



City of  
Peterborough

# Memorandum

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**TO: Members of City Council**

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

**DATE: September 8, 2014**

**SUBJECT: Amendment to Recommended Conditions of Draft Plan of Subdivision Approval  
Report PLPD14-051  
Zoning By-law Amendment Z1407, Amendment and Extension to Draft Plan of Subdivision Approval, Plan of Subdivision 15T-02502  
Heritage Park, Phase II, Stage 4  
Part of 314 Carnegie Avenue and 650 Cumberland Avenue**

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At its meeting held August 25, 2014, Planning Committee approved the recommendations of Report PLPD14-051 to rezone portions of the Heritage Park Subdivision and to amend the Draft Plan of Subdivision and Conditions of Draft Plan Approval. These amendments are primarily intended to facilitate the development of up to 38 additional single detached dwellings in the subdivision over and above those units that have been developed to date.

At that meeting, Mr. Jim MacIntosh, a resident of Cumberland Avenue, spoke in opposition to the proposed amendments citing concern with the traffic impact that the proposed development would have on area roadways and an understanding forged between staff and Cumberland Avenue-area residents in 2003 regarding a development cap for the Heritage Park subdivision.

Since 2003, the Conditions of Approval for the Heritage Park subdivision have included a clause (Condition No. 8) requiring the developer to acknowledge that no further development approvals would be granted beyond the limit of the draft plan of subdivision until a through road connection is provided between Carnegie Avenue and Hilliard Street, north of Cumberland Avenue. At the time, the subdivision was draft approved for a total of 246 units which coincided with a development cap recommended by a traffic impact study prepared in 2003.

To date, the Heritage Park subdivision has developed its original allotment of units however, because lots were developed with narrower widths than originally anticipated,

the draft approved plan of subdivision contains blocks of land identified for future development purposes. The current proposal, with the support of a traffic impact study that demonstrated the overall traffic impact of the Heritage Park subdivision is projected to be less than originally anticipated in 2003, seeks to develop one of these future development blocks and capitalize on the capacity of the existing road network.

Since the August 25, 2014 Planning Committee meeting, staff have worked with the Applicant and Mr. MacIntosh (who has in turn consulted a number of area residents) to find a means for addressing Mr. MacIntosh's concerns. Through conversation, it was determined that Mr. MacIntosh and several Cumberland Avenue-area residents would like assurance that no further development approvals will be granted within the Carnegie Secondary Plan Area (generally, the area between Carnegie Avenue and Hilliard Street, north of Cumberland Avenue), beyond the current proposal until a through roadway is provided between Carnegie Avenue and Hilliard Street.

To address this concern, staff proposed a revision to Condition No. 8 of the Conditions of Draft Plan Approval that has been found to be satisfactory to both Mr. MacIntosh and the Applicant. The proposed condition would address Mr. MacIntosh's immediate concerns while still allowing the Applicant's current development proposal to proceed.

Additionally, since the Planning Committee meeting, staff have discovered a minor mapping error in both the proposed Draft Plan of Subdivision attached to Report PLPD14-051 as Sheet 2 of Exhibit C and on the proposed Zoning By-law Schedule attached thereto as Sheet 3 of Exhibit D. The error appeared to incorporate lands into the subdivision (approximately the width of three lots) at the northwest terminus of Settlers Ridge that are not part of the original limit of the Draft Plan of Subdivision. The error was also replicated in Recommendation d) of Report PLPD14-051 whereby reference was made to lands zoned A1(Smith) which are outside the limit of the original subdivision plan. Staff have worked with the Applicant to correct the proposed-amended Draft Plan of Subdivision and have corrected the Zoning By-law Schedule as well. Copies of these corrected maps are attached hereto as Attachments 1 and 2 respectively.

To formally correct these errors, Sheet 2 of Exhibit C and Sheet 3 of Exhibit D of Report PLPD14-051 should be updated to correct the mapping error and Recommendation d) of the same report should be amended to delete reference to the A1(Smith) zone.

## **Summary**

Should Council deem it appropriate to consider incorporating the above-noted amendments as part of the approvals being considered this evening, Council may do so by moving an amendment to the original Planning Committee recommendation as follows:

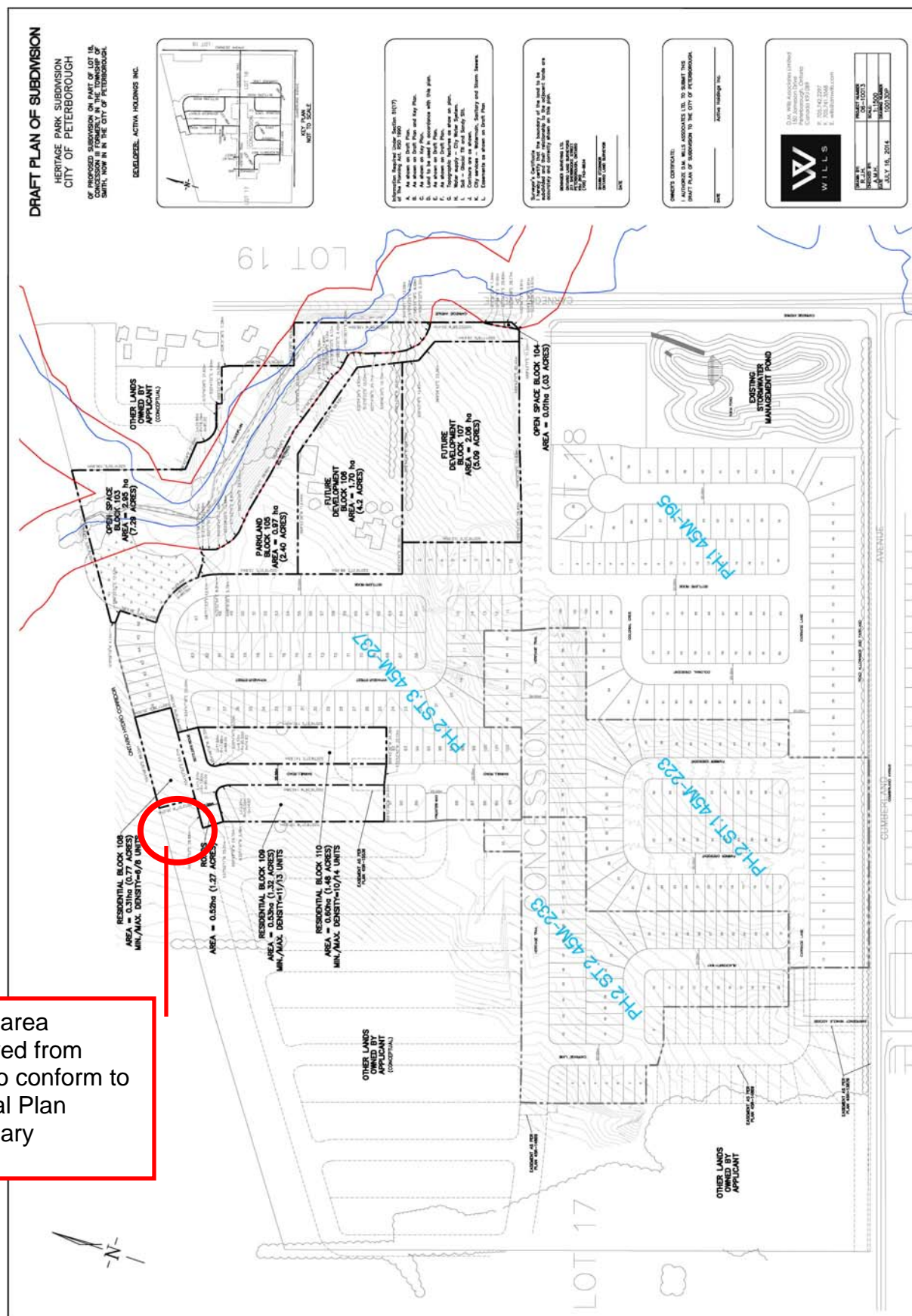
"That the recommendation for Item No. 2 of Planning Committee Report No. 9, Meeting of August 25, 2014, be deleted in its entirety and replaced as follows:

That Council approve the recommendations outlined in Report PLPD14-051 dated August 25, 2014, of the Manager, Planning Division as follows:

- a) That Exception No. 162 of Section 3.9 Exceptions of Zoning By-law 1997-123 be amended in accordance with Exhibit D of Report PLPD14-051;
- b) That Draft Plan of Subdivision 15T-02502 be modified to reflect the registration of Plan 45M-237 and renumber the remaining lots and blocks accordingly, to reconfigure the Open Space and Future Development Areas in the northeast corner of the plan, and to provide for the development of Sawmill Road to Settlers Ridge as shown on the Plan prepared by D.M. Wills Associates Limited dated July 16, 2014 attached as Sheet 2 of Exhibit C to Report PLPD14-051, subject to Sheet 2 of Exhibit C being updated to remove the lands north of Settlers Ridge, west of Sawmill Road, from the Draft Plan in order to reflect the limit of Draft Approved Plan of Subdivision 15T-02502;
- c) That the Conditions of Draft Plan of Subdivision Approval dated June 6, 2011 be deleted in their entirety and replaced with an updated set of conditions attached as Schedule 1 to Report PLPD14-051 subject to Schedule 1 attached thereto being amended by deleting Condition No. 8 in its entirety and replacing it as follows:
  - "8. The owner acknowledges that until a through road connection is provided from Carnegie Avenue to Hilliard Street, north of Cumberland Avenue:
    - i. no further development approvals will be considered beyond the limit of subject draft plan; and,
    - ii. no development approvals will be considered for Future Development Blocks 106 and 107, and Block 103, Plan 45M-195.";
- d) That the subject properties be rezoned from D.2-96 – Development District to R.1, 1r,2r,8z-162-"H" – Residential District, OS.1 and OS.2 – Open Space Districts and from OS.1 – Open Space District to D.2-96 – Development District and OS.2 – Open Space District in accordance with Exhibit D of Report PLPD14-051 subject to Sheet 3 of Exhibit D attached thereto being updated to remove the lands north of Settlers Ridge, west of Sawmill Road, and to delete reference to the "A1(Smith)" zoning district."

Note: Highlighted areas represent amendments to the recommendation as described in the staff memorandum.

## Attachment 1: Corrected Draft Plan of Subdivision



## Attachment 2: Corrected Zoning By-law Schedule

