development to enhance their accessibility to future residents. As part of the development of each park, the City will be responsible for reviewing and approving all park designs. Accordingly, through the review of detailed park designs, the City will have the ability to ensure appropriate levels of accessibility are achieved within the proposed parks in accordance with City standards.

Within the Draft Approved Plan of Subdivision, two blocks of land are intended for commercial purposes: one for local commercial uses and one for neighbourhood commercial uses. Both blocks are located adjacent to Chemong Road, away from the area subject to the proposed Official Plan and Zoning By-law amendments. In their comments, the Health Unit requested that the zoning on these blocks be amended to prohibit the sale of tobacco, alcohol and fast food and that a subsidy be provided to encourage a fresh food outlet to establish at one of these locations. Section 106(2)(a) of the Municipal Act, 2001 prohibits the City from assisting directly or indirectly any commercial enterprise through the granting of bonuses for that purpose including the giving or lending municipal money. Accordingly, the City is not permitted to encourage the creation of a commercial business selling fresh food through the use of a subsidy. Furthermore, the Zoning By-law as it is currently written is not intended to regulate the sale of specific goods. Instead, the Zoning By-law regulates use of land. Any attempt to regulate the sale of specific goods through land use controls should be addressed on a comprehensive basis and anchored in Official Plan policy. Accordingly, staff believe this particular request is beyond the scope of the subject applications and that additional dialogue with the Health Unit should be had as part of the City's Official Plan Review process.

The Health Unit cited concern with condition no. 47 of Draft Plan Approval which reserved the ability for the City to refuse garbage and recycling service to lots that do not front onto public streets. At the time the condition was written, the draft plan of subdivision was drawn to illustrate rear lanes that these particular locations that were not of sufficient width to allow the City's waste management vehicles operate. Since

that time the Draft Plan of Subdivision was approved by Council showing sufficiently wide lanes at these locations however the condition of approval was never revised. As a housekeeping matter, and as noted previously in this report, staff recommend that condition no. 47 be amended to reflect the provision of wider lanes and the City's ability to provide waste collection service on those lanes.

Health Unit recommendations No. 2 and No. 8 relate directly to the principle of the requested Official Plan and Zoning By-law amendments. One seeks to install a walkway over a Block 53 to facilitate access between the subdivision and Milroy/Fisher Park while the other seeks to maintain collector road status on Street 'M' (Flitton Avenue) in order to maintain sidewalks on both sides of the street.

Block 53 is centred between two park access points, Street 'K' which will travel to Milroy Drive, and a walkway near the east limit of Milroy Park, adjacent to the R.F. Downey Public School yard. Each access point is located approximately about 200m away from Block 53. From a transit planning perspective, the optimal pedestrian catchment area for a transit stop is up to a five-minute walk which, for an average adult, is a distance of approximately 400m. If this principle is applied to park access, an average person may take approximately three minutes to walk from Block 53 to the park. Accordingly, although a walkway over Block 53 would improve accessibility to the park, pedestrian accessibility to the park would remain within a reasonable walking distance if Block 53 were to be developed for residential purposes as Mason Homes has requested. From staff's perspective, a third access point from the site to Milroy Park and Fisher Park would be beneficial, but is not necessary and therefore staff have not recommended the inclusion of a third access at this location.

With respect to maintaining a collector street status on Street 'M' (Flitton Avenue) in order to maintain sidewalks on both sides of the street, it is staff's opinion that Street 'M' does not fulfil a collector street function or require a collector street status due to its short length (approximately 200m) and limited connectivity to other streets. Staff agree that it would be beneficial to maintain sidewalks on both sides of all streets within this development, however, through the approval of the Chemong Secondary Land Use Plan and this Draft Plan of Subdivision, the City has endorsed the vision of new urbanism for this neighbourhood which includes, among other things, sidewalks on one side of local streets with reduced right-of-way widths.

Although the reduction of Street 'M' from a collector street to a local street status would require the elimination of sidewalk on one side of the street, staff is satisfied that homes to be developed along that street will be provided with adequate pedestrian accessibility. This is because all homes fronting that street are planned to have sidewalks, because reducing the road allowance width will provide natural traffic

calming along that street, and because there are multiple street intersections within the short length of that street that will not only provide traffic calming, but also a number of formal pedestrian crossing points for those who need to access sidewalk on the opposite side of the street. A visual representation of the pedestrian facilities planned for this portion of the development has been attached hereto as Exhibit E.

b) Public Responses

Notice of Complete Application was published in the Peterborough Examiner on May 26, 2012. Notice of Public Meeting was published in the Peterborough Examiner and mailed to all persons that own property within 120 metres of the subject lands on July 30, 2012. No public inquiries or comments have been made in response to these notices.

SUMMARY

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

- i. Flitton Avenue is not required for Collector Street purposes and is appropriate for development as a Local Street;
- ii. Block 53 is not required for sanitary sewer purposes and is appropriate for residential development in accordance with the Schedule Q – Chemong Secondary Land Use Plan of the Official Plan;
- iii. The recommended amendments are consistent with the new urbanist vision established for the neighbourhood in the Chemong Secondary Land Use Plan;
- iv. The recommended amendments are minor in nature and do not fundamentally affect the structure of Draft Approved Plan of Subdivision 15T-10507.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Concurred with,

Brad Appleby,
Planner, Subdivision Control
& Special Projects

Malcolm Hunt, Director,
Planning and Development Services

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Attachments:

- Exhibit A - Notice of Public Meeting
- Exhibit B - Land Use Map
- Exhibit C - Draft Approved Plan of Subdivision 15T-10507
- Exhibit D - Conditions of Draft Plan Approval (Schedule 1 to Report PLPD11-013)
- Exhibit E - Pedestrian Accessibility Plan
- Exhibit F - Draft Official Plan Amendment
- Exhibit G - Draft Zoning By-law Amendment

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 Chambers, City Hall, 6:30 p.m. on **Monday August 27, 2012** to consider the following under Sections 17 and 34 of the *Act*:

1. **File:** Z1210
Address: 844 Rye Street
Owner/Applicant: Seabrooke Holdings Limited

The applicant is proposing to amend the Zoning from the M3.4-151-157 – Enhanced Service Industrial District & Office to a Service Commercial District to permit the use of the lands for commercial purposes, in accordance with the Service Commercial policies of the Official Plan.

2. **File:** Z1214
Address: Parts of 1597, 1607, 1619 & 1633 Lansdowne St. W.
Owner/Applicant: 1494282 Ontario Inc./Parkview Homes
Agent: Kevin Duguay, KMD Community Planning

The applicant is proposing to amend the Zoning of the northerly portion of the lands from the R.1, 1e, 2e, 4d – Residential District, the SP.268-244 – Special Commercial District and the D.2 – Development District to a modified SP.268-244 – Special Commercial District to permit uses consistent with the Service Commercial policies of the Official Plan, including a bank, loan company or other financial institution.

3. **File:** Z1215SB/O1204/15T-10507
Address: 0, 1224 Chemong Rd.,
 1339, 1345, 1349 & 1371 Hilliard St.
Owner/Applicant: Mason Homes Limited

The applicant is proposing to amend the Official Plan to remove the collector street designation from Filton Avenue (Street 'M' of Draft Approved Plan of Subdivision 15T-10507) and the Zoning By-law to address building setbacks along that street as well as to re-zone an obsolete servicing block from OS.3 – Open Space District to residential districts consistent with the adjacent lands.

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 and/or Zoning By-law Amendment is adopted/passed, 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 or Zoning By-law Amendment is adopted/passed, 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 the passing of the proposed Official Plan and/or Zoning By-law Amendment(s), you must make a written request to the City Clerk at the address below. (Please quote appropriate file number(s)).

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

ADDITIONAL INFORMATION relating to these applications, including a copy of the proposed official plan amendment, is available for public inspection at the Planning Division, City Hall, (8:30 a.m. to 4:30 p.m., Monday to Friday), or can be obtained by contacting the Planning Department at 705-742-7777 - Caroline Kimble (Files: Z1210 & Z1214) at ext. 1735 (email ckimble@peterborough.ca) or Brad Appleby (File: Z1215SB/O1204/15T-10507) at ext. 1886 (email bappleby@peterborough.ca).

A Staff report will be available by 12 Noon on Friday the 24th of August, 2012.

Dated at the City of Peterborough this 30th day of July, 2012.



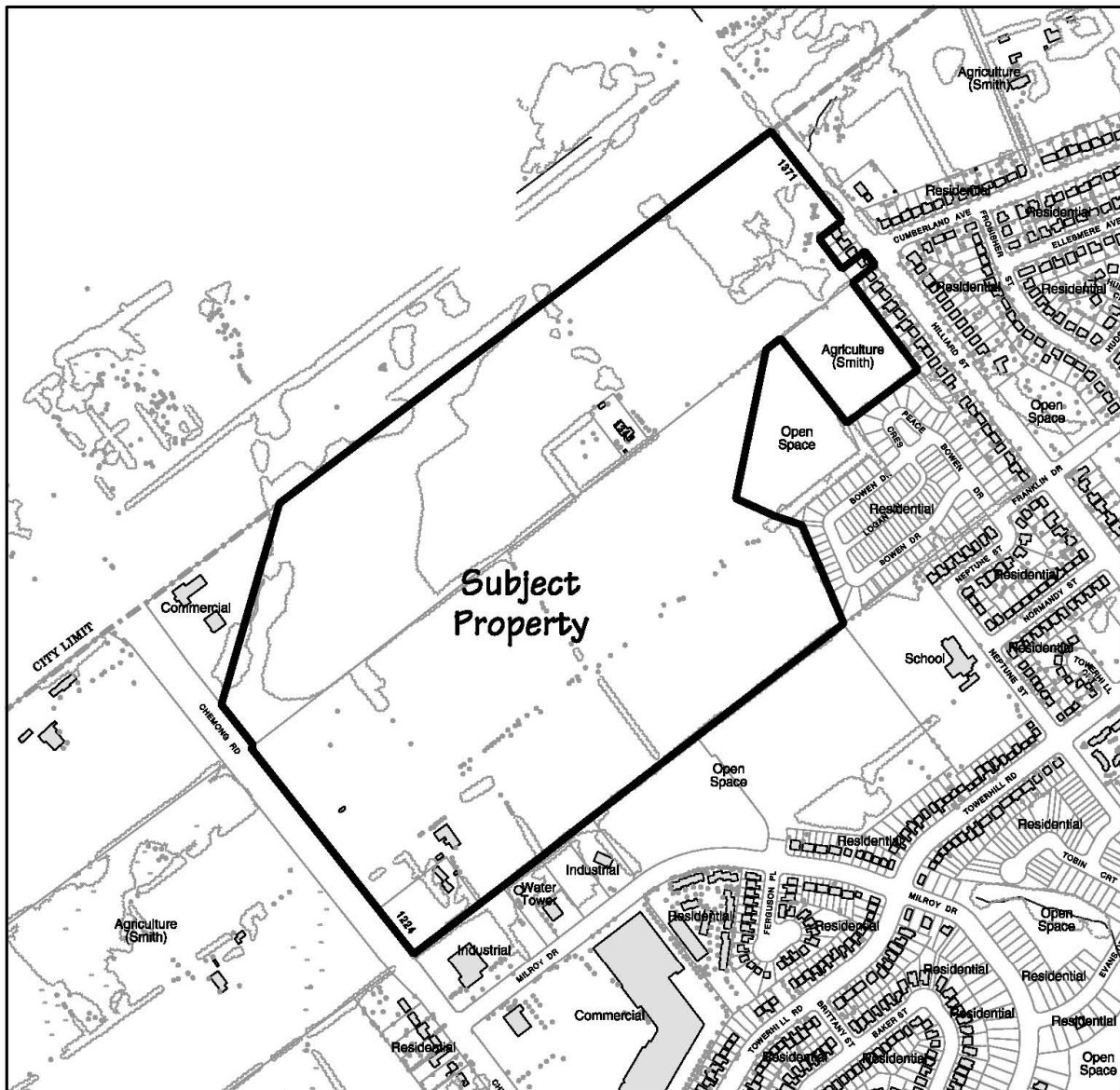
John Kennedy, City Clerk
 City of Peterborough, City Hall
 500 George Street North
 Peterborough, Ontario
 K9H 3R9
jkennedy@peterborough.ca

Land Use Map

EXHIBIT B
SHEET 1 OF 1

File # z1017, O1006, 15T-10507

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



The City of Peterborough Planning Division

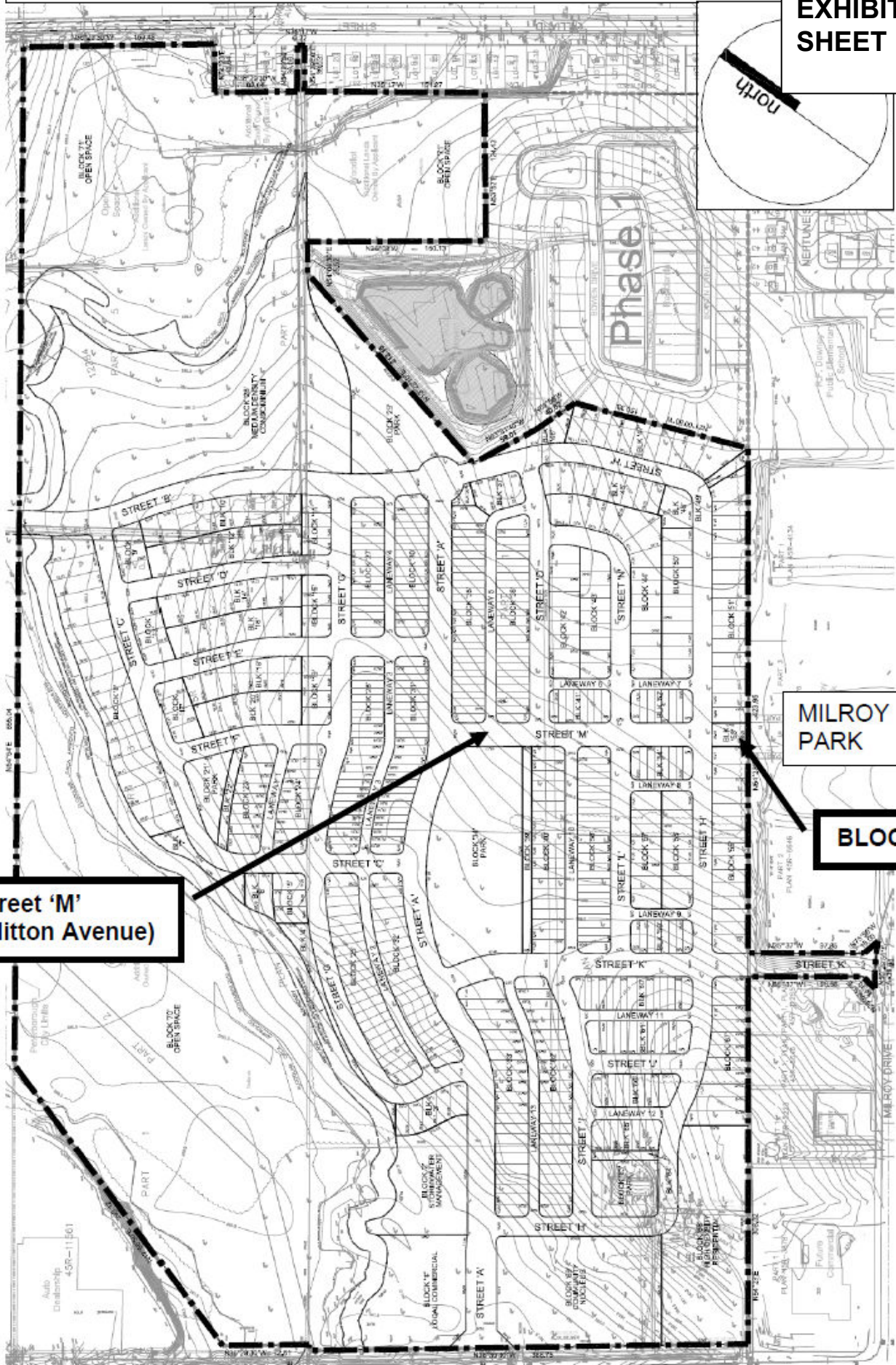
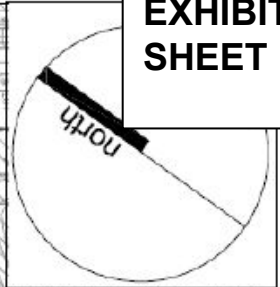
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Date - January 2011
Dwg. by - CBerry
Scale - 1:8000

DRAFT APPROVED PLAN OF SUBDIVISION 15T-10507

EXHIBIT C
SHEET 1 OF 1



Street 'M'
(Flitton Avenue)

MILROY
PARK

BLOCK 53



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 and laneways 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
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- 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 49, 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 46 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 'K' 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 'K' 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 'K' to Milroy Drive must not adversely impact the existing baseball field in Fisher Park.
 - 15. Prior to Final Approval, the owner will use reasonable best efforts to have Hydro One Networks Inc. execute the draft plan to include the Street B extension to County Road 19 within the limit of the Draft Plan. If advised in writing by Hydro One Networks Inc. that they will not agree to including Street B within the limit of the Draft Plan, the City will deem this condition satisfied and the owner will have no further obligation for including Street B within the Draft Plan limits.
 - 16. That the City of Peterborough will use reasonable best efforts to commence a background study on the feasibility of a road connection to County Road 19 on or before August 1, 2011, and will use reasonable best efforts to approve an amendment to its existing Chemong Planning Area Development Charge (By-Law No 08-128) on or before December 31, 2011 covering all costs of the road connection. Provided such amendment is approved as aforesaid the owner shall agree in the Subdivision Agreement to be a contributing party to such amended Chemong Planning Area Development Charge cost for all units within the Draft Plan. If Final Approval is granted prior to the amendment being finally approved, the Owner will be required to pay for such increase attributed to the road connection retroactively within 30 days of the City requesting payment from the

Owner. If the Owner applies for building permits for units within this Plan of Subdivision prior to the amendment being finally approved, the City agrees that building permits will not be withheld simply because the amendment has not been finally approved. If the said amendment to the Chemong Planning Area Development Charge is not approved by the City on or before December 31, 2011, the owner shall have no obligation to pay an increased charge for such works.

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 'H';
 - ii) As a 23-metre right-of-way between Street 'H' and Street 'K';
 - 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 'K' and 'B' 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 developable frontage of the subject property on the east side 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, if required, 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 the owner shall submit a traffic assessment plan 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 general standards, subject to detailed design and the satisfaction of the City Engineer:
- i) Laneways with a proposed pavement width of less than 6.0m 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 general design criteria, subject to detailed design and the satisfaction of the City Engineer:
 - 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 the owner shall agree to convey to the City of Peterborough a trunk sanitary sewer corridor, and any easements as necessary in a location acceptable to the City Engineer in consultation with the owner to accommodate a trunk sewer suitable for gravity drainage generally through the 15-metre wetland buffer as set out on the draft plan. The owner shall acknowledge in the Subdivision Agreement that the City of Peterborough intends to construct a trunk sanitary sewer in the 15 metre wetland buffer as set out on the draft plan and/or in easements in a location acceptable to the City Engineer, in consultation with the owner if necessary, over the owner's lands.
34. Prior to Final Approval the owner shall provide an addendum to the Functional Servicing Report indicating the conceptual sanitary trunk sewer route from Hilliard Street to Chemong Road along the 15 metre wetland buffer as shown on the draft plan and easements to the satisfaction of the owner and the City Engineer, in consultation with the owner.
35. The City will make every effort possible to identify the trunk sewer noted in Conditions 33 and 34 in the City's 2012 capital works program budget, secure approval of the said sewer by the end of 2012 with construction to follow in 2013 provided the proponent's Functional Servicing Report Addendum as noted in Condition 34 for the Draft Plan of Subdivision is submitted by May 1, 2011.
36. Prior to Final Approval, the owner shall prepare a Sanitary Servicing Connection Analysis to confirm adequate sanitary sewer capacity exists downstream in the Milroy Drive sanitary sewer to accommodate the proposed development and/or to identify any upgrades of the downstream sanitary sewer system required to provide the necessary capacity for the remainder of the proposed development.

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.

37. Prior to Final Approval, the owner shall be responsible for undertaking any upgrades as described in the Sanitary Servicing Connection Analysis required to the sanitary sewer system to provide capacity in the Milroy Drive sanitary sewer to the Parkway trunk sewer for the proposed development to the satisfaction of the City Engineer.
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. 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 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.
40. 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.
41. 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.
42. For any lot or block to be developed with both municipal street frontage and rear laneway access, the owner shall acknowledge in the Subdivision Agreement that municipal collection of waste (garbage, recycling, leaf and yard waste, organics collection) will only be provided along the municipal street and not within the lane. Additionally, the owner shall agree to include a clause in all Purchase and Sale Agreements to the satisfaction of the City Engineer advising prospective purchasers that laneway waste collection is not available and that all waste will be collected along the municipal street at the front of the property.
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 (Timmins) 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 within the plan abutting rear laneways pursuant to Section 326 of the Municipal Act, 2001 to reflect the enhanced level of municipal services that may be provided to those properties. The amount of the Special Area Charge will be established prior to Final Approval of any first phase of development. The owner shall provide notice of the Special Area Charge in all Agreements of Purchase and Sale.
47. For any lot or block to be developed without frontage on a public street and without a rear laneway providing 6-meters of total travel width to the satisfaction of the City Engineer and Fire Services, 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, 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.
48. That lots or blocks developed without frontage on a public street and with a wider laneway providing 6-meters of total travel width, underground utility services shall be provided on the park side of the lots or blocks to the satisfaction of the City Engineer. The portion of any park block required to accommodate such underground utility services or access to such services shall not be considered to

form part of the owner's Parkland Dedication requirement pursuant to the Planning Act.

49. That Block 2 be conveyed to the City of Peterborough for stormwater management purposes.
50. That Blocks 22, 39, 49, 53 and 64 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 prior to Final Approval the owner shall have a tree inventory and tree preservation plan prepared by a qualified Arborist to the City's satisfaction for the trees within Blocks 47, 51, 55 and 67. The owner shall further agree to implement the recommendations of the approved plan in the Subdivision Agreement.
54. That prior to Final Approval the owner shall register on title a restrictive covenant in favor of the City of Peterborough restricting cutting of trees or modification to grading in the rear 5m of the backyards within Blocks 47, 51, 55 and 67 to the satisfaction of the City.
55. 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. Blocks 21, 29, 34, 46, and 63 will be conveyed to the City for parkland purposes. 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*.
56. 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.

57. That prior to Final Approval the owner shall prepare a detailed landscape and planting plan for any plantings to occur on site including streetscaping, 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.
58. That the owner shall agree in the Subdivision Agreement to design and construct suitable permanent decorative 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.
59. 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 68 as well as the potential impact of any stationary noise sources on Blocks 68 and 69 on surrounding land uses, prior to the granting of Site Plan Approval for each block respectively.
60. 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.
61. That the owner shall enter into an agreement with Peterborough Distribution Inc. and Peterborough Utilities Commission for electrical and water servicing respectively.
62. 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.
63. 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.
64. That prior to Final Approval, any proposed use of decorative street lighting shall receive approval from the City Engineer.

Other Agency Conditions

65. 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.
66. 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.
67. 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. 65 and 66. 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.

- 68.
 - 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.
- 69.
 - 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.
- 70. 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.
71. 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.
72. 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.
73. 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.
74. 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.
75. 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.

76. 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.
77. 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.
78. 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.
79. 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.
80. 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 65, 66 and 67 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, 39 and 68 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, 39 and 69 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 39 and 70 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, 39 and 71 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 73 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 Condition 72 has been carried out to the their satisfaction. The letter from the County shall include a brief but complete statement detailing how the 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, 39 and 61 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 15 and 74 to 80 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
250 Milroy Drive
Peterborough ON K9H 7M9

Manager, Access Network
Bell Canada
183 Hunter St. W., Floor 2
Peterborough ON K9H 2L1

Planning Supervisor
Enbridge Consumers Gas

Systems Planner
Cogeco Cable Solutions
P.O. Box 2290
1111 Goodfellow road
Peterborough ON K9J 7A4

Delivery Planner
Canada Post Corporation
1424 Caledon Place Box 25
Ottawa ON K1A OC1

Ministry of Culture
Culture Programs Unit

500 Elgin Mills Road East
Richmond Hill ON L4C 5G1

400 University Avenue, 4th Floor
Toronto, ON M7A 2R9

Hydro One Networks Inc.
Facilities & Real Estate
P.O. Box 4300
Markham, ON L3R 5Z5
Courier:
185 Clegg Road
Markham, ON L6G 1B7

Peterborough Utilities Services Inc.
1867 Ashburnham Drive
PO Box 4125, Station Main
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).

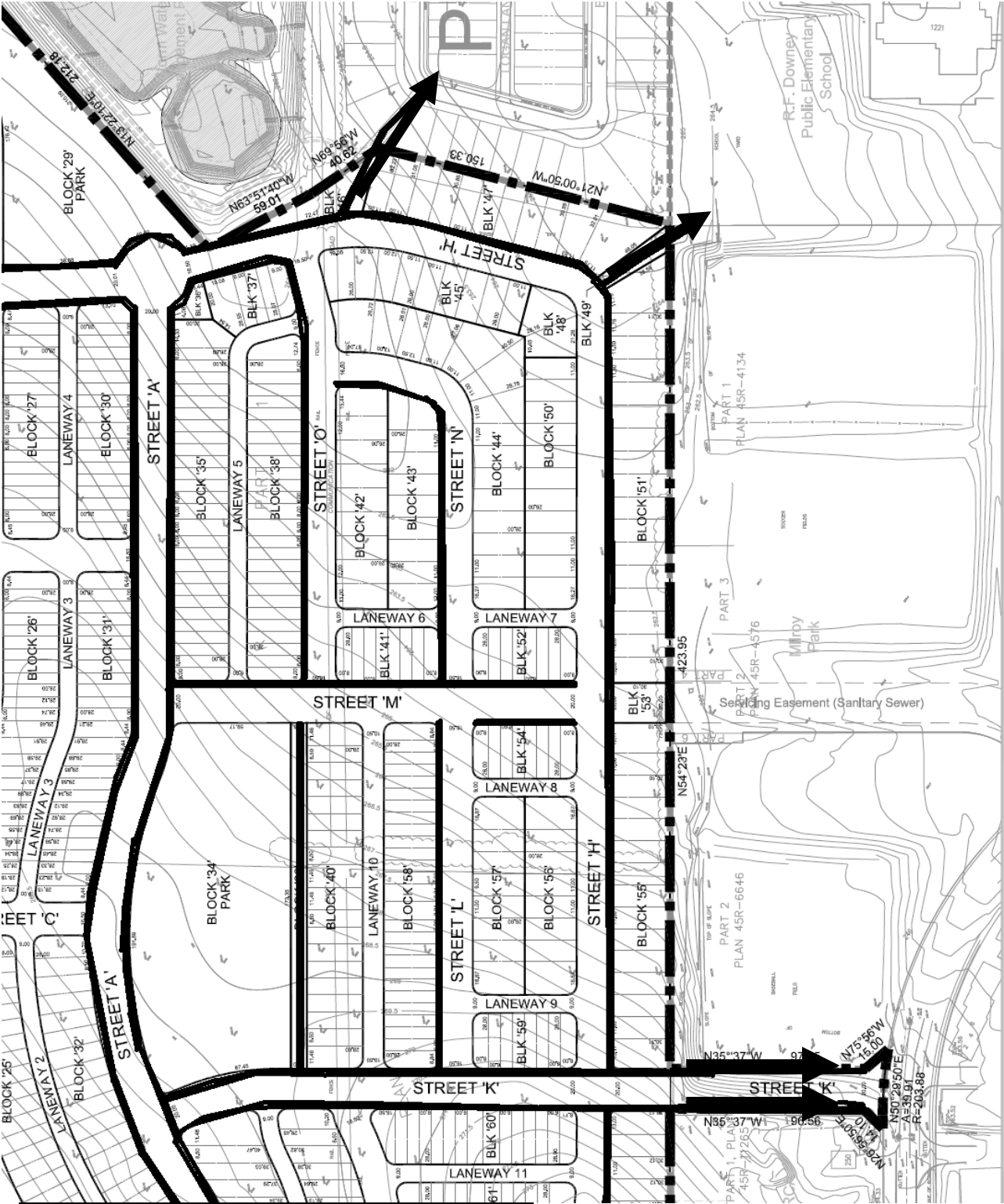
3. If the Owner wishes to request an extension to Draft Approval, a written explanation must be submitted for Council approval prior to the lapsing date. Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.
4. The 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.

Pedestrian Accessibility in the vicinity of Street M



LEGEND

— Sidewalk or walkway

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 12-(Clerk's office will assign the number)

**BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO THE OFFICIAL
PLAN OF THE CITY OF PETERBOROUGH FOR A PORTION OF THE
PROPERTY AT 0 CHEMONG ROAD**

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

1. Schedule 'B' – Roadway Network of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'A' attached hereto.
2. Schedule 'Q' – Chemong Secondary Land Use Plan of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'B' attached hereto.

By-law read a first, second and third time this day of _____, 2012.






Daryl Bennett, Mayor

John Kennedy, City Clerk

Official Plan Amendment to Schedule - B Roadway Network

Legend


Existing Official Plan

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

Delete Low Capacity
Collector



Metres
0 60 120 180 240 300



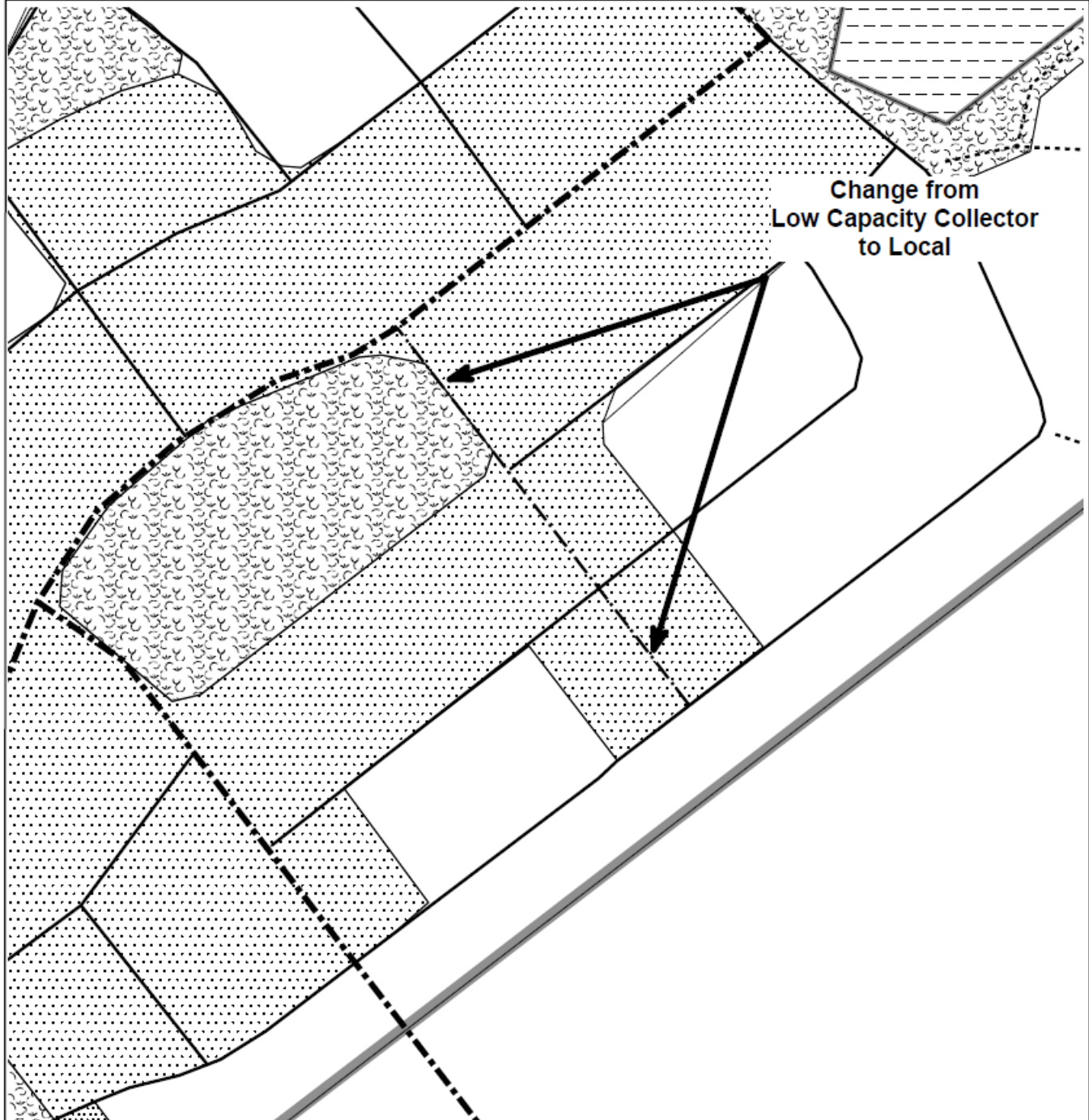
City of
Peterborough



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File: O1204

Official Plan Amendment to Schedule - Q Chemong Secondary Land Use Plan



Peterborough City of

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File: O1204

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 12-(Clerk's office will assign the number)

BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR THE PROPERTY
AT 0 CHEMONG ROAD

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

1. Subsection (11.1) Flitton Avenue of Section 6.10 Exceptions (Building Setback – Collector Streets) of By-law 97-123 is hereby deleted.
2. **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 OS.3 to SP.328,4g,10b,13a-'H', SP.329,4g,10b,11j,13k-'H', SP.330,4g,10b,11j,13k-'H' and SP.331,3q,4g,10b,11j,13k,16c-'H'.**
3. The 'H' – Holding Symbol will be removed upon registration of the Plan of Subdivision in the Land Registry Office.
4. Section 1 of 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 _____, 2012.

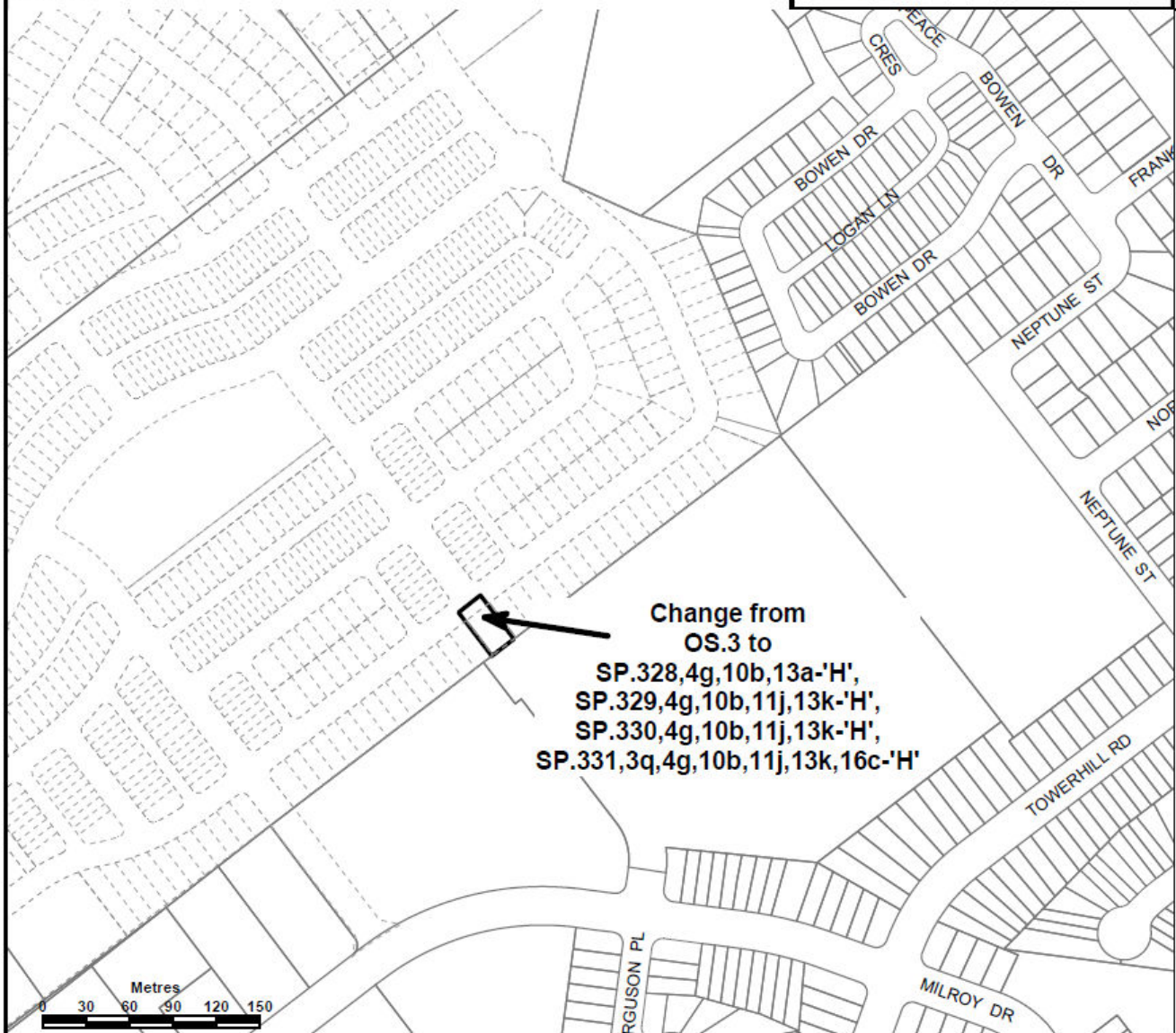
Daryl Bennett, Mayor

John Kennedy, City Clerk

SCHEDULE 'A' TO
BYLAW 2012-
PASSED THE DAY
OF 2012
MAYOR
CLERK

Legend

 Proposed Lot Fabric



City of
Peterborough

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