



City of
Peterborough

To: Members of the Planning Committee

From: Ken Hetherington, Manager, Planning Division

Meeting Date: May 25, 2015

Subject: Report PLPD15-030
Batten-White Subdivision
Draft Plan of Subdivision Application 15T-14501
Official Plan Amendment O1403
Zoning By-law Amendment Z1410sb
LTM Land Corp., William and Roger White
1225, 1261 and 1289 Parkhill Road West

Purpose

A report to evaluate the planning merits of the Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment applications for the property at 1225, 1261 and 1289 Parkhill Road West.

Recommendations

That Council approve the recommendations outlined in Report PLPD15-030 dated May 25, 2015, of the Manager, Planning Division, as follows:

- a) That the Official Plan Amendment application No. O1403 be denied.
- b) That Zoning By-law Amendment application Z1410sb be denied.
- c) That Draft Plan of Subdivision application 15T-14501 be denied.

Budget and Financial Implications

Should Council choose to accept the recommendations of Report PLPD15-030 to deny the subject applications, additional expense will likely be incurred in the form of staff time and potentially the hiring of legal counsel to defend the City's position at the Ontario Municipal Board. In accordance with the *Planning Act*, the Applicants, and any other person or public body that makes oral submissions at the public meeting or makes written submissions to the City before a decision is rendered on the applications, is entitled to appeal Council's decision to the Ontario Municipal Board. Costs for participating in an Ontario Municipal Board hearing, should one be required, will vary depending on the scope and duration of the proceedings.

Rationale

In staff's opinion, the proposed Draft Plan of Subdivision conflicts with the Provincial Policy Statement, 2014, the Growth Plan for the Greater Golden Horseshoe, and the Growth Management policies of the Official Plan due to a lack of diversity in housing mix, density and affordability, and street connectivity to adjacent properties. Additionally, in staff's opinion, the proposed plan of subdivision does not fully protect greenspace as envisioned in the Jackson Creek Secondary Plan nor does it implement the vision for Designated Greenfield Areas as described in Section 2.4.7.2 of the Official Plan.

A number of concerns raised during the review process remain outstanding including:

- Otonabee Region Conservation Authority (ORCA) concerns regarding environmental buffer widths from Loggerhead Marsh, its creek outlet, and wetland pockets along that creek;
- the need to assess an intermittent watercourse on the property at 1289 Parkhill Road West in light of *ORCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation; and,
- the need to confirm a sanitary servicing solution that is acceptable to the City.

In light of these outstanding concerns, it is staff's opinion that the principle of the proposed development has not been fully established at this time.

Staff acknowledges that the Applicants have continued to work with staff to address these outstanding concerns and that a recently submitted Environmental Impact Study update is currently under review. Upon resolution of these outstanding concerns, staff is confident that the proposed Draft Plan of Subdivision can be brought into compliance with City and Provincial policy if the Applicants are willing to introduce some variety of housing form and density into the plan, include vehicular connectivity to adjacent lands, and

provide better protection to forested greenspace in the plan as envisioned in the Jackson Creek Secondary Plan.

Background

The subject lands are approximately 19.8 hectares (49 acres) in size. The lands are located along the south side of Parkhill Road West, between Ravenwood Drive and Brealey Drive. They are generally located opposite the Jackson Creek Meadows subdivision that is currently under development and abut existing agricultural/rural residential properties to the east and west. Loggerhead Marsh, a locally significant wetland, is located on adjacent lands to the south and west of the proposed plan. Additionally, a small creek flows along the south limit of the properties from the Loggerhead Marsh to Ravenwood Drive and eventually Jackson Creek.

Presently, the properties at 1261 and 1289 Parkhill Road are primarily agricultural in use while the property at 1225 Parkhill Road has functioned as a tree-covered rural estate. One dwelling currently exists on the lands at 1261 Parkhill Road. The site is situated on the south side of a drumlin that peaks north of Parkhill Road. Consequently, most of the lands slope southwesterly toward Loggerhead Marsh and southeasterly to the creek along the south limit of the site.

Most of the lands are designated for Low Density Residential purposes on Schedule G – Jackson Creek Secondary Plan of the Official Plan and are recognized as Designated Greenfield Area in accordance with the provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan) and Official Plan Schedule A1 – City Structure.

Proposed Official Plan Amendment

The subject lands are currently designated as follows:

Schedule A - Land Use:	Residential, Major Open Space
Schedule A1 - City Structure:	Designated Greenfield Area
Schedule B - Roadway Network:	High Capacity Arterial (Parkhill Road) Low Capacity Collector (future Nornabell Avenue)
Schedule B(a) - Bikeway Network:	Off-Road Bikeway (future trail along Jackson Creek tributary)
Schedule C Natural Areas and Floodplain:	Connecting Links (Jackson Creek tributary)

Schedule D - Development Areas:	Stage 2
Schedule F Key Map to Secondary Land Use Plans:	9 – Jackson Creek
Schedule G Jackson Creek Secondary Plan:	Low Density Residential Other Open Space Low Capacity Collector (future Nornabell Avenue)

Generally, the Applicants are proposing to implement the existing Secondary Land Use Plan for the area – the Jackson Creek Secondary Plan – as depicted on Schedule G of the Official Plan. The current version of the Jackson Creek Secondary Plan was adopted by Council in 2004.

Presently, Schedules B – Roadway Network and G – Jackson Creek Secondary Plan illustrate a future extension of Nornabell Avenue to Parkhill Road as a Low Capacity Collector Street across the westerly portion of the property at 1289 Parkhill Road West. To facilitate the proposed development, the Applicants have requested that Schedule G be amended to shift the location of the future collector street further west onto lands outside of the proposed development.

Proposed Draft Plan of Subdivision

As illustrated in Exhibit A attached hereto, the Applicants are proposing to develop a residential subdivision comprised of 201 single-detached dwellings with a typical lot width of 13.72m (45 Feet). One of the proposed lots has been sized with the intent of maintaining the existing dwelling on site.

Vehicular access to the site is proposed from Parkhill Road via the extension of Chandler Crescent into the site as a 26m road allowance. A permanent emergency access is also proposed to Parkhill Road, near the east limit of the site. The proposed internal local streets are illustrated as 18.5m wide road allowances and are intended to function as a closed loop.

The western limit of the plan includes a 25m wide open space corridor that stretches from Parkhill Road to the south limit of the site, consistent with the Jackson Creek Secondary Plan. A combined parkland/stormwater management block is proposed near the southwest corner of the site while a parkland/forest block is proposed for a wooded portion of the site located just east of the proposed stormwater management facility. Along the southeast edge of the site, an open space area is proposed for maintaining a

minimum 15m development setback from the adjacent Jackson Creek tributary and for accommodating a gravity-based sanitary sewer.

Land Use Summary:

Land Use	Lot/Block No.	Area (ha)
Residential Singles	Lots 1-201 (201 units)	11.62
Emergency Access	Block 204	0.04
Park/Open Space	Blocks 205, 206, 207	3.13
Stormwater Management		1.35
5.18m Parkhill Road Widening	Blocks 202, 203	0.26
Streets		3.48
Total	201 units	19.88

Proposed Zoning By-law

To implement the proposed plan of subdivision, the Applicants have requested that the Zoning By-law be amended to R.1 – Residential District for all proposed residential lots. Additionally, the Applicants are seeking permission to reduce the typical streetline setback for all dwellings from 6 metres to 4.5 metres and to allow dwellings to have alternating side yard building setbacks of 1.2 metres on one side and 0.6 metres on the other. The requested building setbacks are consistent with those applied in many of the new subdivisions that have been developed in recent years. All other areas of the plan to be established as parkland, open space and/or stormwater management are proposed to be zoned OS.1 – Open Space District.

Analysis

Relationship between Official Plan and Provincial Policy

The subject lands are included in the Official Plan's Jackson Creek Secondary Plan (Schedule G) which was approved in 2004. Since that time, a new Provincial Policy Statement (PPS) came into effect (2005) and was subsequently replaced (April 2014), and the Provincial Growth Plan for the Greater Golden Horseshoe came into effect (2006). Section 3(5) of the Planning Act requires that all planning decisions be consistent with the PPS and Growth Plan that are in effect on the date that the planning decision is made. Accordingly, the proposed Zoning By-law and Official Plan amendments and Draft Plan of Subdivision must be evaluated in light of the PPS 2014 and the Growth Plan for the Greater Golden Horseshoe. Where differences exist between the Official Plan and

the PPS/Growth Plan, the more restrictive policy will apply as long as there is no inconsistency/conflict with the provincial policy/plan. To help visualize the applicability of the Jackson Creek Secondary Plan on the subject lands, a copy of the Secondary Plan is attached hereto as Exhibit D with the proposed Draft Plan of Subdivision superimposed on it.

Official Plan Conformity

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

i) Proposed Housing Types

The proposed subdivision provides for the development of 200 single detached residential dwellings and the retention of an existing farmhouse on the site. Excluding the farmhouse that is to be retained, typical lot widths in the subdivision range from 13.4m (45 feet) to 15.2m (50 feet) while lot depths generally range from 35m (115 feet) to 45m (147 feet). Compared to the City's standard R.1 zone regulations for single detached dwellings, the lots proposed in this development are, on average, approximately 200 square metres, or 54 percent larger than a typical R.1-zoned lot.

Although this style of development is consistent with the Low Density Residential designation applied to the lands in the Jackson Creek Secondary Plan, it is not consistent, in staff's opinion, with the more recent Provincial policies contained in the PPS, 2014 and the Growth Plan. Furthermore, it is staff's belief that this style of development is inconsistent with the City's Growth Management Strategy which was adopted in 2009 in response to the Provincial Growth Plan and incorporated into the Official Plan as Section 2.4.

Official Plan Section 2.4 requires the City to plan for an average density of 50 persons and jobs per hectare across the City's overall Designated Greenfield Area. To date, the City has been implementing this target by ensuring that new Secondary Land Use Plans (e.g. Lily Lake, Chemong West) and new plans of subdivision located outside of secondary land use plan areas (e.g. Jackson Creek Meadows) have sufficient land designated in them to accommodate a range of housing types, densities and land uses that cumulatively achieve the minimum target. Although the Jackson Creek Secondary Plan has not been updated to reflect this target, it is staff's opinion that the target, which originates in the Provincial Growth Plan, must be considered for this site and the remainder of the Jackson Creek Secondary Plan area to maintain consistency with Provincial policy.

Presently, the proposed subdivision achieves an estimated average gross density of approximately 30 residents per hectare (10.4 units per hectare x 2.9 residents per single detached dwelling consistent with City development charge by-law assumptions). Furthermore, the remaining undeveloped portions of the Jackson Creek Secondary Plan

area contain relatively little designated opportunity for providing a range and mix of housing densities that would contribute positively to the City's overall Greenfield density target. In the absence of a comprehensive update to the Jackson Creek Secondary Plan, staff has requested the Applicants to find opportunities in the plan to provide additional residential density, however the Applicants have consistently **advised their preference** for the proposed plan.

Section 2.4.7 of the Official Plan states that Designated Greenfield Areas will be planned to provide, among other things, a range of housing, including affordable housing, that will be suitable for a broad range of age groups. Furthermore, Section 2.4.3.4 indicates that the City will strive to provide a minimum of 10 percent of new housing as affordable housing units to accommodate both family and non-family housing suitable to a full range of age groups, within all areas of the City. Because the proposed plan of subdivision provides exclusively for single detached dwellings at a uniformly low density, staff see little opportunity in the plan for providing affordable housing opportunities. In comments dated July 3, 2014, staff had requested that a greater diversity of housing product be provided to meet a variety of housing needs and income levels however the Applicants **maintained their preference** for the proposed plan.

In staff's opinion, the lack of housing mix and form proposed for this development does not meet City or Provincial growth management objectives.

ii) **Surrounding Land Uses**

Presently, although the subject lands are situated within the Jackson Creek Secondary Plan area, they are located adjacent to existing agricultural/rural residential properties to both the east and the west. These adjacent lands are ultimately planned for urban residential development as depicted in the Secondary Plan, however, at this time they remain zoned and used for agricultural purposes. The adjacent lands to the west comprise three properties and have a potential development area of approximately 27 hectares (67 acres) while the land to the east is composed of a single farm that is approximately 6 hectares (15 acres) in size.

The area directly south of the proposed development consists of the Loggerhead Marsh, a locally significant wetland, and its creek outlet that flows to Jackson Creek. Much of the marsh, and some of the creek, has been acquired by the City through the approval of other developments and is being held as open space. Since 2004, extensive residential development has occurred immediately south of the marsh and creek in accordance with the Secondary Plan. Residential properties on Amy's Court and Carson Court are located approximately between 50m and 60m from the nearest residential lots in the proposed development.

On the north side of Parkhill Road, the developing Jackson Creek Meadows subdivision is planned with a commercial plaza and a multi-unit residential building along Parkhill Road, at Chandler Crescent. Additionally, a number of rural residences are also located along Parkhill Road, north of the proposed development.

Generally, it is staff's opinion that development of the subject lands for urban residential purposes is compatible with the surrounding land uses given the planned intent for those lands as future development areas. However, when considering the merits of a development proposal, staff must be mindful of how that development will relate to the adjacent lands and their ability to fulfill the intent of the Official Plan.

The conceptual street pattern illustrated in the Jackson Creek Secondary Plan envisioned the lands north of Loggerhead Marsh developing in an interconnected and coordinated fashion. The proposed Draft Plan of Subdivision, on the other hand, has been designed to prevent such a development pattern. In staff's opinion, this development concept is not consistent with the intent of the Secondary Plan and, due to the small size of the adjacent property to the east and its proximity to Ravenwood Drive, may limit future development options for that property. In comments dated July 3, 2014, staff had requested the Applicants to provide street connectivity to both the east and west which would provide the benefit of promoting accessibility and fostering a coordinated community, however, the Applicants have **maintained their preference** for the enclave design.

In addition to considering its relationship with adjacent future development lands, staff has also considered the site's relationship to Parkhill Road and the developing Jackson Creek Meadows subdivision. The proposed draft plan of subdivision provides for residential lots that back onto Parkhill Road. To maintain traffic noise to an acceptable level in the outdoor living area of these lots in accordance with Ministry of the Environment guidelines, a Noise Study submitted in support of the application recommended a minimum 30m building setback from the centreline of Parkhill Road. Consequently, the plan proposes significantly deep lots (45m or 147 feet) along Parkhill Road. Although this enhanced building setback may avoid the need for a solid noise wall along Parkhill Road, staff anticipate that over time this boundary will be defined by privacy fences of various heights and designs unless the City requires the Applicants to install a fence as a condition of development approval.

In contrast to the proposed plan, the Jackson Creek Meadows subdivision has been planned with a local commercial plaza and a medium density residential building along most of its interface with Parkhill Road. Through the site plan approval process, staff has an ability to influence how these buildings architecturally fit with Parkhill Road. In light of staff's comments regarding the need to accommodate additional residential density and housing diversity in the proposed plan, staff had requested the Applicants to consider establishing higher density residential uses along Parkhill Road that could directly interact with Parkhill Road through building orientation. In staff's opinion, fostering interaction between this development and the Jackson Creek Meadows subdivision through building orientation would help encourage residents on either side of Parkhill Road to interact with each other and utilize amenities available in the two developments, would facilitate the creation of a node or focal point for the neighbourhood, and would give an urban character to this portion of Parkhill Road, all in keeping with Section 2.4.7.2 of the Official Plan. The Applicants have, to date, respectfully declined this request.

iii) **Adequacy of Municipal Services**

a) Water and Electrical Service

Peterborough Utilities Services Inc. (PUSI) will provide water and electrical service to the development upon plan registration and execution of standard servicing agreements with the owner.

A 300mm trunk watermain currently exists along the north side of Parkhill Road West to service the Jackson Creek Meadows subdivision. Additionally, a 600mm trunk watermain exists along the south side of Parkhill Road between Ravenwood Drive and the base of the hill near the east limit of the site. It is the Applicant's understanding that this trunk watermain will be extended across the frontage of this site as Parkhill Road is reconstructed by the City. Currently, Parkhill Road is scheduled to be reconstructed between 2015 and 2017. To service their site, the Applicants are proposing to utilize the existing watermain to develop a local water distribution system for their lands.

PUSI has advised that sufficient capacity exists in both the water and electrical system to service this site however the applicants will be responsible for extending the watermain along Parkhill Road to the site.

b) Sanitary Service

Sanitary wastewater from this site must be conveyed to the recently re-constructed Parkhill Road Sewage Pumping Station located just east of Ravenwood Drive. Sufficient capacity exists in both the pumping station and the Peterborough Wastewater Treatment Plant to service this development.

When the subject applications were filed in March 2014, the Applicants had proposed six alternatives for conveying sanitary wastewater from the site to the pumping station. Those alternatives included some gravity-based options and some pumping station-based options. In response to staff's stated preference for gravity-based options that avoid the need for additional pumping stations and maximize the potential for servicing some or all of the vacant lands to the west, the Applicants are proposing to construct a gravity sewer alongside the creek at the south limit of the site, east through the adjacent property, to a new sewer that would be installed in Parkhill Road, near Ravenwood Drive. In conjunction with this option, the Applicants also propose to drain a portion of their site north through the existing sewers in the Jackson Creek Meadows subdivision.

Generally, staff prefer this option in principle over the other proposed options however staff has requested additional information to demonstrate the feasibility of this option. Specifically, staff asked the applicants to demonstrate that sufficient capacity exists in the Jackson Creek Meadows subdivision sewer system to handle part of this development and to provide additional environmental and archaeological investigation to confirm the feasibility of installing a gravity sewer along the creek. Furthermore, this option would

require the Applicants to successfully acquire the right to install the sewer across the adjacent property.

To date, staff and the applicant have debated the proximity of the proposed sewer to the creek. Initial documents provided by the Applicants illustrated the sewer crossing under the creek in several locations. This proposal conflicted, however, with the recommendations of the Loggerhead Marsh Management Plan completed in 2001 which recommended a natural buffer of 15m on both sides of the creek. Furthermore, the creek in question is regulated by the Otonabee Region Conservation Authority's (ORCA) *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation under Section 28 of the Conservation Authorities Act. Accordingly, any development or alteration on within or adjacent to the creek requires a permit from ORCA. ORCA's 2012 *Watershed Planning and Regulations Policy Manual* recommends 30m buffers along both sides of all watercourses.

On April 27, 2015, the Applicants submitted an updated Environmental Impact Study (EIS) that seeks to justify the proposed sewer's location relative to the creek. Presently, the sewer is proposed to maintain a minimum 15m setback from the creek top of bank, along the north side of the creek. The EIS is still being reviewed by City and ORCA staff.

c) Stormwater Management

Quality and quantity control of stormwater is proposed to be addressed primarily through the use of an on-site stormwater management pond. Although staff have no concerns with the principle of using a stormwater management pond on this site, staff note that concerns raised through the review process regarding the pond's location relative to the Loggerhead Marsh remain outstanding.

In particular, ORCA has raised concern that the pond is located too close to Cell 'C' of the Loggerhead Marsh. The Loggerhead Marsh Management Plan recommended a minimum 10m natural buffer between development and Cell 'C' of the marsh as delineated in the management plan. However, current ORCA policies recommend a minimum 30m natural buffer from non-provincially significant wetlands. Like the creek along the south side of the site, development in proximity of the marsh is regulated by ORCA's *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation. To date, the location of the proposed pond relative to the marsh has not been finalized. Accordingly, it is premature to establish zoning and grant draft plan of subdivision approval for those portions of the plan in proximity to the stormwater management pond.

In 2001, the Loggerhead Marsh Management Plan was prepared by Greenland International Consulting Inc. on behalf of the City and Otonabee Region Conservation Authority. The plan established a master drainage strategy for the Loggerhead Marsh subwatershed area which became the basis of the Jackson Creek Secondary Plan. Since that time, financing for the implementation of the Loggerhead Marsh Management Plan has been secured through the execution of Local Services Agreements with

developers in the marsh subwatershed. These agreements, and the principle of the Local Services Agreement, continue to be in force and effect today. Presently, the property at 1289 Parkhill Road West is subject to a Local Service Agreement that was executed on May 22, 2003 and similar agreements are required for the properties at 1225 and 1261 Parkhill Road West.

In accordance with the agreements that have been executed to date, the City has been collecting two different charges from area developers: a Watershed Stormwater Management Services (WSM) charge which is a per-dwelling unit charge that applies to all development in the subwatershed area, and a Special Benefit Area (SBA) charge that applies only to lands that will drain to the marsh post-development. Based on the recommendations of the Loggerhead Marsh Management Plan, existing agreements have envisioned the properties at 1261 and 1289 Parkhill Road West draining to the marsh and therefore being subject to the SBA charge. Conversely, the property at 1225 Parkhill Road West was envisioned as draining to the marsh outlet/creek and therefore not being subject to the SBA charge.

Under the current development proposal, it appears that drainage from the property at 1225 Parkhill Road West will be directed to the marsh. If this is the case, it is staff's opinion that this property will also need to be subject to the SBA charge in its Local Services Agreement if and when development is to proceed.

iv) **Traffic Impacts**

Sections 2.4.7 and 5.5.4 of the Official Plan require land use patterns to, among other things, support active transportation (e.g. walking, cycling etc.) and transit. The enclave design of the proposed draft plan of subdivision, while minimizing traffic access to the development, does not provide pedestrian or vehicular accessibility to adjacent lands nor is it able to support transit service through the lands. Through the application review process, staff has requested the Applicants to consider ways for better integrating this site with its surroundings to promote accessibility both within the development and to adjacent developments.

Generally, staff do not support the proposed enclave road layout because it is not conducive to public transit and because it forces more residents to drive, even for short trips, resulting in higher vehicle use of Parkhill Road. As an alternative, staff have suggested that the road network layout should incorporate the following design principles:

- The extension of Nornabell Avenue, as envisioned in the Jackson Creek West Secondary Plan, to intersect Parkhill Road at Chandler Crescent;
- Future connections/street stubs to the lands to the east (e.g. a local street) and the west (e.g. Nornabell Avenue);
- A continuous pedestrian / cycling corridor through the site to provide walking / cycling access between Parkhill Road and the proposed off-road bikeway

illustrated in Schedule B(a) of the Official Plan along the creek at the south limit of the site; and,

- Maximized distance between the Parkhill Road / Chandler Crescent intersection and any intersections within the development site to ensure that internal intersection(s) do not become blocked from traffic queued at the Parkhill Road intersection.

To date the Applicants have adjusted the proposed Draft Plan to incorporate more queue length on Chandler Crescent within the plan and have expressed both a willingness and a desire to include a trail from the site to areas south of the site. It is envisioned that if a sanitary sewer is constructed along the creek at the south limit of the site, that sewer can also serve as a trail because of the need to provide a maintenance vehicle access route on top of any sewer. Additionally, the creek crosses through a culvert on the subject lands located just northwest of Amy's Court. Potential may exist at that location to develop a trail over the creek to connect to Ireland Drive. With respect to additional street connections however, the Applicants prefer to maintain their current proposal. In staff's opinion, the proposed street layout is contrary to Sections 2.4.7 and 5.5.4 of the Official Plan.

In 2012, the City completed an Environmental Assessment for the reconstruction of Parkhill Road, between Brealey Drive and Wallis Drive. Once complete, it is anticipated that Parkhill Road will have sufficient capacity to handle traffic generated by the proposed development. Currently, a tender has been awarded for the reconstruction of the Parkhill Road/Wallis Drive intersection in 2015. Additional tenders are expected for the remainder of the Parkhill Road reconstruction project in 2016 and 2017.

v) Adequacy of Amenities, Parks and Recreation Opportunities

The proposed plan illustrates a small area (0.28 ha or 0.7 acres) for use as parkland in the southwest corner of the site. Additional open space is proposed along the west limit of the site, however, that area is intended to be developed as a naturalized hedgerow area rather than for recreation purposes. Furthermore, the plan proposes to incorporate part of a woodlot located near the centre of the site that extends to the south limit of the site. These two open space features are identified for protection in the Loggerhead Marsh Management Plan because of the wildlife habitat, cover and connectivity functions they provide between the marsh and the Jackson Creek East Provincially Significant Wetland (PSW) north of Parkhill Road.

The proposed park is significantly smaller than the Official Plan standard for a Neighbourhood Park (1ha to 3 ha), however, it would be located adjacent to the Loggerhead Marsh area and the site's proposed sanitary sewer which could provide trail connectivity to open space areas south of the site. Presently, there are no other sites available for active recreation (e.g. playgrounds) within 600m of the proposed park site. Therefore, in accordance with Official Plan Section 6.4.3.2, staff have no objection to the proposed park site being smaller than the typical standard.

Under Section 51 of the Planning Act, the City can require up to 5% of the land devoted to residential development for parkland dedication or alternatively may collect cash-in-lieu of the said parkland dedication. For the subject plan, the City is entitled to collect approximately 0.97 ha (2.4 acres) parkland dedication. Some of this entitlement would be collected as lands to be used as parkland while the remainder would be used to acquire the open space lands described in the Loggerhead Plan and shown on the Jackson Creek Secondary Plan.

Any parkland or open space to be acquired over and above the 5% entitlement requires payment by the City. Presently, the plan shows a total parkland and open space dedication area of approximately 2.9 ha (7.1 acres). Accordingly, if the subject plan were to be approved, the City would need to purchase approximately 1.9 ha of land. Typically, the City will receive cash-in-lieu of parkland dedication from developers at a rate of \$85,000 per hectare. If this rate is also applied to the acquisition of parkland, the City would need to pay approximately \$162,000 for parkland and open space if this plan is approved. Funding for such a purpose would come from the City's parkland reserve which has a current balance of \$38,742.

vi) **Parking, Buffering and Landscaping**

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. If the Draft Plan is approved as proposed, all lots would be sized appropriately to accommodate the standard R.1 (Residential District 1) zoning and parking standards. However, if the draft plan is approved with lots backing onto Parkhill Road, the zoning would need to include a 30m building setback from the centreline of Parkhill Road to address the recommendations of a traffic noise study submitted in support of the development.

When considering buffering from adjacent lands, most of the lots on the proposed draft plan back onto either open space or the proposed stormwater management facility. Accordingly, for those lots, staff feel that adequate buffering would be provided. Along the east side limit of the site, lots are proposed to back directly onto an existing agricultural property that is intended for future residential use. In December 2014, staff received a petition with 99 signatures from area residents seeking to permanently protect a corridor of trees and greenspace along the east limit of the proposed plan. The petition sought to protect a corridor of sufficient width that would serve as a movement corridor for wildlife between the Loggerhead Marsh and the Jackson Creek East PSW, north of Parkhill Road.

The Loggerhead Marsh Management Plan has previously investigated the need for wildlife movement corridors between the marsh and the Jackson Creek East PSW. That study identified the hedgerow along the west limit of the site as a key wildlife movement corridor between the marsh and the PSW and the creek flowing from the marsh to Jackson Creek along the south limit of the site as a secondary movement corridor. These two corridors are reflected in the Jackson Creek Secondary Plan and are to be protected

through the proposed Draft Plan. Without the benefit of additional environmental investigation to assess the feasibility of protecting the eastern hedgerow as a wildlife movement corridor, staff can not recommend in favour of protecting a corridor at this location for that particular purpose.

However, it is staff's belief that it is a service to the community to preserve trees wherever possible. The City's Urban Forest Strategic Plan (June 2011) outlines eight objectives for the City's urban forest. One of those objectives is to "preserve and protect the health of the urban forest and prevent unnecessary damage or removal." To that end, the Applicant has had a tree inventory and preservation plan prepared for the site that identifies both trees to be removed and trees to be preserved.

Along the east limit of the site, the plan identifies a number of trees to be preserved in proximity to Parkhill Road however many other trees along the east property line are identified for removal. Given the grading requirements of the site and the need to protect the adjacent property from stormwater impacts, staff anticipate that trees will need to be removed from the site. Should development be approved at this location, staff will work with the Applicants to preserve as many trees as possible during the detailed design stage.

Additionally, as a means of compensating for trees removed from the plan, the Applicant has proposed a tree planting program for the site. The preliminary plan contemplates tree planting around the entire perimeter of the site. As a condition of approval for any development on site, staff would recommend the preparation and implementation of a detailed landscaping and planting plan.

vii) Significant Natural/Environmental Features

The west portion of the subject lands are located adjacent to the Loggerhead Marsh, a locally significant wetland, and are approximately 300m from the Jackson Creek East PSW, which is located north of Parkhill Road.

In 2001, the City and ORCA completed the Loggerhead Marsh Management Plan. As noted previously, the plan established a master drainage strategy for the Loggerhead Marsh subwatershed area. The goal of the plan was to address the stormwater management needs of future residential growth in the marsh's catchment area while also maintaining and enhancing the health and quality of the marsh.

As part of the Management Plan, the hedgerow along the west limit of the site and the creek along the south limit of the site were identified as key wildlife movement corridors between the marsh and the nearby PSW. Additionally, along the creek, a woodlot that extends into the site was identified as having potential to provide limited habitat for some of the breeding amphibians of Loggerhead Marsh. Accordingly, these features were recommended for protection and were identified as "Other Open Space" on the Jackson Creek Secondary Plan.

In anticipation of adjacent development, the Loggerhead Marsh Management Plan also recommended development buffers from both the marsh and its creek outlet. Specifically, for the eastern portion of the marsh that located adjacent to the subject lands, known as Cell 'C', a 10m natural buffer was recommended. Additionally, a 15m buffer was recommended along both sides of the creek that flows from the marsh to Jackson Creek. To date, the City has acquired ownership of most of marsh Cell 'C' and its 10m buffer through previous development applications and parts of the creek buffer in conjunction with development to the south. As part of this application, the hedgerow and creek features to be protected are shown on the plan as open space and/or parkland and are to be acquired by the City through a combination of parkland dedication and cash purchase.

As noted previously, key issues relating to the natural environment centre around development setbacks. Loggerhead marsh and its creek outlet are regulated by ORCA's *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation. Accordingly, any development in proximity to these features requires a permit from ORCA. In their comments on the plan, ORCA has noted that their current policies recommend a minimum 30m setback from all non-provincially significant wetlands and along both sides of all watercourses. In comments dated June 19, 2014, ORCA had requested that the Applicants investigate and rationalize the plan's proposed development buffers which are more in keeping with the Loggerhead Plan in light of the newer ORCA policies. In making this request, ORCA noted that their monitoring of Loggerhead Marsh suggests that the marsh is experiencing water quality and ecological changes, despite the buffers that have already been implemented in other developments in accordance with the Loggerhead Plan. To date, these comments have not been resolved, however, the Applicants have submitted an updated EIS which is currently under review.

Furthermore, as a technical advice service provider to the City on matters related to the natural environment, ORCA raised concern with the extent of the woodlot identified in the Jackson Creek Secondary Plan that is proposed to be removed for this development. Documentation provided by the Applicants suggest that approximately 35% of the woodlot is proposed for removal. ORCA has questioned this proposal's consistency with the Jackson Creek Secondary Plan. Staff is inclined to agree that the extent of tree removal proposed for the woodlot is not consistent with the Secondary Plan. Staff has discussed this with the Applicants and has suggested an alternate street pattern to minimize tree loss however the Applicant maintains that the tree removal is necessary for the servicing of the site.

As compensation for trees lost from the woodlot, the Applicant is proposing to re-plant trees elsewhere on site, in particular, within the site's western hedgerow. While staff has already advised that compensation planting will be required as a result of the development, staff does not consider the Applicant's current proposal which lacks specific details, as sufficient justification for contradicting the Secondary Plan's intent for the

woodlot. Accordingly, it is staff's opinion that the proposed Draft Plan should be revised to better protect the woodlot in accordance with the Jackson Creek Secondary Plan.

Subsequent to their initial comments dated June 18, 2014, ORCA advised that a watercourse exists on the western portion of the site, across the property at 1289 Parkhill Road. ORCA has advised that the watercourse is regulated and accordingly requested an impact assessment for the feature. To date, no assessment has been received.

Consistency with Provincial Policy

As noted previously, any decision on the proposed Draft Plan must be consistent with the Provincial Policy Statement, 2014 (PPS) and the Growth Plan for the Greater Golden Horseshoe, 2006, as amended (Growth Plan). Consequently, where policy conflicts arise between the City's Official Plan and these provincial documents, precedence must be given to the provincial direction.

Provincial Policy Statement, 2014

The PPS provides general direction to municipalities with respect to a number of land use planning issues. For example, Section 1.1.3.2 requires municipalities to ensure that land use patterns in settlement areas such as Peterborough are based on densities and a mix of land uses that (among other things):

- efficiently use land and resources;
- support active transportation; and
- are transit supportive.

Additionally, Section 1.4.3 requires municipalities to plan for an appropriate range and mix of housing types and densities to meet the needs of current and future residents by:

- establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households;
- permitting and facilitating all forms of housing and all forms of intensification;
- directing new housing to locations where appropriate levels of infrastructure and public service facilities are or will be available;
- promoting densities for new housing which efficiently use land, resources, infrastructure and public services, and support the use of active transportation and transit.

Furthermore, Section 1.6.7.4 states that a land use pattern, density and mix of uses should be promoted that minimizes the length and number of vehicle trips and support current and future use of transit and active transportation.

In staff's opinion, the proposed plan is not consistent with this direction because of its lack of housing diversity, its universal low density form, and its lack of connectivity to surrounding areas. As noted previously, it is staff's opinion that the proposed plan actually causes an increase in vehicle trips because of its enclave design.

The 2014 PPS has introduced climate change and heightened stormwater management practices as issues requiring provincial direction. In particular, the PPS now requires municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and climate change adaptation by such measures as promoting:

- compact form;
- active transportation and transit in and between residential, employment and institutional uses and other areas; and,
- design and orientation that maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and,
- maximized vegetation within settlement areas, where feasible.

In staff's opinion, the proposed development is neither compact nor conducive to transit. Although the large-lot format of the subdivision does provide opportunity for incorporating new vegetation throughout the site, staff believes that more can be done to preserve existing trees on-site while accommodating a compact urban form.

With respect to stormwater management, Section 1.6.6.7 of PPS requires municipalities to, among other things, promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development (LID). Furthermore, in February 2015, the Ministry of the Environment and Climate Change issued an interpretation bulletin emphasizing a desire to maintain the natural hydrologic characteristics of sites, encouraging Lot Level and Conveyance controls, water balances and LID practices to reinforce the PPS direction.

Both City and ORCA staff have requested the Applicants to provide information regarding the proposed plan's consistency with this provincial direction. Previous correspondence from the Applicants have advised that LID technology, which could include measures installed throughout the site to facilitate water infiltration, would not be proposed due to the nature of the underlying soils. Recently, however, the Applicants have provided new information regarding the use of LID on site. This information is currently being reviewed. In staff's opinion, should development be approved at this site, investigation and implementation of LID technologies could be required as a condition of approval.

Growth Plan for the Greater Golden Horseshoe, 2006

The Growth Plan builds upon the policy foundation of the PPS by providing land use planning policies to address specific issues in the Greater Golden Horseshoe (GGH). The subject lands are located within the Designated Greenfield Area as defined in the Growth Plan. Accordingly, the lands are subject to both general policies in the plan and to policies that are specific to the Designated Greenfield Area.

Section 2.2.2 requires municipalities to generally manage growth in a number of ways including:

- building compact, transit-supportive communities in designated greenfield areas;
- reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments; and,
- encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment types, high quality public open space and easy access to local stores and services.

In staff's opinion, the proposed plan does not meet these objectives. Introducing additional density, housing forms, street connectivity and building design that relates in orientation to Parkhill Road and the commercial services planned in the Jackson Creek Meadows subdivision will help address these objectives.

When considering Designated Greenfield Areas specifically, Section 2.2.7.1 states that such areas will be planned to:

- contribute to creating complete communities;
- create street configurations, densities and an urban form that support walking, cycling, and the early integration and sustained viability of transit services;
- provide a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods; and,
- create high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

In staff's opinion, again, the proposed plan does not meet these objectives however staff does feel that the plan could meet most of these objectives if some adjustments were made.

Throughout the PPS and the Growth Plan, significant focus is placed on developing walkable, transit-supportive communities. The city's Official Plan includes a density target of 50 persons and jobs per hectare for the Designated Greenfield Area. This target

comes from the Growth Plan and is intended to foster the creation of transit-supportive communities. According to the Ontario Ministry of Transportation, this target is the minimum density required to sustain basic bus transit service in suburban areas. Additionally, the minimum density target fosters greater efficiency and financial viability for municipal services and reduces the pace of demand for converting agricultural/rural land to urban uses.

Responses to Notice

a) Agency Responses

As part of staff's processing of the application, and pursuant to the *Planning Act*, staff provided notice of the application to, and sought comments from, the prescribed commenting agencies on May 1, 2014. Agency comments were mixed with some being in support of the development while others had questions or concerns with the proposed development.

Utility Services Department

Utility Services staff have provided comments on several occasions throughout the application review period. Generally, Utility Services' main concerns have been reflected in the body of this report. Other concerns, which are more technical in nature, have been provided to the Applicants for review and action. Presently, Utility Services staff continue to work with the Applicants to resolve outstanding technical issues and, in particular, to confirm a sanitary servicing option that is acceptable to staff.

Otonabee Region Conservation Authority

As noted previously, ORCA has provided comments on the proposed development. To date, three formal submissions have been received from ORCA in response to the development application and supplemental information submitted by the Applicants over the last year. As of the writing of this report, a number of ORCA's comments remain outstanding. These comments are:

- the need to rationalize buffer widths between the proposed development and the Loggerhead Marsh, its creek outlet, and wetland pockets identified along the creek;
- the need to evaluate the potential environmental impacts of the proposed sanitary servicing options, particularly the gravity-based option that follows the creek along the south limit of the property;
- the need to protect the woodlot identified in the Jackson Creek Secondary Plan and a hedgerow connecting the woodlot to Parkhill Road;

- the need for an assessment of an intermittent watercourse on the property at 1289 Parkhill Road West;
- the need for an aquatic resource assessment (i.e. fisheries) of the Loggerhead Marsh creek outlet;
- details regarding the proposed stormwater management pond outfall including an assessment of its impact on receiving waters and thermal mitigation;
- mapping to denote the boundaries of all environmental buffers;
- an assessment of groundwater infiltration enhancements that could be used on-site;
- technical details regarding the proposed stormwater management program; and,
- confirmation of how the site addresses new PPS direction regarding stormwater management best practices and LID.

Presently, ORCA has advised that they are unable to support the proposed subdivision until these issues are resolved because they have the potential to require marked changes to the proposed development lot and road layout. Accordingly, ORCA has suggested the application is currently premature and that consideration of the development should be deferred until these issues have been addressed. The Applicants are aware of ORCA's position and have been working to address the outstanding comments. Additional information including an updated EIS, a tree inventory and preservation plan, and a detailed response letter regarding stormwater management and LID were received on April 27, 2015 and are currently under review.

Peterborough Utilities Services Inc.

PUSI requires the owner to enter into a standard servicing agreement for water and electrical service. Additionally, PUSI has advised that Peterborough Distribution Inc. may be interested in acquiring some unused land along Parkhill Road West for a future 44 to 27.6KV substation. The station could be designed to have minimal impact to the surrounding area. If this transfer were arranged at a future date, PDI may have an existing substation property available at 963 Parkhill Road (MS19) that might be redundant and could be re-purposed.

PUSI has also advised that where side yard building setbacks are reduced in the zoning by-law, PUSI will require maintenance of a 1.2m side yard setback building setback on both sides of property line on which the transformer is to be located. This setback is intended to prevent driveway and vehicle conflicts with transformers.

Presently, it is not known where transformers will be located in this development. Accordingly, to address this concern, if this development is approved with reduced side

yard building setbacks, a composite utility plan will be required as a condition of approval to identify the need for 1.2m side yard building setbacks from property lines with an electrical transformer. The condition would also require the developer to agree to advise builders of this requirement.

Bell Canada

Bell Canada advises that, prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line infrastructure is currently available to provide communication/telecommunication service to the plan. In the event that such infrastructure is not available, Bell advises that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, Bell will require the Developer to demonstrate that sufficient alternative communication/telecommunication facilities are available to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

Additionally, Bell Canada advises that the Applicants will be required to grant to Bell Canada any easements that may be necessary for telecommunication services, that in the event of any conflict with existing Bell Canada facilities or easements, the Applicants will be responsible for relocating such facilities or easements, and that this subdivision will be fed using Bell fibre to the home technology.

Bell Canada's requirements can be included in conditions of approval at such time as the proposed development is granted Draft Plan of Subdivision Approval.

Canada Post

Canada Post requires the owner to make satisfactory arrangements for the provision of mail delivery services to the plan and to inform all prospective purchasers, through a clause in all Agreements of Purchase and Sale and on a map to be displayed at the sales office, those lots identified for potential Community Mailbox and/or mini-park locations.

Canada Post's requirements can be included in conditions of approval at such time as the proposed development is granted Draft Plan of Subdivision Approval.

Enbridge Gas Distribution Inc.

Enbridge Gas Distribution advises that they do not object to the proposed application. Enbridge requests that the Applicant contact their Customer Connections Department for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

Enbridge notes that if a gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant. In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

Enbridge's requirements can be included in conditions of approval at such time as the proposed development is granted Draft Plan of Subdivision Approval.

Kawartha Pine Ridge District School Board

Kawartha Pine Ridge District School Board (KPRDSB) has advised that students generated within this plan will attend James Strath Public School (Grades Junior Kindergarten to 8) and Crestwood Secondary School.

Peterborough County-City Health Unit

The Health Unit has made the following requests for the proposed development:

- That a street connection be added from this subdivision to existing subdivisions to the south and west;
- That a mixture of sites be added to the plan that include opportunity for commercial space (e.g., for a store that sells fresh food);
- That the development follow current City sidewalk policy and include sidewalks on both sides of the street for all local, collector and arterial roads;
- That a multi-use trail linking this subdivision to other subdivisions and existing trail networks be included;
- That better access to parkland be provided from the northern parts of the subdivision; and,
- That the plan include the use of low impact development technologies (e.g. pervious surfaces) to reduce impacts of storm water on Loggerhead Marsh.

Many of these comments have been considered during the review process and posed to the Applicant for consideration. Because of the proximity of a planned commercial development at the corner of Chandler Crescent and Parkhill Road, staff do not support the inclusion of an additional commercial site in this development. Any development approved at this site will need to adhere to the City's sidewalk policy.

Hiawatha First Nation

Hiawatha First Nation advises that the proposed project is deemed to have no impact on Hiawatha First Nation's traditional territory and/or rights. However, Hiawatha First Nation has requested to be kept apprised of any updates, archaeological findings, and/or of any environmental impacts, should they occur and that they be contacted if archaeological artifacts are found as they require trained archaeological liaisons be present at the archaeological sites during the assessments. Hiawatha First Nation has also requested that any archaeological reports be forwarded to them as they are completed.

To date, an archaeological assessment has been completed for the east half of the site, however, an assessment still needs to be completed for the west half of the site and any off-site disturbances associated with the provision of infrastructure. Copies of those reports can be forwarded to Hiawatha First Nation as they are completed.

Peterborough Architectural Conservation Advisory Committee (PACAC)

PACAC reviewed the application and advised that it was pleased the Applicants have allowed for the existing structures within the proposed subdivision to remain intact. The committee also suggested that the developer enhance the property by including trails and links to existing and planned trails throughout the area. These trail systems provide connectivity and allow access to the natural heritage landscapes that exist within our community.

Since these comments were written, one of the two farm houses in the development has been removed however one still remains and is intended to be retained as part of the development. As noted previously, the Applicants have expressed a desire and willingness to provide trail connections from their site to surrounding areas.

b) Public Responses

Notice of a Complete Application was published in the Peterborough Examiner on May 5, 2014 in accordance with the Planning Act.

On June 11, 2014 the Applicant hosted a neighbourhood open house at James Strath Public School. The applicant hand-delivered a notice of the meeting to all persons that own property within 120m of the site and additional properties beyond 120 m along Parkhill Road to Brealey Drive and Ravenwood Drive. The meeting was attended by approximately 30 people and generated a healthy discussion and a number of follow-up inquiries.

Notice of the Public Meeting was mailed on April 30, 2015 to the prescribed agencies, all property owners within 120 metres of the subject property and all persons who requested to receive notice of the Public Meeting during the review of the subject applications. The Notice of Public Meeting was published in the Peterborough Examiner on May 4, 2015. As of the writing of this report, no written submissions were received in response to the Public Meeting notice.

Comments generated during the Public Open House and in the written submissions that followed generally focussed on:

- The need to protect Loggerhead Marsh, its creek outlet, and trees along the creek and within the site;
- The need to implement, at a minimum, the recommendations of the Loggerhead Marsh Management Plan;
- The need to implement a sanitary servicing option that does not adversely affect the creek along the south side of the site or the environmental buffer lands planned along side that creek and the floodplain associated with the creek;
- The need for updated environmental evaluation of Loggerhead Marsh's hydrology, chemistry, vegetation, birdlife and other wildlife to better determine how development may affect the marsh;
- The need for more intense monitoring of the Loggerhead Marsh and the definition of responsibility for addressing any adverse impacts observed;
- The need to protect wildlife movement corridors along existing hedgerows in the site;
- Post-construction views of the site from residential areas south and southeast of the site;
- A community preference for luxury homes with large lots sizes in the development;
- A desire for the reconstruction of Parkhill Road in this area;
- The need for vehicular connectivity from the site to adjacent lands;
- The length of the construction period and on-site construction practices such as working hours, dust suppression, waste disposal and materials storage; and,
- The need for protective measures for existing well users in the area from development impacts on water quality and quantity.

With respect to the proximity of any development including any proposed sanitary sewer to Loggerhead Marsh and its creek outlet, City staff have advised the Applicant that, at a minimum, the recommendations of the Loggerhead Marsh Management Plan must be adhered to. Accordingly, at a minimum, vegetation should be preserved within 15m of both sides of the creek and within 10m of Cell 'C' of the Loggerhead Marsh.

Notwithstanding this, staff has advised the Applicants that they need to address comments from ORCA recommending wider buffers around these features. Presently,

the City and ORCA are reviewing an updated EIS which is intended to rationalize the site's environmental setbacks.

Regarding the need for updated environmental assessment of Loggerhead Marsh and an enhanced monitoring program for the marsh, it is staff's understanding that ORCA's current monitoring of the marsh is providing annual updates to our understanding of the marsh's health and function. In their comments to the City, ORCA has not recommended such an update, however, ORCA is using the monitoring results to inform their comments. Accordingly, staff is of the opinion that a full-scale update of the Loggerhead Marsh environmental investigation is not required. With respect to monitoring, the Applicants' obligations for monitoring can be secured as a condition of approval should this development be approved. Any changes to the scope of the ongoing Loggerhead Marsh monitoring program would be at the discretion of ORCA.

With respect to wildlife movement corridors within the site, staff have previously noted that two corridors are planned along the edges of this site in accordance with the Loggerhead Marsh Management Plan and the Jackson Creek Secondary Plan. To date, the need for additional wildlife movement corridors within the site has not been recommended by additional environmental investigation.

Many people expressed concern with the impact that construction may have on their quality of life, enjoyment of their property, and their property values. Some people have expressed a desire to limit construction hours to typical weekday business hours (i.e. 8:00 a.m. to 4:00 p.m., Monday to Friday), to control construction vehicle routes, to require lighting to be sensitive to surrounding development, to control dust and site waste, and to maintain or enhance tree cover along the south limit of the development so as to maintain privacy. Some of these issues, such as construction hours and site cleanliness are controlled through existing City by-laws such as the City's Noise By-law and Property Standards By-law. Other issues such as dust control are typically controlled through enforcement of a subdivision agreement between the City and the Applicants. Issues such as the orientation of streetlights and the final placement of new trees on-site are typically not confirmed until detailed engineering design. However, if Council is inclined, it could impose conditions of approval on the development if it is approved to establish consideration of light orientation and tree planting along the south limit of the site a requirement.

Staff comments regarding street connectivity to adjacent properties, the need for improvements to Parkhill Road, and the density and form of the proposed housing have been made earlier in this report. In general, it is staff's opinion that greater diversity in housing form and density is required on this site and that street connections are required to adjacent lands in order to maintain consistency with both Official Plan and Provincial policy. Additionally, Parkhill Road is scheduled for reconstruction between 2015 and 2017.

Finally, some area residents have expressed concern with the potential for adverse impacts on their existing wells. As part of their application submission, the Applicants submitted a hydrogeological report in support of their development. The report concluded that impacts to the groundwater and surface water systems on-site are expected to be minimal as a result of the proposed residential development. The report did note, however, elevated concentrations of turbidity, sodium, chloride, iron and hardness in some area wells surveyed for the study. Should Council deem it appropriate, the Applicants could be required to implement a well monitoring program as a condition of any development approval at this site to ensure that any adverse impacts caused by the development on existing wells are identified and addressed.

Summary

At this time, staff feel there are a number of outstanding concerns that affect the principle of the proposed development including:

- City concerns regarding housing density and mix, street connectivity, development relationship to adjacent properties, and woodlot preservation;
- ORCA concerns regarding environmental buffer widths from Loggerhead Marsh, its creek outlet, and wetland pockets along that creek;
- The need to assess an intermittent watercourse on the property at 1289 Parkhill Road West in light of *ORCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation; and
- The need to confirm a sanitary servicing solution that is acceptable to the City.

In staff's opinion, the City concerns noted above create conflict with both Official Plan and Provincial Policy and so staff is unable to support the proposed plan in its current form. Furthermore, until the outstanding issues identified by ORCA are addressed, it is difficult to establish the principle of the proposed development because changes may be required to the proposed Draft Plan of Subdivision to address the comments.

In light of the above, staff do not support the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision and recommend that these applications be denied.

Submitted by,

Ken Hetherington
Manager, Planning Division

Prepared by,

Brad Appleby
Planner, Subdivision Control
& Special Projects

Concurred with,

Malcolm Hunt, Director
Planning & Development Services

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Attachments:

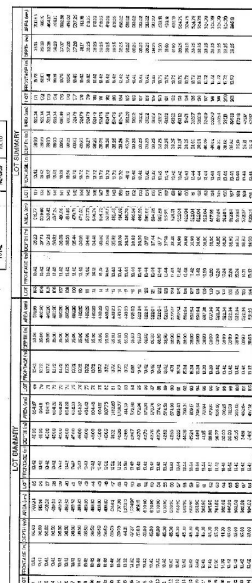
Exhibit A – Proposed Draft Plan of Subdivision 15T-14501

Exhibit B – Land Use Map

Exhibit C – Notice of Public Meeting

Exhibit D – Jackson Creek Secondary Plan with Plan 15T-14501 superimposed

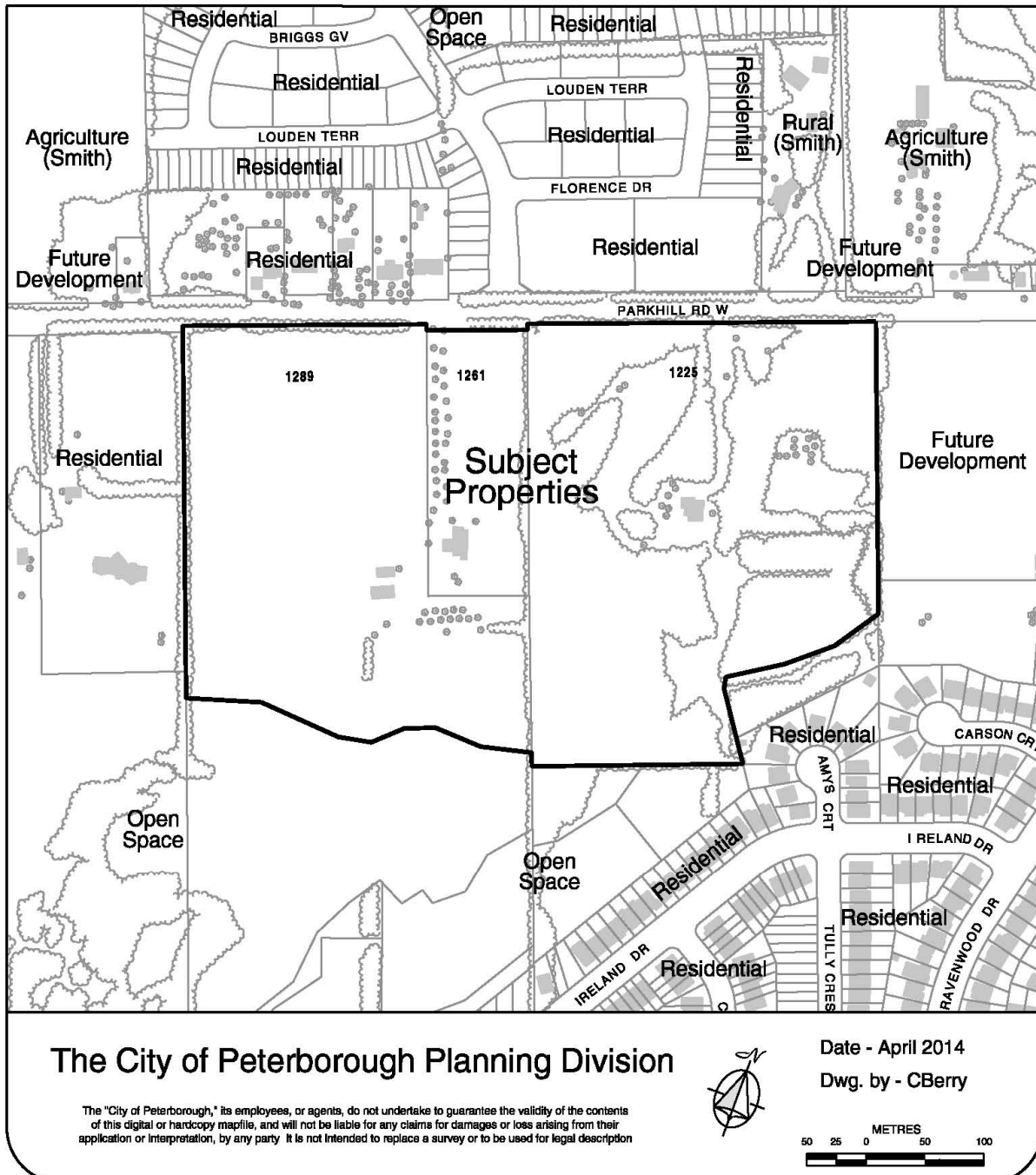
Exhibit A
Sheet 1 of 1



Land Use Map

File # z1410sb

Property Location: 1225,1261,1289 Parkhill Rd W



Notice of Public Meeting

Take Notice that the City of Peterborough has received the following applications and 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 at 6:30 p.m. on **Monday, May 25, 2015**, to consider the following application under Sections 17, 34 and 51 of the *Act* :

1. **File:** 15T-14501, O1403, Z1410sb
Address: 1225, 1261, 1289 Parkhill Road West
Owner/Applicant: LTM Land Corp., William White, Roger White
Agent: M.J. Davenport & Associates Ltd.

The applicants are proposing to develop a plan of subdivision consisting of 201 lots for single detached residential purposes together with land for stormwater management and parkland/open space purposes. To facilitate the development, the applicants are proposing to amend the Official Plan to relocate the planned location for the future extension of Nornabell Avenue to lands further west and to rezone the lands from D.2 – Development District and SP.238 – Residential District to R.1 – Residential District with site-specific regulations related to building setbacks and OS.1 – Open Space District.

Any Person may attend the above Public Meeting and/or make written or verbal representation either in support of or in opposition to the Amendment (please quote the file numbers).

Be Advised that if a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Peterborough in respect of the proposed applications before the proposed official plan amendment is adopted, the zoning by-law is passed, and the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of City of Peterborough Council to the Ontario Municipal Board.

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 in respect of the proposed applications before the proposed official plan amendment is adopted, the zoning by-law is passed, and the approval authority gives or refuses to give approval to the draft plan 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 Amendment, or of the refusal of a request to amend the official plan, the passing of the proposed zoning by-law, or of the decision of the City of Peterborough Council in respect of the proposed plan of subdivision, you must make a written request to the City Clerk at the address below.

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 Division at 705-742-7777 – Brad Appleby at ext. 1886 (email bappleby@peterborough.ca).

A Staff report will be available by 12 Noon on Friday the 22nd day of May, 2015.

Dated at the City of Peterborough this 4th day of May, 2015.



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

Exhibit C
Sheet 1 of 1