



City of
Peterborough

To: **Members of the General Committee**

From: **Cynthia Fletcher**
Commissioner of Infrastructure and Planning Services

Meeting Date: **October 19, 2020**

Subject: **Report IPSPL20-022**
Official Plan Amendment O1704, Zoning By-Law Amendment
Z1713SB and Draft Plan of Subdivision 15T-17503
0 Fairbairn Street and Part of 851 Lily Lake Road

Purpose

A report to evaluate the planning merits of an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision application for the properties at 0 Fairbairn Street and part of the property at 851 Lily Lake Road.

Recommendations

That Council approve the recommendations outlined in Report IPSPL20-022 dated October 19, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That Schedules “B” – Roadway Network, and “R” – Lily Lake Secondary Plan, of the Official Plan be amended in accordance with Exhibit A of Report IPSPL20-022;
- b) That the subject property be rezoned from R (Smith) and A1 (Smith) to R.1,1m,2m,8z-256-‘H’, R.1,1o,2o,8z-256-‘H’, R.1,1r,2r,8z-256-‘H’, R.1,2r,8z,10c-256-‘H’, R.1,8z,10c-256-‘H’, R.2,8z-256-‘H’, SP.348,3j,4g,8z,10b,11h,16l-256-‘H’, SP.348,3n,4g,10b,11h,16f-256-‘H’, SP.366-256-‘H’, SP.366,10c-256-‘H’, SP.350,3m,11j,21a-‘H’ – Residential Districts, OS.1, and OS.2 – Open Space Districts in accordance with the Draft Plan of Subdivision and Exhibit B of Report IPSPL20-022; and

- c) That Draft Plan of Subdivision Approval for Plan 15T-17503, Project No. 16-1590, Drawing No.: DP1 dated September 14, 2020 by EcoVue Consulting Services Inc., be granted, subject to the Conditions of Draft Plan Approval attached to Report IPSPL20-022, as Schedule 1.

Budget and Financial Implications

External road improvements will be required to accommodate full build-out of the proposed draft plan of subdivision and the Lily Lake Secondary Plan area. Pending a 2021 completion of a new City Transportation Master Plan, the City-wide engineering services charge may need to be updated to include required long-term transportation improvements for the area. Should such improvements be required prior to their inclusion in the City-Wide Development Charge By-law and an approved capital budget, development proponents may be required to front-end the work and, if so, would be eligible for reimbursement once the projects are included in the development charge calculation and an approved capital budget.

Presently, the Lily Lake Area Specific Development Charge includes a component that is intended to fund the creation of centralized stormwater management facilities. Based on the preliminary stormwater management plan prepared by the Applicant, it is possible that all stormwater management facilities in the Lily Lake Planning Area will be designed to serve only the lands on which they are situated. Should this be the case, the Applicant will be eligible to receive development charge funding for their stormwater management facilities.

The proposed draft plan of subdivision provides for the creation of 28 dwellings that abut and will rely on a rear lane. Approval of this report's recommendations will authorize staff to bring a by-law forward at the time of Final Approval to establish an annual Special Area Charge Rear lane charge pursuant to Section 326 of the Municipal Act, 2001 to reflect the enhanced level of municipal services that will be provided to those dwellings. The amount of the charge will be determined by the City at the time of Final Approval and all funds collected will be placed in the Special Area Charge – Laneway Reserve to pay for the additional services associated with the ongoing maintenance and eventual reconstruction of the abutting rear lane.

Approval of the subject plan will require the purchase of approximately 1.16 of parkland from the Applicant. Typically, the City receives 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 \$98,600 for parkland if this plan is approved. Funding for such a purpose would come from the City's parkland reserve which has a current balance of \$519,628. The final amount of parkland dedication to be received, and any payment to be made by the City for parkland, will be detailed in a

subdivision agreement between the Applicants and the City. In the event of a funding shortfall in the parkland reserve, additional funding will need to be set aside in future capital budgets for land acquisition.

Background

The subject lands are approximately 19.96 ha in size. The lands are located in the Lily Lake Planning Area at the northwest corner of the City, and are generally bounded by Fairbairn Street to the east, Lily Lake Road to the north, Draft Approved Plan of Subdivision 15T-14502 to the west, and the Jackson Creek Valley and Jackson Park to the south.

The site represents a compilation of 89 existing vacant lots of record under separate ownerships (all known municipally as 0 Fairbairn Street), plus part of the property at 851 Lily Lake Road, and additional land that the proponent is required to purchase. The existing lot pattern was created through a process called checkerboarding in the 1960s. Although the lands were cleared for development in the 1960s and owners have been paying property taxes on these parcels since that time, the lots have remained undeveloped due to a lack of municipal services, legal road frontage, and residential zoning. Of the 96 lots that were created on the historic survey, only 90 remain as two have been built on, three have merged with adjacent residential properties, and two have merged to form a single vacant lot. A copy of the original survey is attached as Exhibit D.

The subject lands were annexed from the Township of Smith-Ennismore-Lakefield in 2008. Immediately following annexation, staff received numerous phone calls and emails from property owners questioning whether the City will extend municipal services and roads into the area to make development possible. Typically, in accordance with Section 59 of the Development Charges Act, the installation of services such as roads, watermains and sewers that are intended to support a new subdivision development are a direct financial responsibility of the proponent. In this particular case, because the lands were in multiple ownerships, there was no single 'developer' that the City could work with to develop the lands through a plan of subdivision process.

Some property owners also questioned whether the City would front-end the cost of installing services and then recoup the costs through a local area improvement charge. Current City policy with respect to the cost recovery of municipal works (as described in Report USEC05-051 – Options for Cost Recovery for Municipal Works) does not support the use of local improvement charges.

As an alternative, staff advised property owners that services could be provided to the area if: 1) all landowners were to form a single corporation that could work with the City

as a developer; or, 2) all lots were sold to a developer with the financial resources develop the area under a new plan of subdivision process.

The Applicant, Jackson Heights Developments Inc. (JHDI) is a corporation formed by the owners of 89 of the 90 vacant lots in the historic subdivision. The owner of one lot in the historic plan has chosen not to participate in JHDI's development process. Ultimately, the intent of JHDI is to obtain the necessary planning approvals to allow a plan of subdivision to develop on the participating lots and to sell the approved development to a developer for construction. Lots not participating in the development will have the opportunity to develop in the future subject to zoning approvals, the removal of one-foot reserves along their street frontages, and the payment of their share of the servicing cost for the subdivision.

Presently, the lands remain vacant and, with the exception of areas that were rough-graded for roads in the 1960s, the site has naturally re-vegetated. Topographically, the north portion of the site falls north toward Lily Lake Road with a slope of approximately 4.3 percent while the south portion of the site falls south toward Jackson Park with a slope of approximately 12.5 percent.

The site has 20m of frontage onto Fairbairn Street where a municipal road allowance was historically planned. The remainder of the site is bordered primarily by existing residential properties along Lily Lake Road and Fairbairn Street. The southeast corner of the site abuts an unopened road allowance that extends south from a bend in Fairbairn Street into Jackson Park. The portion of Jackson Park immediately abutting the south limit of the site is currently owned by the Otonabee Region Conservation Authority (ORCA). The Jackson Creek Kiwanis Trail (aka the Trans-Canada Trail) is located approximately 80 m south of the site, at the bottom of the Jackson Creek Valley.

The majority of the lands located above the Jackson Creek Valley are designated for low density residential uses on Schedule R – Lily Lake Secondary Plan of the Official Plan. The southwest portion of the site is designated for medium density residential use while the northwest and southeast corners of the site are designated for parkland and stormwater management respectively. The Jackson Creek Valley, located at the south limit of the site, is designated as major open space. The lands are recognized as Designated Greenfield Area on Schedule A1 – City Structure of the Official Plan in accordance with the provincial Growth Plan for the Greater Golden Horseshoe.

As noted, the subject lands were annexed from the former Township of Smith-Ennismore-Lakefield in 2008. Accordingly, the site remains subject to the Township Zoning By-law that was in effect at the time of annexation. Presently, most of the lands are zoned A1 (Smith Township) – Rural Zone while a small portion of the site at Lily Lake Road is zoned R (Smith Township) – Residential Zone.

To implement the proposed Draft Plan of Subdivision, the proponent has requested that the City's Official Plan and Zoning By-law be amended. The details of these requested amendments are described herein.

Pursuant to subsection 51(25) of the Planning Act, Council has the authority to impose conditions on the approval of a plan of subdivision that are reasonable and have regard to the nature of the development proposed. Issues identified through the application review process that cannot be addressed specifically through the draft plan design, Official Plan policy, or Zoning By-law regulation, will be addressed through imposing conditions at the Draft Plan Approval stage. One such condition will require JHDI to put all lands required for the draft plan of subdivision under singular ownership prior to Final Approval. Furthermore, the condition will require that JHDI not convey the draft approved plan of subdivision lands to a third party until such time as all lands, to which draft plan of subdivision approval applies, have been consolidated into a singular ownership.

The proposed conditions of Draft Plan Approval for this development are detailed in Schedule 1. These conditions must be satisfied before the City can grant Final Approval to the plan of subdivision or any phase thereof. Once Final approval is granted, the developer would be permitted to register the plan with the Land Registry Office and to begin selling individual lots.

Proposed Draft Plan of Subdivision

As illustrated in Exhibit C, the Applicant is proposing a residential subdivision comprised of 163 lots for single-detached dwellings with typical lot widths ranging from 9.15m to 12.2m, seven blocks for semi-detached dwellings (14 units) with a typical lot width of 9m, and ten blocks for street-fronting townhomes (48 units) with a typical lot width of 7m. Additionally, the plan proposes a block for medium density residential use (approximately 103 units), two stormwater management facilities, two local parks, three blocks for servicing corridors, and a walkway. Furthermore, the plan proposes an active transportation link (e.g. trail) between the site and the Fairbairn Street road allowance, at Hillside Street.

Proposed local streets "A", "C", "E" and "F" are illustrated as 18.5m (60.7 feet) wide road allowances. One collector street, Street "B" enters the site from Fairbairn Street and continues west into Plan of Subdivision 15T-14502. Street "B" is shown mostly as a 23m wide road allowance (consistent with the neighbouring subdivision plan) except at its intersection with Fairbairn Street where it is shown as a 20.12m road allowance. To limit driveway entrances onto Street "B", the plan includes one rear lane, Street "D", which is shown as an 11m wide road allowance. Furthermore, to enhance integration with the development to the west, the plan includes a short local street, "Burgess Street", that will connect to the primary collector street within the adjacent plan of subdivision.

Within the plan, Street “B” is to be designed and built with on-street cycling facilities while Streets “A”, “B”, “C”, “E”, “F” and “Burgess Street” are to have sidewalks or a combination of sidewalk and trail on both sides (unless exempted by the City’s sidewalk policy).

Generally, higher density uses within the site are situated either along or in close proximity to Street “B” which connects to the adjacent lands to the west where other higher density uses are planned along with schools, commercial opportunities and parkland. Within the adjacent plan to the west, Street “B” will form a neighbourhood core.

Stormwater management for the site is proposed to be accommodated through a combination of low impact development (water infiltration enhancements) and stormwater management ponds. Specifically, the application proposes to establish water infiltration trenches along the rear of most lots and within a municipal park to be located at the southeast corner of the site. Additionally, stormwater will also be accommodated in a wet pond to be located at the southeast limit of the property, adjacent to the Jackson Creek Valley, and in a dry pond with an oil-grit separator located at the northwest limit of the property. The proposed plan includes a 10-metre-wide servicing corridor to accommodate an outlet from the dry pond to the ditch along the south side of Lily Lake Road.

Sanitary wastewater must be conveyed to the Parkhill Road Sewage Pumping Station located on Parkhill Road, near, Ravenwood Drive. To achieve this, the Applicant proposes to establish a sanitary outlet near the southwest corner of the site, over Block 184, that will connect to services that are currently under construction in the adjacent subdivision to the west.

In 2018, water was extended from the existing reservoir on Towerhill Road to the neighbouring subdivision. To service this site, the Applicants propose to construct a watermain along Fairbairn Street, from Towerhill Road, to the site. That watermain would then be extended along Street “B” to connect to watermain in the neighbouring subdivision to the west.

Land Use Summary		
Land Use	Lot/Block No.	Area (ha)
Residential Singles	Lots 1 to 163 (163 units)	6.57
Residential Semi-detached	Blocks 164 to 170 (14 units)	0.51
Residential Townhomes	Blocks 171 to 180 (48 units)	1.34
Medium Density Residential	Block 181 (up to 103 units)	2.26
Stormwater Management Ponds	Blocks 182, 183	1.43
Servicing Corridors	Blocks 184 to 186	0.15
Parkland	Blocks 187, 188	2.53
Walkway	Block 189	0.06
Open Space	Blocks 190, 191	1.20
Streets		3.91
Total	328 units	19.85

Analysis

Provincial Policy Statement, 2020

Any decision on the proposed Draft Plan of Subdivision and Zoning By-law amendment must be consistent with the Provincial Policy Statement, 2020 (PPS). 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 are based on densities and a mix of land uses that (among other things):

- efficiently use land and resources;

- support active transportation; and
- support transit.

Additionally, the PPS requires municipalities to plan for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing 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 options and all types of intensification;
- directing new housing to locations where appropriate levels of infrastructure and public service facilities are or will be available; and
- promoting densities for new housing which efficiently use land, resources, infrastructure and public services, and support the use of active transportation and transit.

Furthermore, the PPS 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 consistent with this direction from the Provincial Policy Statement. The proposed plan represents eastern-most portion of the Lily Lake Secondary Plan that was adopted by Council in 2014. The secondary plan provides for a variety of land uses and densities including local commercial, schools, parks, low and medium density residential, and multiple street and active transportation options. Within the secondary plan framework, the proposed plan provides a variety of residential housing types and densities, provides both on-street and off-street connectivity to adjacent areas, and promotes active transportation to amenities in both the Lily Lake Planning Area and in the established neighbourhood to the east. Furthermore, the development promotes future transit service by planning for increased densities in proximity to the core of Lily Lake Planning Area and by providing pedestrian connectivity to the collector street system in the Lily Lake Planning Area. Until such time as full transit service is warranted in the broader Lily Lake neighbourhood, Peterborough Transit Route No. 3 (southbound) is available on Fairbairn Street and the City's Trans-Cab service will be provided to the area at an additional cost to the operating budget.

Additionally, the PPS requires municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and preparation for the impacts of a changing climate change by promoting:

- compact form;
- active transportation and transit in and between residential, employment and institutional uses and other areas;
- 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 both compact and conducive to transit. The plan will facilitate active transportation both within the neighbourhood and to destinations beyond the neighbourhood such as downtown via the Jackson Creek Kiwanis Trail using trail connections to be established on adjacent lands. In the future, as Lily Lake Road, Towerhill Road, and Fairbairn Street are re-built to accommodate growth, additional active transportation options will be provided between the site and adjacent areas, particularly to the Chemong Road corridor to the east.

With respect to vegetation, the plan will preserve trees where feasible, will include both street trees and rear yard trees relative to ground-oriented dwellings to promote shade, and will include significant tree planting in compensation for trees removed during the development process and for situations where street-tree planting is either not viable or is compromised due to utility, driveway or building setback constraints. To facilitate tree preservation, lots that back onto existing dwellings along Fairbairn Street are proposed to be zoned with an enhanced rear lot line building setback of 9 metres instead of the typical 7.6 metres. Furthermore, as a condition of approval, the Applicant will be required to protect trees in these rear yards as described in a Tree Inventory and Preservation Plan prepared by Treescape Certified Arborists dated December 2017.

With respect to energy efficiency and conservation, all dwellings are required to meet the minimum efficiency standards of the Ontario Building Code (OBC). Presently, the OBC requires new homes to meet an energy efficiency rating of 80 (out of 100) on Natural Resources Canada's EnerGuide rating system. A rating of 80 and above is considered an energy efficient home. As of January 1, 2017, the OBC requires new homes to achieve an additional 15% increase in energy efficiency. Furthermore, the OBC requires all new homes in the development to include electrical wiring that supports the installation of electric vehicle supply equipment should a future homeowner wish to install such equipment. Staff is satisfied that all housing to be developed in the proposed plan will be energy efficient.

Approximately 60% of the proposed single detached, semi-detached and townhouse dwellings are oriented in an east-west direction which could potentially provide suitable south-facing rooflines for the future installation solar panels by homeowners should they wish. The remaining proposed single detached and townhouse dwellings are oriented in a north-south direction that would allow for the placement of larger windows toward the south in order to take advantage of passive solar heating opportunity.

With respect to stormwater management, the PPS requires municipalities to promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development (LID – measures that promote water infiltration). As a condition of approval, the Applicant will be required to establish and implement LID strategy to the satisfaction of the City and Otonabee Region Conservation Authority (ORCA).

Sections 2.1.5 and 2.1.8 of the PPS prohibit development and site alteration within or adjacent to significant woodlands and significant valleylands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The Parkway Corridor Municipal Class EA (AECOM, February 2014) identified the Jackson Creek Valley as a Significant Valleyland and areas within the valley as Significant Woodland.

As part of the application, the proponent completed a scoped Environmental Impact Study (EIS), a Slope Stability and Erosion Hazard Limit assessment and a Tree Inventory and Preservation Plan. The proposed development is situated above the established erosion hazard limit and outside of the Jackson Creek Valley. The EIS, prepared by Snider's Ecological Services, concludes that the site is not significant woodland. ORCA has reviewed these documents and has recommended that, as a condition of approval, a 15-metre-wide buffer be established along the top of the Jackson Creek Valley to ensure separation from the significant woodland and valleyland. The 15m buffer area is contained within Block 194 which is to be conveyed to the City as open space.

Notwithstanding the above, the plan does envision a stormwater outlet being installed within the Jackson Creek Valley and significant woodland. Prior to any construction or site alteration for this facility, the Applicant will be required to provide a supplemental EIS to the City and ORCA's satisfaction to understand the impact of any intrusions, establish buffers and identify mitigation and remediation measures.

A Species at Risk Bird Survey prepared by Andrew Jobes notes that four provincially Threatened bird species occur within the vicinity of the site (Barn Swallow, Bobolink, Eastern Meadowlark, and Chimney Swift) however these species were not observed directly on or adjacent to the site. The report notes that the site generally does not provide suitable habitat for these species and therefore concludes that the development does not generate concern with avian species at risk.

Overall, staff is satisfied that the proposed plan is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe, 2019, as amended

Any decision on the proposed Draft Plan must conform with the Growth Plan for the Greater Golden Horseshoe, 2019. 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.

When considering Designated Greenfield Areas, the Growth Plan states that such areas will be planned to:

- support the achievement of complete communities;
- support active transportation (e.g. walking, cycling); and
- encourage the integration and sustained viability of transit services.

In staff's opinion, the proposed subdivision, when considered in conjunction with the remainder of the Lily Lake area, achieves these objectives.

Additionally, the Growth Plan also establishes a minimum density target for greenfield areas. Presently, the density target for Peterborough's greenfield areas is 50 persons and jobs per hectare, combined. The proposed plan achieves this density.

The Growth Plan also emphasizes the protection of water quality and quantity by requiring the design and servicing of new large-scale developments such as plans of subdivision to be informed by a subwatershed plan or equivalent, to include LID measures and green infrastructure. To date, staff has reviewed a preliminary stormwater management report prepared for the site that is informed by a stormwater management assessment that was completed by the City as part of the Lily Lake Functional Planning Study in 2012. As a condition of approval, the Applicant will be required to prepare a detailed stormwater management report to the satisfaction of the City and ORCA that will include LID measures.

In staff's opinion, the proposed plan conforms with the direction of the Growth Plan.

Official Plan

Section 4.2.5.7 of the Official Plan establishes a number of items that Council must consider when reviewing an application for residential development:

- proposed housing types;
- compatibility with surrounding land uses;
- adequacy of municipal services;
- traffic impacts;
- adequacy of amenities, parks and recreation opportunities;
- parking, buffering and landscaping; and
- significant natural/environmental features.

Additionally, Section 10.9 - Lily Lake Secondary Plan – of the Official Plan applies to this development. A detailed review of the proposed development's Official Plan Conformity is attached hereto as Exhibit E.

Generally, staff is satisfied that the proposed development conforms with the Official Plan. The plan provides for a variety of housing forms and densities, will be municipally serviced, and provides adequate protection to the key natural features on the site, namely the Jackson Creek Valley and significant woodland. However, it should be noted that the proposed plan does face unique challenges with respect to transportation planning.

Traffic impact studies prepared for the adjacent draft plans of subdivision to the west show that significant external road network improvements are required to accommodate not only growth in background traffic, but also traffic generated by development of the Lily Lake area. Some of the recommended improvements, such as widening Fairbairn Street to four lanes and widening the existing Parkhill Road bridge over Jackson Park, were considered during the Parkway Corridor Class Environmental Assessment (EA) (February, 2014). In Report PLPD17-041 – Application for Draft Plan of Subdivision Approval 15T-16501 and Zoning By-law Amendment Z1605SB for nearby Draft Plan of Subdivision 15T-16501, staff indicated that The Parkway as recommended by the Parkway Corridor Class EA is required to accommodate full build-out of the Lily Lake planning area.

In 2016 the City received an order from the Minister of the Environment and Climate Change (now Minister of Environment, Conservation and Parks) to complete an individual EA for The Parkway. This order also applies to any road network improvements that would have been addressed by The Parkway (e.g. north-south traffic movement, west of the Otonabee River, road network connectivity in the Clonsilla Avenue, Goodfellow Road, Sherbrooke Street area). Because of this order, the long-term status of The Parkway, as

well as many of the recommendations from the Lily Lake area traffic impact studies, is uncertain.

Presently, the City is undertaking a Transit Operations Review and Long-Term Growth Study, a Traffic Operations Review, a Signal Improvement Program, a Cycling Network Update, and an East Side Transportation Study. These studies will inform the development of a new Transportation Master Plan which is to be complete by November 2021. Completing a new Transportation Master Plan will clarify how the City will respond to the Ministerial order by identifying a series of transportation improvements to address future needs. Where recommended improvements overlap with the intent of The Parkway, the City will need to complete an individual EA for those projects. Once the new Master Plan is complete, the completion of an individual EA could take approximately five years. Once an individual EA is complete and approved by the Minister, the City could then start implementing projects covered by the EA.

To address the demand for residential development in the Lily Lake area and the uncertainty around longer-term transportation improvements in the area, Council imposed a development cap of 600 dwelling units for the overall Lily Lake area in its previous approvals for the Draft Plans of Subdivision to the west. The cap was to remain in place until the long-term road network improvements required to accommodate full build-out of the Lily Lake area had received all necessary approvals and had either been constructed or included in an approved Capital Budget for construction (where implementation is a City responsibility), or secured for implementation at the Developers' expense where implementation is a developer responsibility.

Given the relationship between the area's long-term transportation needs and The Parkway EA, an extended delay is anticipated between the start of the development in Lily Lake (model house construction has recently started Draft Plan of Subdivision 15T-14502) and implementation of long-term transportation network improvements following completion of an individual EA. Accordingly, on October 2, 2017, Council passed a resolution stating "that all development restrictions related to transportation issues that could be resolved with the construction of The Parkway be lifted." On this basis, a development cap is no longer applied to the Lily Lake area relative to Parkway EA-related transportation network improvements.

Notwithstanding the removal of Parkway-related development restrictions, development of the Lily Lake area remains contingent on improvements being made to the intersection of Lily Lake Road, Fairbairn Street and Towerhill Road, the installation of temporary traffic signals at the intersection of Highland Road and Fairbairn Street (completed in 2018), and installation of a temporary pedestrian facility along the west side of Fairbairn Street, between Parkview Drive and Highland Road. These requirements are reflected in the recommended conditions of approval attached hereto in Schedule 1 and have been reflected in the approval conditions for the other Lily Lake subdivision plans as well.

Development of the Lily Lake area will take many years. Accordingly, staff anticipates that implementation of longer-term transportation network solutions in the area will occur prior to full build-out of Lily Lake. Although development in the area faces unique transportation challenges, staff is of the opinion that these challenges can be adequately addressed through conditions of approval and therefore that the plan is in conformity with the Official Plan.

Proposed Zoning By-law

To implement the proposed plan of subdivision, the Applicant has requested that the Zoning By-law be amended as follows:

Land Use and Lot/Block Number	Proposed Zoning	Alternative Regulation Summary
Single Detached Residential Lots 40-55, 66-95, 98-126, 140-162	R.1,1o,2o,8z-256	<ul style="list-style-type: none">• Minimum Lot Width: 9m• Minimum Lot Area: 275 sq.m
Single Detached Residential Lot 163	R.1,1m,2m,8z-256	<ul style="list-style-type: none">• Minimum Lot Width: 15m• Minimum Lot Area: 465 sq.m

Land Use and Lot/Block Number	Proposed Zoning	Alternative Regulation Summary
Rear Lane Single Detached Residential Lots 127-139	SP.348,3j,4g,8z,10b,11h,16l-256	<ul style="list-style-type: none"> • Minimum Lot Width per unit: 9.1m • Minimum Lot Depth: 30m • Minimum Lot Area: 275 sq.m • Maximum Height: 2 storeys • Minimum Building Setback, rear lot line: 7.6m
Semi-detached Residential Blocks 164-170, Servicing Block 185	R.2,8z-256	
Rear Lane Townhouse Dwelling Blocks 171-173	SP.348,3n,4g,10b,11h,16f-256	<ul style="list-style-type: none"> • Minimum Lot Width per unit: 6m • Minimum Lot Depth: 30m • Minimum Lot Area per unit: 185 sq.m • Maximum Height: 2 storeys • Minimum Building Setback, rear lot line: 7.6m
Street-fronting Townhouse Blocks 174-179	SP.366-256	
Street-fronting Townhouse Block 180	SP.366, 10c-256	<ul style="list-style-type: none"> • Minimum Building Setback, Rear Lot Line: 9m
Single Detached Residential Lots 30-39, 56-65, 96, 97, Walkway Block 189	R.1,1r,2r,8z-256	<ul style="list-style-type: none"> • Minimum Lot Width: 10.6m • Minimum Lot Area: 325 sq.m

Land Use and Lot/Block Number	Proposed Zoning	Alternative Regulation Summary
Single Detached Residential Lots 5,6,29	R.1, 2r,8z,10c-256	<ul style="list-style-type: none"> • Minimum Lot Width: 10.6m • Minimum Building Set Back, Rear Lot Line: 9m
Single Detached Residential Lots 1-4, 7-28	R.1,8z,10c-256	<ul style="list-style-type: none"> • Minimum Lot Width:12m • Minimum Building Set Back, Rear Lot Line: 9m
Medium Density Residential Block 181	SP.350,3m,11j,21a	<ul style="list-style-type: none"> • Minimum Lot Area Per Dwelling Unit: 205 sq.m • Maximum Lot Area Per Dwelling Unit: 250 sq.m. (proposed new alternative regulation 21a) • Maximum Height: 3 storeys
Parkland, Stormwater Management, Servicing, Open Space Blocks 182-184, 186-188, 191	OS.2	
Open Space Block 190	OS.1	

For all single detached and semi-detached dwellings, the applicant is proposing to apply alternative regulation 8z which provides for a reduced building setback of 0.6m from one site lot line provided a minimum distance of 1.8m is maintained from buildings on an adjoining lot. Additionally, the applicant is proposing to apply by-law exception No. 256 to all single detached, semi-detached and street-fronting townhouse dwellings to reduce the minimum building setback from the streetline consistent with the adjacent plan of subdivision to the west.

For dwellings abutting a rear lane, the SP.348 district will provide flexibility for attached garages at the rear of the dwelling as has been implemented in the Mason Homes subdivision off Chemong Road.

Lots 1 to 29 are proposed to be zoned with a minimum building setback of 9m from the rear lot line instead of the typical 7.6m to support the tree preservation recommendations of the Tree Inventory and Preservation Plan prepared by Treescape Certified Arborists dated December, 2017. Additionally, Townhouse Block 180 is also proposed to maintain a 9m building setback from the rear lot line to provide enhanced separation from adjacent single detached dwellings.

For medium density Block 181, the application proposes to create a new alternative regulation, Regulation 21 a), to regulate maximum lot area per dwelling unit and therefore implement a minimum density requirement of 40 dwelling units per hectare. Similar regulations have been included in some Special District zones in other new subdivisions, including the SP.350 district to be applied to Block 181, however establishing an alternative regulation to regulate maximum lot area per dwelling unit provides greater flexibility for implementing minimum densities on a broader scale and allows for greater re-use of existing special districts.

Lands that are intended to be used for parkland, stormwater management, servicing, and open space/future purposes will be zoned OS.2 – open space district save and except for Blocks 185 and 189 which will be zoned to match their adjacent residential lots. Lands that are intended to be set aside for environmental protection purposes (e.g. the Jackson Creek Valley) will be zoned OS.1 to provide greater protection from development.

Block 191 is identified as Open Space on the plan. The block, which is proposed to be zoned OS.2, is extraneous land that is currently not developable because of the alignment of Street A and because the adjacent lands are currently outside of the subdivision limit. Should the adjacent lands become available for development in the future, Block 191 will need to be re-zoned and consolidated with those lands to facilitate their development.

As is customary with plans of subdivision, a Holding Symbol will be placed on the zoning for areas to be developed that will only be removed upon registration of the plan at the Land Registry Office.

Responses to Notice

A detailed review of agency and public responses to the proposed development is attached hereto as Exhibit F.

Summary of 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 October 2, 2017, with additional materials being provided to select agencies on August 1, 2018. Additionally, notice of the Public Meeting was provided to the prescribed agencies on September 21, 2020.

Agency comments were received from: Bell Canada; Canada Post; County of Peterborough; Enbridge Gas Distribution Inc.; Hydro One Networks Inc.; ORCA; Peterborough Public Health; and Peterborough Utilities Services Inc.

Agency comments were generally supportive of the proposed development with some agencies requesting that conditions of approval be imposed. Some agencies made comments on previous versions of the draft plan regarding the need for additional parkland in proximity to proposed higher-density areas of the site, logical transportation connections both within the site and to external sites. Generally, staff is satisfied that the various agency comments have either been addressed through the design of the proposed subdivision and the proposed zoning by-law or will be addressed as conditions of approval.

Summary of Public Responses

Notice of a Complete Application and Public Meeting was published in the Peterborough Examiner on September 21, 2020 in accordance with the Planning Act.

On February 21, 2018 the Applicant hosted a neighbourhood open house at Westmount Public School. The Applicant delivered a notice of the meeting to all persons that own property within 120m of the site and additional properties beyond 120 m along Parkview Drive. The meeting was attended by approximately 40 people, including many of the lot owners participating in Jackson Heights Developments Inc.

A Notice of Public Meeting was mailed on September 21, 2020 to all property owners within 120 metres of the subject property and to all persons who requested to receive notice of the Public Meeting during the review of the applications.

Public comments have been received that question:

- compatibility of the proposed housing with existing homes and impacts on the privacy, aesthetics and value of existing homes;
- impacts on and contingency plans for existing private wells in the area;

- existing and anticipated traffic conditions on Fairbairn Street and in general, and Fairbairn Street's status as a "residential street";
- the need for a bridge from the Lily Lake planning area to Parkhill Road/Wallis Drive;
- the impact of stormwater runoff from the site on neighbouring properties; and,
- the groundwater and drainage characteristics of the site and their suitability for residential use.

Additionally, other public comments requested/recommended:

- greater tree protection measures in key areas of the site;
- reduced grading and filling of the site;
- additional natural heritage, groundwater and soils investigation to more fully address the impact of development;
- fuller consideration of the sloped nature of the site in the supporting technical reports and plan design;
- fuller consideration of active transportation needs both within the site and connections to adjacent areas;
- building height limits near the Jackson Creek Valley relative to the existing tree canopy; and,
- provision for commercial opportunities.

In staff's opinion, the proposed plan has either addressed most of these concerns through its design and proposed zoning, or through conditions of approval. Some comments, such as the need for commercial opportunity within the site, are addressed on adjacent lands in accordance with the Lily Lake Secondary Plan.

Summary

1. The development helps to complete the subdivision planning for the Lily Lake Secondary Plan Area and facilitates build-out of the area

2. The plan establishes a conclusion for a development process that began in the 1960s;
3. The plan will provide additional residential land for the City thus helping to ensure that the City has an appropriate lot inventory pursuant to the Provincial Policy Statement;
4. The plan is consistent with the matters of Provincial Interest as established under the Planning Act, does not conflict with any Provincial Plan, and complies with the City Official Plan and, in particular, the Lily Lake Secondary Plan; and,
5. The plan has addressed all matters considered during the review pursuant to Section 51(24) of the Planning Act and/or will address any outstanding matters through the Conditions of Draft Plan Approval prior to the issuance of Final approval.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

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Attachments:

Schedule 1 – Conditions of Draft Plan of Subdivision Approval
Exhibit A – Draft Official Plan Amendment
Exhibit B – Draft Zoning By-law Amendment
Exhibit C – Draft Plan of Subdivision 15T-17503
Exhibit D – Historic Survey of 0 Fairbairn Street
Exhibit E – Detailed Review of Official Plan Conformity
Exhibit F – Detailed Review of Agency and Public Comments
Exhibit G – Land Use Map
Exhibit H – Notice of Public Meeting

Schedule 1, Page 1 of 16



Schedule 1
Draft Plan of Subdivision Application 15T-17503
Jackson Heights Developments Inc.
0 Fairbairn Street, Part of 851 Lily Lake Road
File Numbers 15T-17503, Z1713SB, O1704

Conditions of Draft Plan of Subdivision Approval

The City of Peterborough Conditions to Final Plan Approval for registration of this Subdivision File No. 15T-17503 are as follows:

Identification

1. That this approval applies to the Draft Plan of Subdivision 15T-17503, Project No. 16-1590, Drawing No. DP1 dated September 14, 2020 by EcoVue Consulting Services Inc., which shows the following:

Land Use	Lot/Block No.	Estimated Unit Count
Residential Singles	Lots 1 to 163	163
Residential Semi-detached	Blocks 164 to 170	14
Residential Townhomes	Blocks 171 to 180	48
Medium Density Residential	Block 181	103
Stormwater Management Pond	Blocks 182, 183	
Servicing Corridors	Blocks 184 to 186	
Parkland	Blocks 187, 188	
Walkway	Block 189	
Open Space	Blocks 190, 191	

2. That prior to Final Approval, Jackson Heights Developments Inc. shall fulfill the terms of an Agreement of Purchase and Sale entered into with the City of Peterborough dated August 24, 2020 and complete the purchase of lands from the City of Peterborough as described therein. Furthermore, Jackson Heights Developments Inc. acknowledges that it will not convey any part of the lands subject to Draft Plan of Subdivision 15T-17503 without first consolidating such lands into a singular ownership in the name of Jackson Heights Developments Inc.
3. That if Final Approval is not given to this Plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse.
4. That prior to Final approval, the City Engineer will confirm the servicing allocation for this Plan as services are allocated on a “first-come, first-served” basis.

Public Roads and Walkways

5. That the road allowances included in this Draft Plan shall be shown on the Final Plan and dedicated as public highways.
6. That the streets be named in accordance with the City’s naming policy 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. 0.3 metres reserves shall also be established between the mutual boundary of Street B and Blocks 170, 174 and 175.
8. That temporary turning circles be established at the termination of road allowances as directed by the City of Peterborough.
9. That prior to Final Approval, the Owner shall agree in the Subdivision Agreement to construct sidewalks in accordance with the City’s Sidewalk Policy.
10. That Block 189 be conveyed to the City for walkway purposes.
11. That, if deemed necessary by the City Engineer due to phasing, the Owner shall establish and maintain a secondary emergency vehicular access to the satisfaction of the City Engineer until such time as a second permanent vehicular access is available.
12. That the Owner implement on-road cycling facilities on Street B to the satisfaction of the City Engineer.

13. That the Owner acknowledge in the Subdivision Agreement that on-street parking may be restricted and/or prohibited at the discretion of the City Engineer.
14. That as part of the first phase of development, the Owner construct the intersection of Street B and Fairbairn Street to the satisfaction of the City Engineer which shall include traffic signals, separate eastbound left and right turn lanes on Street B, and a separate northbound left turn lane on Fairbairn Street.
15. That prior to final approval, the Owner shall complete a study in accordance with the Environmental Noise Guideline Publication NPC-300 to assess any impacts that the introduction of Street B may have on existing residential lots. Furthermore, the

Owner shall agree in the subdivision agreement to implement the study recommendations to the satisfaction of the City Engineer.
16.
 - a) That the Owner acquire and convey to the City the lands necessary to establish site triangles in accordance with City Engineering Design Standards at the intersection of Street B and Fairbairn Street, and to widen Street B to a 23m road allowance width, between Lot 7 and Fairbairn Street, to the satisfaction of the City Engineer,

or,
 - b) That the Owner provide an appraisal completed by a qualified real estate appraiser with membership in the Appraisal Institute of Canada for the land required to establish site triangles in accordance with City Engineering Design Standards at the intersection of Street B and Fairbairn Street, and to widen Street B to a 23m road allowance width, between Lot 7 and Fairbairn Street, to the satisfaction of the City Engineer. The Owner shall agree in the subdivision agreement to provide the City with the cash equivalent of the appraised land value for the City to use toward purchasing the said lands as the opportunity arises.
17. That prior to Final Approval of the first phase of development, the intersection of Lily Lake Road, Fairbairn Street and Towerhill Road shall either be improved, or the required improvements shall be included for construction in an approved Capital Budget, as follows:
 - a. Installation of traffic signals;
 - b. Addition of separate left turn lanes on all approaches; and,
 - c. Addition of separate right turn lanes on the northbound and eastbound approaches to the intersection.

Should the Owner wish to seek Final Approval prior to completion or budget approval of the required improvements, the Owner shall make arrangements with the City to fund the work.

18. That prior to Final Approval of the first phase of development, the Owner shall agree to install temporary traffic signals at the intersection of Fairbairn Street and Highland Road and a temporary pedestrian facility along the west side of Fairbairn Street, between Parkview Drive and Highland Road, to the satisfaction of the City Engineer prior to the availability of building permits. Responsibility for funding for these temporary facilities shall be shared among development proponents in the Lily Lake Secondary Plan area.
19. That the Owner acknowledge that should the City-wide development charge be updated to replace The Parkway with other road improvement projects, all building permits issued subsequent to that update will be subject to the updated development charge.

Other Municipal Conditions

20. That the Owner agree in writing to convey parkland dedication to the City in accordance with the Planning Act and Official Plan policy. Blocks 187 and 188 will be considered for parkland dedication. For calculation purposes, lands within floodplain, natural hazards, buffers associated with natural heritage features, and lands designated for stormwater management purposes shall not constitute any portion of the parkland dedication.
21. That Blocks 182 and 183 be conveyed at the Subdivider's expense to the City of Peterborough for Stormwater Management purposes. Block 182 shall be designed to include a maintenance access road from a public highway. Where adjustments are required to Blocks 182 and 183 as a result of detailed design, including provision of an access to Block 182, such lands shall be incorporated into the applicable stormwater management on the final plan of subdivision.
22. That Blocks 184 and 185 be conveyed at the Subdivider's expense to the City of Peterborough for servicing corridor purposes. The Subdivider shall agree in the subdivision agreement to construct a walkway over Blocks 184 and 185, where directed by the City Engineer.
23. That prior to Final Approval, the Subdivider shall secure ownership of Block 186. Block 186 shall be conveyed at the Subdivider's expense to the City of Peterborough for servicing corridor purposes.

24. That Block 190 be conveyed at the Subdivider's expense to the City of Peterborough for Open Space purposes.
25. That prior to Final Approval, the Owner shall ensure all necessary approvals and easements are secured to construct the stormwater management facilities and their outlets, and to construct any necessary sanitary sewer connections to adjacent sanitary systems, to the satisfaction of the City Engineer.
26. That the Owner agree in the Subdivision agreement that any sanitary sewage pumping station required to service Block 181 shall be developed as a privately owned and operated system.
27. That the Owner agree in the Subdivision Agreement to construct a trail system generally in accordance with the Lily Lake Secondary Plan for the site. The system may be located within Blocks 184 and 188. All trails shall be constructed to the satisfaction of the City Engineer and shall conform with the standards of Ontario Regulation 191/11 – Integrated Accessibility Standards, wherever possible. Trail construction on Block 184 shall be coordinated to ensure continuity with trails constructed on, or to be constructed on, adjacent properties to the satisfaction of the City Engineer.
28. 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.
29. The Owner acknowledges that all works undertaken on site shall comply with current applicable law in effect at the time of the detailed design review process for each phase of the subdivision.
30. That such easements as may be required for temporary access, utility, or drainage purposes, including snow storage at the end of all "stub" streets and easements to facilitate servicing of adjacent lands, shall be granted to the appropriate authority, prior to the registration of the Subdivision Agreement and Final Plan of Subdivision.
31. That the Owner agree in the Subdivision Agreement to place topsoil throughout the site that meets the City's Engineering Design Standards (March 2016, as amended) to the satisfaction of the City Engineer.
32. That prior to any development, site alteration, topsoil stripping or earth movement, the Applicant shall prepare a phasing plan for all earth works to the satisfaction of the City Engineer that includes methods for dust suppression and timelines for revegetation of disturbed areas.

33. That prior to Final Approval of each phase of development, the Owner shall demonstrate to the City's satisfaction that an agreement has been reached with the Owners of the adjacent lands to the west (663, 689, 739, 789, 821, 825, and 829 Lily Lake Road) regarding the fair and equitable sharing of costs that may be incurred by the Owner to the benefit of the adjacent lands and/or costs that may be incurred by the adjacent landowners to the benefit of Draft Plan of Subdivision 15T-17503. Such costs could relate to the provision of infrastructure, parkland, schools, and other public recreational facilities.
34. That the Subdivider acknowledge in the Subdivision Agreement that the City will 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. The Subdivider shall provide notice of the Special Area Charge in all Agreements of Purchase and Sale.
35. 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, driveways, and street trees to the satisfaction of the City Engineer and all affected utility authorities in accordance with the City's approved engineering cross sections. 1.2m side yard building setbacks shall be provided from property lines with an electrical transformer. Street lighting photometric designs as per TAC or equivalent standards using LED lighting consistent with locations outlined on the Composite Utility Distribution Plan shall also be prepared. Lighting shall be directed away from the Jackson Creek Valley. The Owner shall agree in the Subdivision Agreement to construct all streets and services in accordance with the approved composite utility plan and to advise all builders of the approved composite utility plan requirements and standards in writing.
36. That prior to Final Approval, the Owner shall agree in the Subdivision Agreement to prepare a Capital Asset Table for the infrastructure installed and/or removed and/or impacted in a format approved by the City Engineer at the time of Interim Acceptance. The information on infrastructure shall be separated into its various components and assigned construction costs for individual items.
37. That the Owner register a restrictive covenant on title of all lots/blocks where the Zoning By-law may permit a minimum separation of less than 2.4 metres between buildings on adjacent lots/blocks, to ensure that the area remains free of encumbrances for the purpose of facilitating property maintenance.

38. That prior to Final Approval, the City Engineer must have reviewed and approved a geotechnical/hydrogeological report to assess soil types, road construction, water balance etc. as well as ground water levels relative to establishing elevations for houses, the applicability of gravity foundation drainage services and opportunities for implementation of Low Impact Development stormwater management techniques.
39. That the Owner 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.
40. That the Owner agree in the Subdivision Agreement to undertake Quality and Quantity Monitoring of the proposed stormwater management facilities, which may include sediment removal, if necessary, to the satisfaction of the City Engineer for the duration of draft plan construction and until such time as the facilities have been assumed by the City.
41. For all Lots and Blocks developed with Low Impact Development stormwater management features, the Applicant agrees to register a restrictive covenant on title to advise purchasers of the feature(s), their function, and of homeowners' responsibility to maintain the feature(s).
42. That prior to Final Approval, the Owner shall design and agree to implement a program to monitor the effects of the proposed development on groundwater quality and quantity for well users in the area. The program shall also contain provisions for future mitigation should the program results demonstrate a causal relationship between the proposed development and unacceptable levels of groundwater impact as deemed by the Owner's Hydrogeologist, all to the satisfaction of the City Engineer.
43. That the Owner shall enter into an agreement with the Peterborough Utilities Commission for the provision of water service.
44. That prior to Final Approval of each phase, the City shall be satisfied that proposed phase is in keeping with the City's residential land supply obligations pursuant to Provincial Policy.
45. That the Owner complete an archaeological assessment for any potential areas of disturbance associated with infrastructure and trail installations on lands that have not already been assessed by the Stage 1 and 2 Archaeological Assessment of the O'Grady Subdivision prepared by Northeastern Archaeological Associates Ltd. dated September 28, 2016 to the satisfaction of the City and the Ministry of Heritage, Sport, Tourism and Culture Industries. All archaeological investigations shall be conducted with representatives of Curve Lake First Nation present.

46. That the Owner implement the recommendations of the Cultural Heritage Impact Statement prepared by WSP dated October, 2017 to the satisfaction of the City which shall include restoration and landscape planting around the edges of the property and in key areas to maintain the natural viewshed from Northview Pentecostal Church, Jackson Creek, and the Trans-Canada Trail.
47. That prior to final approval, the Owner shall demonstrate through the completion of Environmental Site Assessments to the City's satisfaction that soil and groundwater conditions for any land to be conveyed to the City of Peterborough or any land to be developed for residential purposes are compatible with the intended land use as described within Ontario Regulation 153/04, as amended, made under the Environmental Protection Act.
48. That the Owner erect permanent fencing to the satisfaction of the City Engineer and the Otonabee Region Conservation Authority along the mutual boundary between any private property and any parkland, parkette, trail, open space, or stormwater management facility that is to be conveyed to the City of Peterborough. The fencing for any properties that abut the buffer areas associated with the Jackson Creek East PSW, the Jackson Creek Valley, and the un-named tributary along Lily Lake Road shall be free of gates and will be of a suitable design to prevent encroachment and dumping of yard waste.
49. That the Owner implement tree protection measures generally as recommended in the Tree Inventory and Preservation Plan prepared by Treescape Consulting dated December 2017 and the Environmental Impact Study prepared by Snider's Ecological Services dated January 2017 to the satisfaction of the City's Urban Forest Manager and the Otonabee Region Conservation Authority. Large mature trees identified therein shall be identified on the draft plan of subdivision and landscaping and protection plans shall be developed to separate and/or protect large/significant trees, remnant woodlands and trees along the mutual property line with adjacent residential properties along Fairbairn Street and Lily Lake Road from development impacts.

Other Agency Conditions

50. That the Owner complete a Department of Fisheries and Oceans Canada Self-Assessment Screening that identifies the potential for causing "serious harm to fish" under the Fisheries Act and take any steps necessary to secure the required authorizations based on that assessment for the realignment of Reach 10 as described in the Environmental Impact Study prepared by Snider's Ecological Services dated January 2017.

51. That any realignment of Reach 10 as described in the Environmental Impact Study prepared by Snider's Ecological Services dated January 2017 be designed in consultation with the Otonabee Region Conservation Authority. Any realignment shall not outlet into any stormwater management facility and shall employ natural channel design principles.
52. That the Owner prepare and implement a plan to protect a portion of the Foxglove Beardtongue on site. The Plan shall be reviewed and approved by the City and the Otonabee Region Conservation Authority and shall identify the areas to be protected, identifies mitigation strategies on the applicable drawings, and shall require on-site monitoring by a qualified professional.
53. That the Owner agree to fund its proportional share of the cost to implement a Lily Lake Planning Area Environmental Monitoring Plan to be developed and implemented by the Otonabee Region Conservation Authority and the City of Peterborough.
54. That the Owner agree to not undertake any clearing, grading and grubbing of the site during the main bird breeding season of April 15th to August 15th to the satisfaction of the Otonabee Region Conservation Authority and the City.
55. That the Owner agree that grading and/or vegetation removal shall not occur in environmental protection or buffer areas except as approved by the Otonabee Region Conservation Authority and the City or Peterborough.
56. That the Owner agree to clearly delineate the boundary of the development envelope prior to any site preparation or construction activities to the satisfaction of the Otonabee Region Conservation Authority and the City. Snow and heavy-duty silt fencing shall be installed and maintained along the development envelopes. All sediment and erosion control measures, in addition to tree protection fencing, shall be in place prior to site preparation. All disturbed areas of the site are to be stabilized and revegetated immediately.
57. Prior to Final Approval, the Owner shall submit an Environmental Impact Assessment of the impact of any trail and infrastructure installations on identified natural heritage features to the satisfaction of the Otonabee Region Conservation Authority and the City. The report shall clearly identify any intrusions within natural heritage features or their buffers and any required mitigation strategies.
58. That the Owner agree to implement any mitigation measures identified in the Environmental Impact Study prepared by Snider's Ecological Services dated January, 2017 to the satisfaction of the Otonabee Region Conservation Authority and the City.

59. That prior to Final Approval, the Owner shall submit and agree to implement a landscaping and vegetation plan to the satisfaction of the Otonabee Region Conservation Authority and the City that includes:
- d. Details for planting street and trail trees in accordance with City's Urban Forest Strategic Plan including proposed street tree planting locations, species, and street and trail cross sections containing boulevard width, utility locations and depth of topsoil, as alternative planting locations where boulevard planting is not viable and additional compensatory plantings on lots where street tree species are limited to smaller, space-tolerant species;
 - e. Due to reduced building setbacks which impact the number and quality of tree planting locations in the right of way and the front yards of properties, the Owner will be required to compensate for the reduced canopy by providing one tree in the rear yard of each single detached, semi-detached, and townhome dwelling;
 - f. Details for plantings to compensate for trees approved to be removed from the site on an equal area basis except for significant or stature trees identified in the Tree Inventory and Preservation Plan (Treescape Consulting, December 2017) that will be replaced at a 3 to 1 ratio;
 - g. Details for landscaping associated with stormwater management facilities and,
 - h. Details for the timing of all plantings (plantings in open space, parkland, trails and stormwater management areas are to occur current with, or as soon as possible after, servicing of the site); and,
 - i. Details for monitoring the survival of all plantings.

All recommended plantings shall consist of native plants and trees.

60. That the Owner agree in the Subdivision Agreement to distribute a "Home Owner Natural Systems Stewardship Brochure" as a schedule to all Agreements of Purchase and Sale, and registered on title, for all subsequent prospective purchasers of all Lots with in the subdivision. The brochure will be based on an existing template developed by the Otonabee Region Conservation Authority, the City of Peterborough and the County of Peterborough, and shall be customized to the development at the Owner's expense to the satisfaction of the Otonabee Region Conservation Authority and the City.

61. That the stormwater management facilities and their outfalls be designed in consultation with a qualified biologist, the Otonabee Region Conservation Authority, and the City.
62. That prior to final registration of the Plan of Subdivision and any on-site grading or construction, Otonabee Region Conservation Authority and the City must have reviewed and approved reports describing/containing:
 - a) the intended means of controlling stormwater runoff in terms of quantity, frequency and duration for all events up to and including the 1:100 years storm;
 - b) the intended means of conveying storm water flow through and from the site, including use of storm water 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, the Credit Valley Conservation and Toronto and Region Conservation Authority "Low Impact Development Stormwater Management Planning and Design Guide", 2010, and the February 2015 Ministry of Environment and Climate Change Stormwater Management Interpretive Bulletin;
 - 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 Greater Golden Horseshoe Area "Erosion and Sediment Control Guidelines for Urban Construction", December 2006. At a minimum, the erosion and sediment control plan shall incorporate:
 - i. A proactive, multi-barrier approach to erosion and sediment control, with an emphasis of preventing erosion on site during all phases of construction;
 - ii. A phased approach whereby the extent of grading and disturbed area is limited to only those areas necessary for immediate construction; and,
 - iii. Detailed construction staging plans, including installation details, inspection, repair and maintenance requirements, a spill management and contingency plan for additional measures.
 - d) detailed analysis of site soil conditions, including grain size distribution profiles, in-situ infiltration capabilities, erosion potential, as well as bedrock and groundwater elevations;

- e) site grading plans; and,
 - f) detailed means of maintaining a pre-development water balance and the natural hydrology of the site, including the use of Low Impact Development technology on both public and private lands.
63. The Subdivision Agreement between the Owner and the City of Peterborough shall contain the following provisions in wording acceptable to Otonabee Region Conservation Authority and the City Engineer:
- a) That the Owner agrees to implement the works referred to in Condition No. 62. The approved reports should be referenced in the Subdivision Agreement.
 - b) That the Owner agrees to maintain all stormwater management, erosion and sedimentation control structures operating and in good repair during the construction period. During construction and on an ongoing basis, inspection and monitoring of the installation, maintenance and performance of all erosion and sediment controls shall be conducted by a qualified environmental or engineering consultant.
 - c) That the Owner agrees to provide the Authority for review, all relevant inspection and testing reports related to the construction of the stormwater management infrastructure.
 - d) That the Owner notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.
64. 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.
65. a) Nexicom shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Nexicom for the installation of Nexicom facilities to serve this Draft Plan of Subdivision.

- d) The Owner shall agree in the Subdivision Agreement, in words satisfactory to Nexicom, to grant to Nexicom any easements that may be required for telecommunication services.
 - e) If there are any conflicts with existing Nexicom facilities or easements, the Owner shall be responsible for re-arrangements or relocation.
66. 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.
67. 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 and on a map to be displayed at any site sales office, as to those lots identified for potential Community Mailbox and/or mini-park 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.

68. That the Owner make satisfactory arrangements with Enbridge Gas Distribution Inc. for the provision of gas service to the site and 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.
69. That the Owner make satisfactory arrangements with Hydro One for the provision of electrical service to the site.
70. That prior to Final Approval, the Owner agree in the subdivision agreement to pay \$15,000.00 to the County of Peterborough, representing the development's contribution for future traffic improvements to the Lily Lake Road / Ackison Road intersection.
71. That the Owner share electronic copies of all project reports and drawings with Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation, and the Mississaugas of Scugog Island First Nation.

Clearances

1. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by the Otonabee Region Conservation Authority that Conditions 48 to 63 inclusive have been carried out to 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 Commissioner of Infrastructure and Planning Services shall be advised by Bell Canada that Conditions 30, 35 and 64 have been carried out to 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 Commissioner of Infrastructure and Planning Services shall be advised by Cogeco Cable Solutions that Conditions 30, 35 and 66 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 Commissioner of Infrastructure and Planning Services shall be advised by Nexicom that Conditions 30, 35 and 65 have been carried out to their satisfaction. The letter from Nexicom shall include a brief but complete statement detailing how each condition has been satisfied.
 5. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by Canada Post that Conditions 35 and 67 have been carried out to their satisfaction. The letter from Canada Post shall include a brief but complete statement detailing how each condition has been satisfied.
 6. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by the Enbridge Gas Distribution Inc. that Conditions 30, 35 and 68 have been carried out to their satisfaction. The letter from the Enbridge shall include a brief but complete statement detailing how each condition has been satisfied.
 7. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by Peterborough Utilities Commission (PUC) that Conditions 30, 35 and 43 have been carried out to their satisfaction. The letter from PUSI shall include a brief but complete statement detailing how each condition has been satisfied.
 8. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by Hydro One Networks Inc. that Conditions 30, 35 and 69 have been carried out to their satisfaction. The letter from Hydro One shall include a brief but complete statement detailing how each condition has been satisfied.
 9. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by the County of Peterborough that Condition 70 has been carried out to their satisfaction. The letter from the County shall include a brief but complete statement detailing how the condition has been satisfied.

Otonabee Conservation 250 Milroy Drive Peterborough ON K9H 7M9	Systems Planner Cogeco Cable Solutions P.O. Box 2290 1111 Goodfellow road Peterborough ON K9J 7A4
Manager, Access Network Bell Canada 183 Hunter St. W., Floor 2 Peterborough ON K9H 2L1	Delivery Planner Canada Post Corporation 1424 Caledon Place Box 25 Ottawa ON K1A OC1
Enbridge Gas Distribution Inc. Attention: Land Services P. O. Box 650 Scarborough, Ontario	Peterborough Utilities Services Inc. 1867 Ashburnham Drive PO Box 4125, Station Main Peterborough, ON K9J 6Z5
County of Peterborough Planning Director County Court House 470 Water Street Peterborough ON K9H 3M3	Hydro One Networks Inc. Facilities & Real Estate P.O. Box 4300 Markham, ON L3R 5Z5 Courier: 185 Clegg Road Markham, ON L6G 1B7
Nexicom Inc. Manager, Network Operations 5 King St. E., Millbrook, ON LOA 1G0	

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. Otonabee Region Conservation Authority (ORCA) advises that there is a fee associated with their clearance of conditions on Plans of Subdivision. This fee is \$1500 per developable hectare to a cap of \$25,000, and is due upon the Owner’s request of a clearance letter from ORCA. To expedite ORCA’s clearance of conditions, a copy of the signed Subdivision Agreement should be forwarded to ORCA once completed.

Exhibit A, Page 1 of 3



The Corporation of the City of Peterborough

By-Law Number 20-

Being a By-law to adopt Amendment No. 185 to the Official Plan of the City of Peterborough for certain lands within the Lily Lake Planning Area

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. Schedule 'R' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'A' attached hereto.
2. Schedule 'B' 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 26th day of October, 2020.

Diane Therrien, Mayor

John Kennedy, City Clerk

Exhibit A, Page 2 of 3

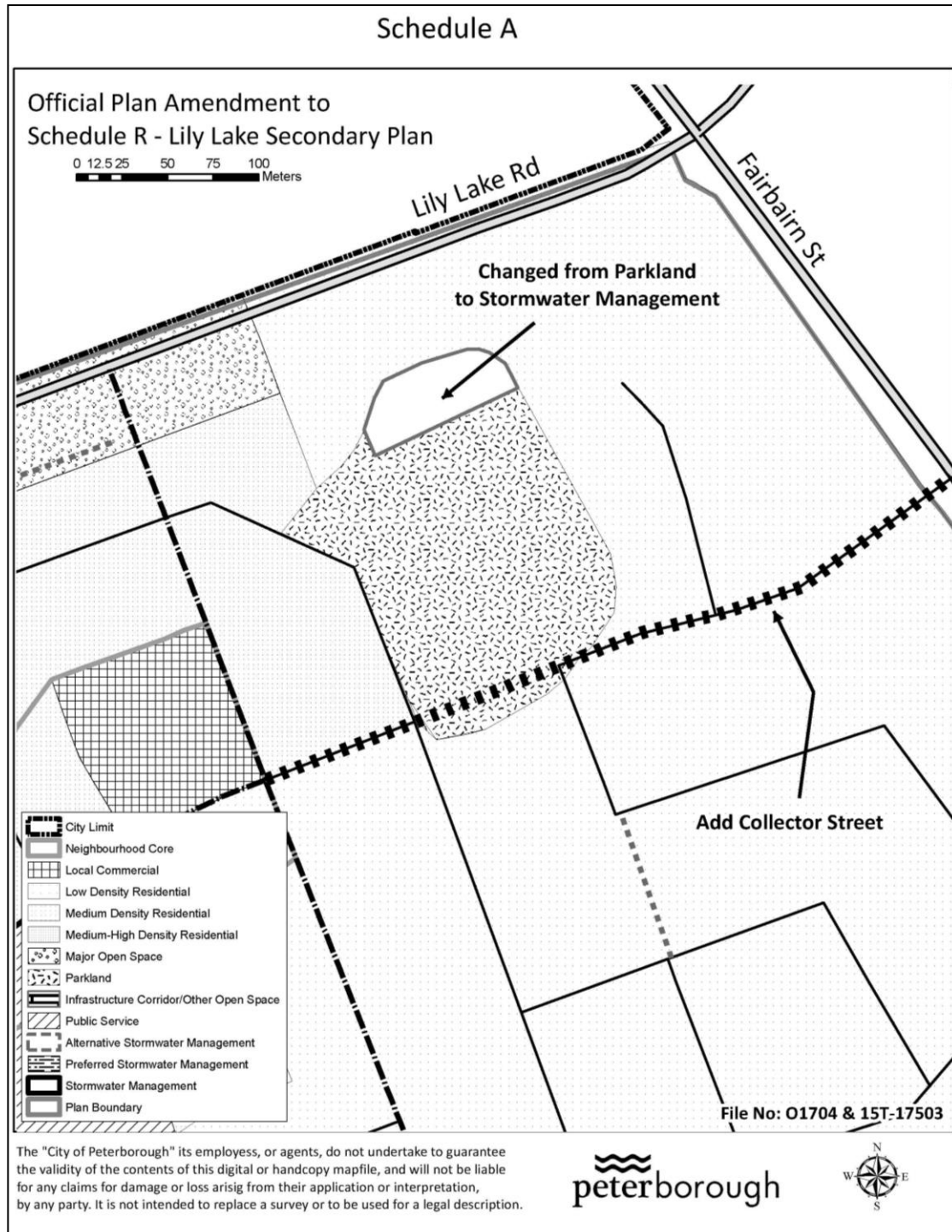


Exhibit A, Page 3 of 3

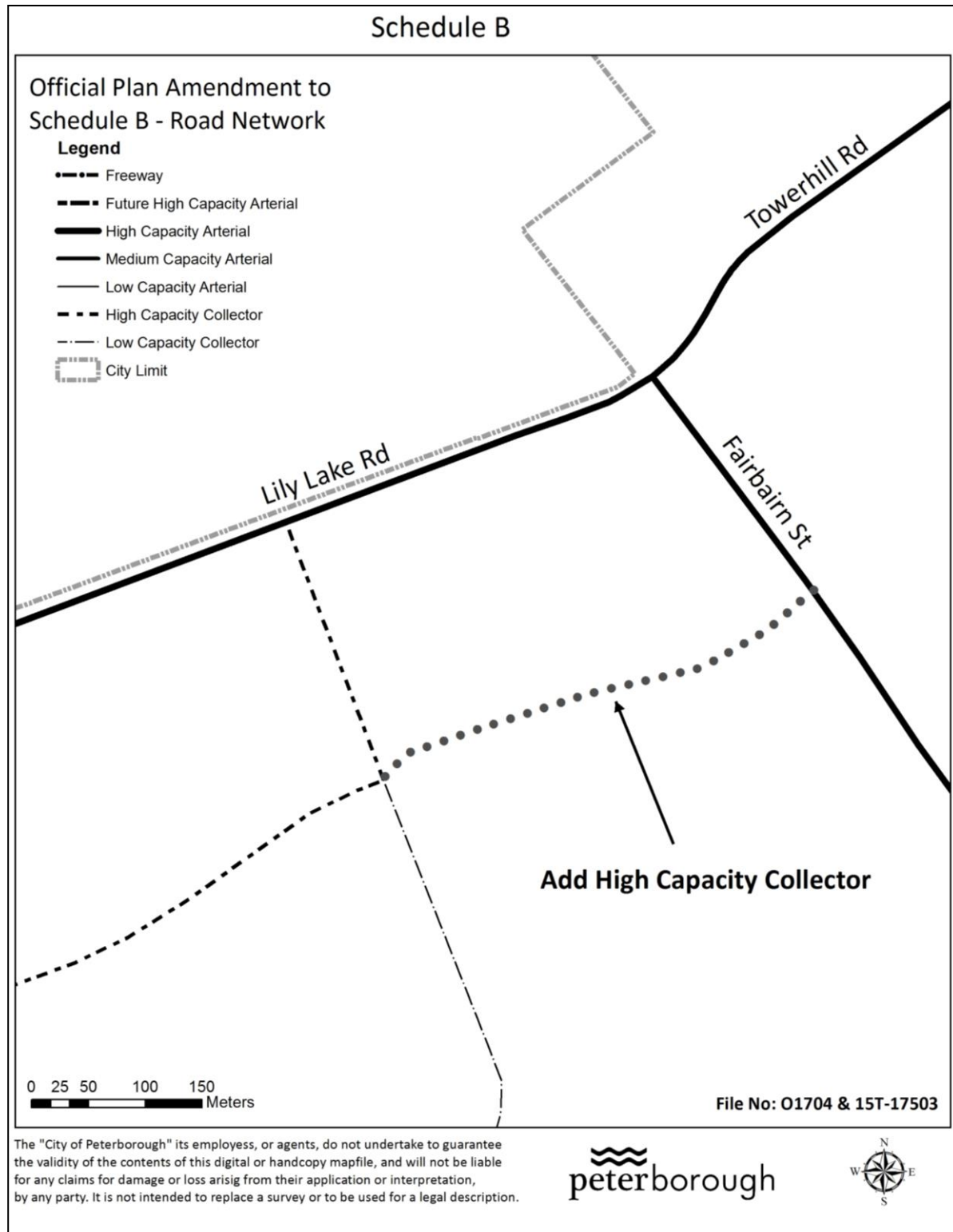


Exhibit B, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 20-

Being a By-law to Amend the Zoning By-law for the properties known as 0 Fairbairn Street and Part of the property known as 851 Lily Lake Road

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. Schedule 'B' Alternative Regulations of By-law 1997-123 is hereby amended by adding the following:

"21. Maximum Lot Area Per Dwelling Unit

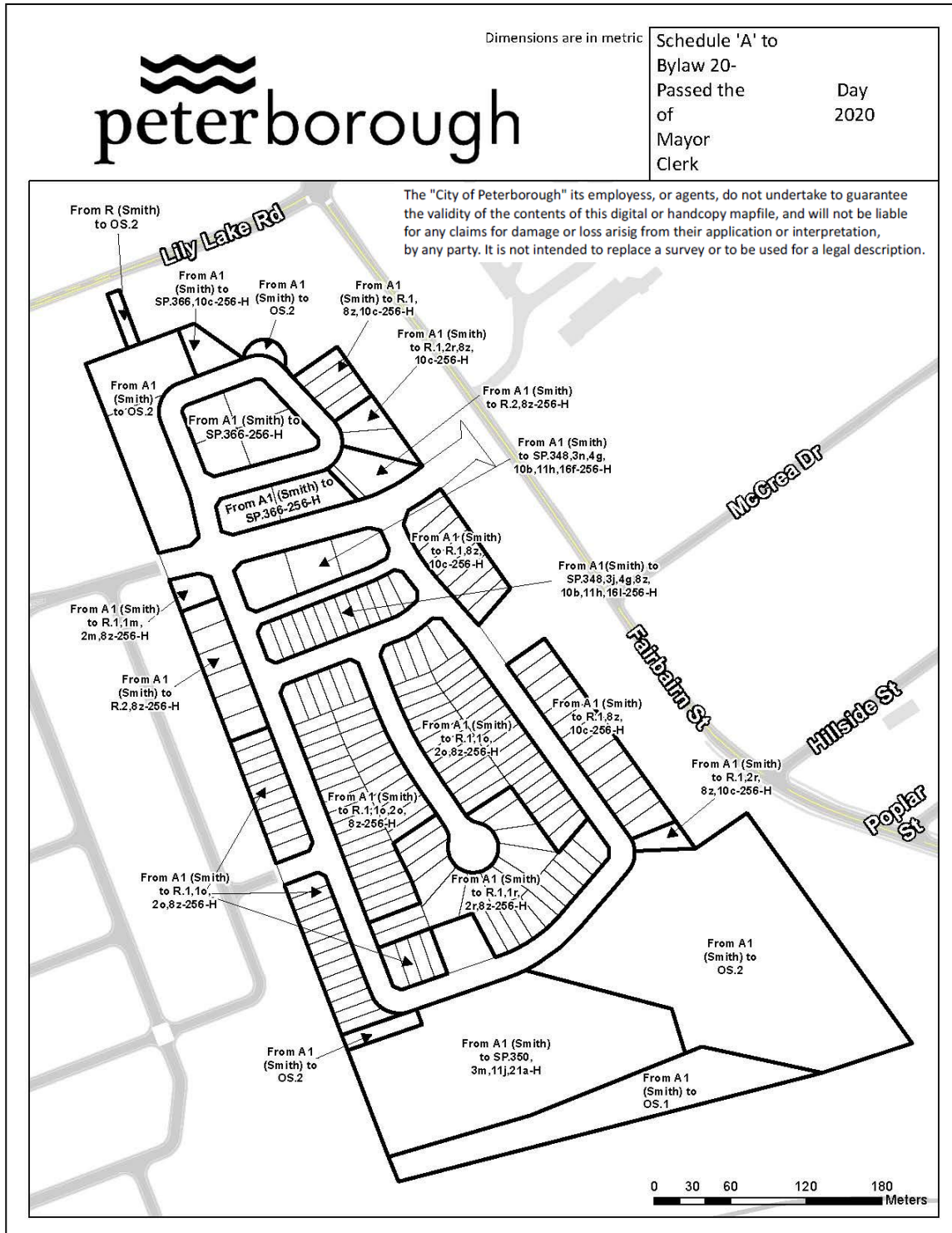
a. 250 sq.m"
2. Map 29b forming part of Schedule 'A' to By-law 1997-123 is amended by changing the area shown on the sketch attached hereto as Schedule 'A' from R (Smith) and A1 (Smith) to R.1,1m,2m,8z-256-'H', R.1,1o,2o,8z-256-'H', R.1,1r,2r,8z-256-'H', R.1,2r,8z,10c-256-'H', R.1,8z,10c-256-'H', R.2,8z-256-'H', SP.348,3j,4g,8z,10b,11h,16l-256-'H', SP.348,3n,4g,10b,11h,16f-256-'H', SP.366-256-'H', SP.366,10c-256-'H', SP.350,3m,11j,21a-'H', OS.1, and OS.2.
3. The H – Holding Symbol will be removed upon registration of the Plan of Subdivision in the Land Registry Office.

By-law read a first, second and third time this 26th day of October, 2020.

Diane Therrien, Mayor

John Kennedy, City Clerk

Exhibit B, Page 2 of 2



[illegible]

Exhibit D – Historic Survey of 0 Fairbairn Street
Page 1 of 1

Exhibit E, Page 1 of 13

Review of 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 approximately 328 residential units consisting of 163 lots for single-detached dwellings with typical lot widths ranging from 9.15m to 12.2m, seven blocks for semi-detached dwellings (14 units) with a typical lot width of 9m, and ten blocks for street-fronting townhomes (48 units) with a typical lot width of 7m. Additionally, the plan proposes a block for medium density residential use with approximately 103 units. For all single detached, semi-detached and townhouse dwellings proposed, the City's Zoning By-law also provides the flexibility for the development of a secondary suite, either at the time of house construction or in the future, subject to Zoning and building code compliance.

In staff's opinion, the diversity and range of lot widths and unit types proposed is in keeping with both Provincial policy and Official Plan and will provide more affordable housing alternatives.

ii) Surrounding Land Uses

The subject lands are bordered by existing single detached residences to the north and east, by Jackson Creek Valley and Jackson Park to the south, and by draft approved plan of subdivision 15T-14502 to the west. Within that subdivision, single detached dwellings with typical lot widths of 12m will abut most of the subject lands save and except for a mixed-use commercial/medium density residential development that will abut Parkland Block 187.

The existing residential dwellings that abut the site are located along Fairbairn Street and Lily Lake Road. These properties may be characterized as rural in nature, being serviced by private wells and septic systems, and located on larger lots with a typical lot width of 30m and a typical lot depth of 45m. In recognition of the City's need to plan new developments in a compact and efficient way, the housing proposed adjacent to these properties is more typical of a modern urban development – single detached, semi-detached and townhouse dwellings on more compact lots. To facilitate enhanced tree protection and landscaping opportunities, these dwellings are proposed to have a 9m building setback from the rear lot line instead of the typical 7.6m.

Along the west side of the site, the proposed development form is consistent and with the form being proposed in the adjacent plan of subdivision.

Along the south side of the site, the Jackson Creek Valley and Jackson Creek is heavily forested, visually hiding the development from public recreation areas below the valley. To help ensure the development remains screened from Jackson Park and from residential areas south of Jackson Park (e.g. Valleyview Drive), medium density residential Block 181 is proposed to be limited to three storeys in height. Additionally, Block 181 is separated from the top of the Jackson Creek Valley by a 15m wide buffer that will preserve existing trees.

Generally, staff is satisfied that the proposed land uses within the plan are compatible with the surrounding land uses.

iii) Adequacy of Municipal Services

a) Water and Electrical Service

Water service for the Lily Lake area is provided by a trunk watermain that has recently been installed along Towerhill Road/Lily Lake Road from the Towerhill Road reservoir. The subject application proposes to extend a watermain from that trunk, along Fairbairn Street, into the site. The internal watermain system for the site would then connect to the watermain system in the adjacent Plan of Subdivision to the west, Plan 15T-14502.

Peterborough Utilities Commission (PUC) has advised that it is feasible to supply water to the proposed development however additional investigation/engineering will be required at the time of detailed design determine suitable pressure and flow requirements including looped supply for redundancy. As a condition of approval, the Applicant will be required to make satisfactory arrangements with the PUC for the provision of water service, including execution of a standard servicing agreement.

For electrical service, Hydro One has not raised any concerns throughout the review process. Details regarding the electrical servicing of the site will be addressed at the time of detailed engineering design. As a condition of Draft Plan Approval, the Applicant will be required to demonstrate that it has made satisfactory arrangements with Hydro One for the provision of electrical service to this site.

b) Sanitary Service

The subject lands will be serviced via a trunk sanitary recently constructed by the developer of the adjacent plan of subdivision to the west that will convey wastewater to the pumping station located on Parkhill Road, near Ravenwood Drive. The sewer has been designed to accommodate flow from the subject lands. As a condition of approval,

the Applicant will be responsible for connecting the subject lands to the trunk sewer and for paying a proportionate share of the cost associated with the trunk sewer construction.

Block 181, located at the southwest corner of the site, can not be topographically serviced by the recently constructed trunk sanitary sewer system and will therefore require a pump system. As a condition of approval, the Applicant will be required to establish any necessary wastewater pump system on Block 181 as a privately owned and maintained system.

c) Stormwater Management

Stormwater management for the site is proposed to be accommodated in a wet pond located at the southeast limit of the property adjacent to the Jackson Creek Valley (Block 182), and a combination of a dry stormwater pond together with an oil and grit separator to be located at the northwest limit of the property (Block 183). The southern pond will discharge down the valley to Jackson Creek while the northern pond will discharge to the existing ditch on the south side of Lily Lake Road which then flows west to an unnamed creek and ultimately to Lily Lake. Both facilities will be designed to provide enhanced fisheries protection in accordance with Ministry of the Environment guidelines. Because of the southeastern pond's need for an outlet within the Jackson Creek Valley, a supplemental Environmental Impact Study will be required as part of the detailed design stage to understand the impact of any intrusions on natural heritage features, establish buffers and identify mitigation strategies. As a condition of approval, the Applicant will be required to design the outfall of the stormwater management facilities in consultation with a qualified biologist, ORCA, and the City.

Presently, Block 182 is shown without frontage on a public street. At the detailed design stage, a maintenance access route will be determined for the pond facility. As a condition of approval, the Applicant will be required to acknowledge that should any part of Park Block 188 be required for a stormwater management pond access, that access will be developed together with Block 182 and will not be considered for parkland dedication.

A key component of the site's overall stormwater management system is the implementation of low impact development (LID) technologies which are features built into the subdivision that facilitate stormwater infiltration and maintenance of the site's natural hydrologic character. The nature of the LID features to be implemented on site will be determined at the detail design stage and could include features located in parkland, open space, and large-block development areas (e.g. Block 181), as well as on the residential lots. As a condition of approval, the Applicant will be required to implement LID to the City's satisfaction and to register a covenant on title of any affected lots and blocks to advise prospective purchasers of the presence and purpose of these features on their property and their responsibility to maintain them.

iv) Traffic Impacts

The Draft Plan of Subdivision proposes a modified grid street pattern with one collector street access passing through the site (Street B) from Fairbairn Street to the adjacent plan of subdivision to the west. This street, to be called Northcott Avenue based on the approval granted for the adjacent subdivision, will be developed as a 23m wide road allowance save and except for its approach to Fairbairn Street where the road allowance narrows to 20m reflecting the Applicant's land availability. Within the plan, Northcott Avenue generally uses the same lands that were rough graded for a road during the site's original subdivision planning process in the 1960s.

A second road connection, Burgess Street, is provided as a local street on the plan to connect the south portion of the site to the adjacent subdivision to the west. All local streets on the plan will be established as 18.5m road allowances and all streets will be provided sidewalks with on both sides in accordance with the City's sidewalk policy.

On Schedules R – Lily Lake Secondary Plan and B – Roadway Network of the Official Plan, Northcott Avenue is not shown as a collector street through this site. Instead, this street is specifically shown to be disconnected from the adjacent subdivision to the west and is shown as a local street within the subject lands. Through staff's review of the adjacent plans of subdivision, it has been determined that a through collector street access from the Lily Lake area is required to Fairbairn Street. This connection not only facilitates connectivity within the Lily Lake neighbourhood, but it also provides relief for anticipated traffic volumes at the intersection of Lily Lake Road/Towerhill Road/Fairbairn Street. Accordingly, staff supports the proposed amendments to the Official Plan in Exhibit A to illustrate Northcott Avenue as a through collector street from the planning area to Fairbairn Street. To mitigate any impacts on the existing residential properties at the proposed Northcott Avenue/Fairbairn Street intersection, the Applicant will be required to complete a study in accordance with the Ministry of the Environment's Environmental Noise Guideline, Publication NPC-300 and to implement any recommended mitigation measures to the City's satisfaction.

The Lily Lake Secondary Plan calls for implementation of on-road cycling facilities on all collector streets in the secondary plan area. Accordingly, as a condition of Draft Plan Approval, the Applicant will be required to implement on-road cycling facilities on Northcott Avenue to the satisfaction of the City Engineer. Additionally, for Northcott Avenue, the Applicant will also be required to acknowledge that due to the implementation of on-road cycling facilities, on-street parking may be prohibited.

To minimize driveway access to Northcott Avenue and thereby facilitate active transportation, an 11m wide rear lane (Street D) is provided to serve townhouse Blocks 171 to 173. Additionally, the Applicant will be required to establish a 0.3m reserve along the north side of Northcott Avenue to ensure that dwellings built on Blocks 170, 174 and

175 will gain their vehicular access from Street A. Consistent with approvals granted in the Mason Homes Subdivision off Chemong Road, dwellings along the proposed rear laneway will be subject to a City levy for the additional maintenance associated with the lane. The subdivision agreement between the Applicant and the City will contain a provision to advise future purchasers of this charge.

Based on staff's review of a Technical Memo (Traffic) prepared for the site by Tranplan Associates dated June 2017, staff recommend that the intersection of Northcott Avenue and Fairbairn Street be built with traffic signals, separate eastbound left and right turn lanes, and a northbound left turn lane on Fairbairn Street. As a condition of approval, the Applicant will be required to implement these improvements. The turn lane on Fairbairn Street will be provided as part of the first phase of development.

To facilitate a proper design for the intersection of Northcott Avenue and Fairbairn Street, the Applicant will be required to acquire and convey to the City the lands necessary to establish site triangles in accordance with City Engineering Design Standards and to widen Northcott Avenue to a 23m road allowance width. Alternatively, the Applicant may provide an appraisal completed by a qualified real estate appraiser for the required land and provide the City with the cash equivalent of the appraised land value for the City to use toward purchasing the said lands as the opportunity arises.

Traffic impact studies prepared for the adjacent draft plans of subdivision to the west show that significant external road network improvements are required to accommodate not only growth in background traffic but also traffic generated by development of the Lily Lake area. To accommodate full built-out of the Lily Lake area, it is anticipated that the following longer-term improvements will be required:

- The addition of east-west through capacity (i.e. additional lane(s)) at the intersection of Towerhill Road and Chemong Road;
- Widening of the existing Parkhill Road bridge over Jackson Park to provide a dedicated east-bound left turn lane on Parkhill Road at Fairbairn Street;
- Widening of Fairbairn Street to 4 lanes from Parkhill Road to Towerhill Road/Lily Lake Road;
- Widening of Lily Lake Road and Towerhill Road between Chemong Road and the easterly collector street access to the adjacent lands to the west;
- Expansion and signalization of the Lily Lake Road/ Towerhill Road / Fairbairn Street intersection to include two northbound left turn lanes on Fairbairn Street or consideration of a multi-lane roundabout; and,

- Potential for traffic signals and geometric improvements at the intersection of Lily Lake Road and Ackison Road.

In addition, to accommodate development some immediate improvements are required including:

- Signalization of the Lily Lake Road/Towerhill Road / Fairbairn Street intersection;
- Addition of separate left turn lanes on all approaches to the Lily Lake Road/Towerhill Road / Fairbairn Street intersection;
- Addition of separate right turn lanes on the northbound and eastbound approaches to the Lily Lake Road/Towerhill Road / Fairbairn Street intersection; and,
- Separate left and right turn lanes on Lily Lake Road at each collector street entrance to the neighbourhood; and,
- Temporary traffic signals at the intersection of Fairbairn Street and Highland Road

Through their conditions of approval, the developers of the Lily Lake area are collectively being required to ensure that before the first phase of development in the area proceeds, the necessary improvements to the Lily Lake Road / Towerhill Road / Fairbairn Street intersection are either included in an approved capital budget for construction or that arrangements have been made with the City to finance the work ahead of its inclusion in an approved capital budget. As of September 16, 2020, the adjacent plan of subdivision to the west, Plan 15T-14502, became the first phase of development in the planning area to receive Final Approval. Accordingly, as part of that developer's subdivision agreement with the City, financial arrangements have been made for the required intersection improvements. As a condition of approval for this development, the Applicant will be required to contribute their proportionate financial share toward this intersection work.

Implementation of the recommended longer-term improvements is greatly affected by whether the Parkway is constructed as recommended in the Parkway Class EA. For example, if the Parkway is constructed, no new improvements may be required at the intersection of Towerhill Road and Chemong Road. Additionally, if constructed, it is expected that the Parkway would eliminate the need to widen Fairbairn Street between the Parkway/Highland Road and Parkhill Road.

Generally, it is staff's opinion that the recommended Parkway is required to accommodate full build-out of the Lily Lake planning area. However, given that the City received an order from the Minister of the Environment and Climate Change to complete an individual EA for the Parkway, the long-term status of that project is uncertain.

Considering this uncertainty and the collective demand for development in the Lily Lake area, Council had previously imposed a development cap on the Lily Lake area that would allow some development to proceed prior to resolution of the provincial order. Since that time, however, it has become clear that a resolution to the Parkway could be many years away and that development of areas like Lily Lake could be impacted as a result. Consequently, on October 2, 2017, Council passed the following resolution regarding The Parkway (Report USDIR17-009):

"That all development restrictions related to transportation issues that could be resolved with the construction of The Parkway be lifted."

Most of the recommended longer-term improvements described herein are projects that would typically be City-led and would require either the completion of a Class Environmental Assessment (EA) or the completion of an Individual EA in compliance with the Ministry of the Environment and Climate Change order for The Parkway Class EA as described in Report USDIR18-002.

As an alternative to commencing various EA projects to address long-term traffic needs, the City is now undertaking a Transit Operations Review and Long-Term Growth Study, a Traffic Operations Review, a Signal Improvement Program, a Cycling Network Update, and an East Side Transportation Study. These studies will inform the development of a new Transportation Master Plan which is to be complete by November 2021. Completing a new Transportation Master Plan will clarify how the City will respond to the Ministerial order by identifying a series of transportation improvements to address future needs. Where recommended improvements overlap with the intent of The Parkway, the City will need to complete an individual EA for those projects. Once the new Master Plan is complete, the completion of an individual EA could take approximately five years. Once an individual EA is complete and approved by the Minister, the City could then start implementing projects covered by the EA. Development of the Lily Lake area will take many years. Accordingly, staff anticipates that implementation of longer-term transportation network solutions in the area will occur prior to full build-out of the area.

Because of the uncertainty regarding the Parkway, the future of the Fairbairn Street and Highand Road intersection is also unknown. Traffic studies prepared by the adjacent Lily Lake developers recommend that temporary traffic signals be installed at this intersection until the ultimate configuration of the intersection has been determined. Through their conditions of approval, the Lily Lake area developers have been required to pay for this installation. These signals have now been installed as described in report IPSTR18-021. Through their subdivision agreements, the developers of the Lily Lake area will be required to collectively pay for these signals.

Additionally, through the approval of the adjacent plans of subdivision, the Lily Lake area developers are required to install a temporary pedestrian facility on the west side of

Fairbairn Street, between Parkview Drive and Highland Road to facilitate pedestrian movement to the traffic signals at Highland Road and discourage mid-block pedestrian crossings. As a condition of approval, the Applicant will also be required to install this facility collectively with the other Lily Lake area developers.

Currently, Peterborough Transit route 8 - Monaghan serves the area along Fairbairn Street with stops between Poplar Street and Hillside Street, at the planned intersection of Northcott Avenue and Fairbairn Street, and at the intersection of Fairbairn Street and Lily Lake Road/Towerhill Road. The connection of Northcott Avenue throughout the Lily Lake area provides opportunity to run transit service along Northcott Avenue one day when service is warranted. As the City conducts a Transit Operations Review and Long-Term Growth Study, consideration will be given to optimizing the delivery of expanded transit service to the area over time. In the meantime, where regular transit service is not available, the area will be by Trans-Cab.

v) Adequacy of Amenities, Parks and Recreation Opportunities

The proposed plan illustrates two neighbourhood parks: a 0.47ha park at the northwest limit of the site and a 2.06 ha park at the southeast corner of the site. The locations of both parks are consistent with the Lily Lake Secondary Plan and are placed to ensure that all residential units in the subdivision are located within a 500-metre walk to a park. As previously noted, the size of the park at the southeast corner of the site may be subject to change at the detailed design stage to accommodate a maintenance route to the adjacent stormwater management pond.

Based on the size and density of the proposed development, it is estimated that the City could require approximately 1.37 ha of parkland dedication from this development in accordance with Planning Act requirements. Accordingly, to acquire the full 2.53 ha of parkland shown on the draft plan, the City will be required to purchase approximately 1.16 of parkland from the Applicant. Typically, the City receives 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 \$98,600 for parkland if this plan is approved. Funding for such a purpose would come from the City's parkland reserve which has a current balance of \$519,628. The final amount of parkland dedication to be received, and any payment to be made by the City for parkland, will be detailed in a subdivision agreement between the Applicants and the City.

Other park and open space recreation opportunities in the area include Poplar Park on Fairbairn Street, Jackson Park and the Trans-Canada Trail to the south, and various parks to be developed in the adjacent subdivision to the west. In accordance with the Lily Lake Secondary Plan, the conditions of approval require the Applicant to construct a trail network that connects the site to a valley-top trail being developed in the adjacent subdivision to the west and to Fairbairn Street, in the vicinity of Poplar Park. One the

lands are connected to the valley-top trail to the west, residents will have access to Jackson Park and the Trans-Canada Trail via a trail access that is being constructed in the adjacent plan of subdivision.

vi) Parking, Buffering and Landscaping

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. In order to facilitate an increase in development density and create a standard relationship between dwellings and the street, all single detached dwellings and street-fronting townhomes are proposed to be subject to the same reduction in building setback: 4m to the house and 2m to an unenclosed verandah. Attached garages will maintain the standard 6m setback to ensure the provision of adequate parking space between the garage and the streetline. The same setbacks have most recently been used in the adjacent plan of subdivision to the west.

Rear yard building setbacks are proposed to be maintained at the traditional 7.6 metres for single detached, semi-detached and rear-lane townhouse dwellings, 9.0 metres for dwellings that back onto existing dwellings along Fairbairn Street and Lily Lake Road, and 6 metres for all other street-fronting townhomes. Side lot line setbacks for all single and semi-detached dwellings will be reduced to 0.6 metres on one side and 1.2 metres on the other side provided a minimum separation of 1.8 metres is between buildings on adjoining lots. This standard is consistent with the zoning of the adjacent plan of subdivision to the west.

In accordance with typical zoning standards, all single detached, semi-detached and street-fronting row dwellings will be required to provide a minimum of two off-street parking spaces while medium density Block 181 will be required to provide 1.75 parking spaces per dwelling.

Setbacks for medium density Block 181 will be the greater of 12 metres or 6 metres per storey from the rear line, and 6 metres or 3 metres per storey, whichever is greater, from the side lot lines. Building orientation, pedestrian access, vehicular parking and circulation, lighting, landscaping and stormwater management details for this block will be addressed at the site plan approval stage.

As part of the application, the Applicant submitted a Tree Inventory and Preservation Plan prepared by Treescape Consulting (December 2017) which identifies both trees for preservation and removal. As a condition of approval, the Applicant will be required to implement the recommended tree protection measures.

For the trees to be removed, the City will require compensation on an equal area basis for most of the lost canopy with the exception of significant or stature trees identified in the inventory being replaced at a rate that is relative to the size of the tree being removed as

described in report USDIR17-008A. The details of tree compensation will be determined at the detailed design stage and will be secured in the subdivision agreement between the Applicant and the City.

As a condition of approval, the Application will be required to prepare and implement a landscaping and planting plan for all plantings to occur throughout the site to the satisfaction of the City and ORCA. In addition to plantings in open space, stormwater management and parkland areas, the plan will include a street tree in front of each single detached, semi-detached and street-fronting townhouse dwelling, where feasible, as well as one tree in the rear yard of these dwellings. The landscaping and planting plan will show details for the location of all street trees together with street cross sections containing boulevard width, utility locations and depth of topsoil to ensure street trees are planted in viable locations.

In accordance with Section 10.9.3.6.3 of the LLSP, plantings to occur in parkland and open space areas will need to be completed concurrent with, or as soon as possible after servicing of the development.

vii) Significant Natural/Environmental Features

The Parkway Corridor Municipal Class Environmental Assessment (AECOM, February 2014) identified the Jackson Creek Valley as a Significant Valleyland and areas within the valley as Significant Woodland. Sections 2.1.5 and 2.1.8 of the Provincial Policy Statement, 2020 prohibit development or site alteration within or on lands adjacent to (i.e. within 120 metres) of Significant Valleyland and Woodland unless it can be demonstrated that no negative impact will occur on the features and their ecological functions. To address this, the Environmental Impact Study (EIS) and addendum letter submitted in support of the development (Snider's Ecological Services, January 2017 and May 2018) identified limits to these significant features at the south boundary of the proposed development. To ensure protection of these features, a 15m natural buffer is provided between the proposed development and the top of significant valley (as defined by its erosion hazard limit) and woodland areas. ORCA, as the City's service provider for natural heritage review, has advised that it concurs with these measures.

As noted previously, the southerly stormwater management pond will require an outlet to Jackson Creek and its associated valley. As a condition of approval, the stormwater pond outlet will require further assessment to ensure any potential adverse impacts to the natural heritage features are mitigated or remediated.

The Lily Lake Functional Planning Study completed on the City's behalf in 2012 identified an intermittent stream at the south limit of the site, approximately within Park Block 188 and Medium Density Block 181. The EIS prepared for the site concluded that the stream is primarily fed with storm water collected along the unbuilt roads that were rough graded

during the 1960s and that it probably didn't exist prior to this road placement. It was further concluded that the stream only contains water after large storm events and that it does not provide any direct or indirect fish habitat. It was found however that the stream does contribute to erosion at the top of the Jackson Creek Valley wall and on the Trans-Canada Trail within Jackson Park. The EIS recommends that this stream be diverted to the proposed southern storm water management facility to prevent further erosion.

ORCA has advised that while they typically do not recommend the realignment of watercourses, they recognize that the redirection of this watercourse can result in a reduction of scarring along the valley wall. ORCA will not support, however diverting the stream to a stormwater management facility and instead will only support a realignment that employs natural channel design principles. As a condition of approval, any consideration of a watercourse realignment shall be done in consultation with and approved by ORCA. Furthermore, as part of any consideration to realign the intermittent stream, the Applicant will be required to complete a Department of Fisheries and Oceans Canada (DFO) Self Assessment Screening to identify the potential for causing "serious harm to fish" under the Fisheries Act and take any steps required to secure the required authorizations based on that assessment.

Following the recommendations of the 2012 Lily Lake Functional Planning Study, the EIS for the development mapped occurrences of Foxglove Beardtongue plants, a regionally significant species, on the site. While the species may be considered rare in this region, it is considered globally secure, common to widespread across the province, and does not qualify as significant wildlife habitat on site. As a condition of approval, the Applicant will be required to protect a portion of the Foxglove Beardtongue population through the implementation of a mitigation plan that identifies the area to be protected, identifies mitigation strategies that are identified on applicable drawings and requires on-site monitoring from a qualified professional.

The EIS reviewed the site for the presence of wetlands, significant habitat of threatened or endangered species, and areas of natural and scientific interest. Based on the consultant's field observations, background research, site characterization, as well as the findings of a Species at Risk Bird Survey prepared by Balance at Work (July 2016), it was concluded that none of these features are present on site and that the site does not constitute significant wildlife habitat. ORCA has reviewed these assessments on the City's behalf and has expressed its support for the proposed development subject to conditions.

Subject to fulfilling the recommended conditions of approval, staff is satisfied that adequate protection is being provided for natural heritage.

viii) Lily Lake Secondary Plan

Generally, staff is satisfied that the proposed draft plan of subdivision is consistent with the intent of the Lily Lake Secondary Plan that was approved by Council in 2014. The subject application is the third of three main development parcels to seek draft plan of subdivision approval in the area. In addition to the issues already discussed herein, the Lily Lake Secondary Plan identifies other issues to be considered specifically for the Lily

Lake Area including development phasing, cultural heritage landscapes, and urban design.

With respect to phasing, it is anticipated that the initial phase of development for this site will focus on Northcott Avenue (Street B) and the southern portions of the site where sanitary servicing and stormwater management facilities must be established. Given the smaller size of this site compared to other development sites in the Lily Lake area, it is possible that the entire site could be developed in one phase. The phasing of development within the site will be determined at the time of detailed design.

The Lily Lake Secondary Plan also requires development phasing to have regard for the achievement of the City's residential intensification target of directing 40% of annual residential development to the built-up portion of the city. In conjunction with meeting this target, Provincial Policy also requires the City to maintain enough land to accommodate a three to five-year residential units. Presently, the City has insufficient land within registered plans of subdivision or actively developing draft approved plans of subdivision to accommodate this minimum supply. Accordingly, it is staff's opinion that development of the proposed plan will help to address an existing shortage of residential development land. As a condition of approval, the City will need to be satisfied prior to Final Approval of each phase that registration of the phase is in keeping with the City's residential land supply obligations and that the phase will not adversely impact the City's ability to achieve its intensification target.

Through the application review process, a Stage 1 and 2 Archaeological Assessment was prepared for the site by Northeastern Archaeological Associates (September 28, 2016). The report assessed the entire property, including additional lands within the Jackson Creek Valley to the Trans-Canada Trail, and recommended that no further archaeological work be required on the study property. The City is also in receipt of a letter from the Ministry of Tourism, Culture and Sport dated November 8, 2016 acknowledging that the report has been added to the Ontario Public Register of Archaeological Reports.

Additionally, a Cultural Heritage Impact Statement was prepared for the site by WSP Canada Inc. (October, 2017). The report notes that the views to Northview Community Church at the corner of Fairbairn Street and Towerhill Road, and its surroundings, are of cultural importance. The report recommends that mature trees be protected around the

perimeter of the site to the greatest extent possible and/or that compensation planting be completed. The Tree Inventory and Preservation Plan prepared by Treescape illustrates a plan to preserve perimeter trees that will be implemented as a condition of draft approval. Additionally, a landscaping and planting plan will be required for all plantings on site that will determine the location of any compensation planting required.

The report also notes that Jackson Park has cultural heritage significance. Although the development is generally not going to encroach into the park, the report recommends that care be taken to minimize impacts on the park, particularly from erosion and sedimentation. Accordingly, the report recommends that the site be re-vegetated as quickly as possible following grading and that measures be taken to minimize runoff. As a condition of approval, the applicant will be required to prepare and implement a stormwater management and erosion and sediment control plan to the satisfaction of the City and ORCA.

Exhibit F, Page 1 of 9

Review of Agency and Public Comments Submitted

Agency Comments

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).

Bell Canada's requirements are included as conditions of 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 are reflected in the proposed conditions of Draft Plan of Subdivision Approval.

County of Peterborough

The County of Peterborough has requested that the Applicant pay \$15,000.00 to the County as a contribution toward future upgrades of the Lily Lake Road/ Ackison Road intersection that are anticipated in the traffic impact studies prepared in support of the Lily Lake area development. Similar conditions have been imposed on other Lily Lake developments. The County's request will be reflected as a condition of 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.

Additionally, in the event that a pressure reducing regulator station is required, the Applicant will be required to provide a 3 metre by 3 metre exclusive use location that is within the municipal road allowance.

Prior to the installation of gas piping, road allowances must be graded as close to final elevation as possible. Enbridge's requirements are included in the proposed conditions Draft Plan of Subdivision Approval.

Otonabee Region Conservation Authority

ORCA has provided comments on a few occasions for this application. In a letter dated October 3, 2018, ORCA recommended that a number of conditions be imposed on the development including:

- open space zoning and designation of the Jackson Creek Valley and Woodland on site and its buffer;
- assessment of the impact of the proposed the required stormwater pond and its outfall on the Significant Valleyland and Woodland identification of required mitigation strategies;
- design of stormwater management pond outfall in consultation with a qualified biologist and ORCA;
- ORCA approval of any proposed watercourse realignments on site;
- developer funding toward a comprehensive environmental monitoring plan for the Lily Lake Secondary Plan area;
- distribution of a Homeowner Natural Systems Stewardship information for future residents;

- permanent fencing between the Jackson Creek Valley/buffer and the rest of the development;
- clear delineation of development areas and installation of appropriate sediment and erosion and control measures prior to any site activity and immediate stabilization and revegetation of disturbed areas;
- prohibition of grading and vegetation removal in buffer areas;
- restriction of tree clearing during peak bird breeding season (April 15th to August 15th);
- tree preservation, landscaping and planting plans including compensation tree planting, rehabilitation of disturbed open space areas, and enhancement of open space areas and stormwater ponds using native species and including monitoring for survivability;
- a mitigation plan for protecting some Foxglove Beardtongue on site, including monitoring;
- protection plans for individual or significant trees and remnant woodlands on site as identified on the Tree Inventory Plan prepared by Treescape Certified Arborists (December 2017) located within parkland, open space, stormwater management or large residential lots/blocks; large mature trees Delineation of un-mapped watercourses on site (outside of development areas); and,
- ORCA review of final stormwater management plans, water balance, erosion and sediment control plans, and their design.

ORCA's requested conditions will be implemented as conditions of draft plan of subdivision approval.

Peterborough Public Health

The Health Unit has made several recommendations on the proposed development including:

- that additional parkland be provided in the north portion of the site to ensure equitable parkland access for future residents;
- that enhanced tree cover be provided across the site to help increase the City's overall shade canopy;

- that the streets be designed using a complete streets approach, including sidewalks on both sides;
- develop a cycling network that is connected to the City's comprehensive cycling network;
- develop a trail system that is connected to the City's comprehensive trail system;
- develop cut-through pathways to foster active transportation between streets; and,
- ensure all paths, sidewalks and trails are maintained to provide year-round access.

Since these comments were submitted, the draft plan of subdivision was amended to include additional parkland in the north portion of the site and to develop cut through pathways (e.g. Blocks 184, 185, 189 and Burgess Street). Through the conditions of approval, and in accordance with Lily Lake Secondary Plan policy, the Applicant will be required to establish trail connections that will connect uses to both the City's cycling and trail systems, as well as on-road cycling facilities that will connect to the rest of the Lily Lake Planning Area and Fairbairn Street. All streets within this development will be designed with sidewalks on both sides and all paths, sidewalks and trails will be maintained in accordance with City standards.

Peterborough Fire Services

Peterborough Fire Services advised that the site is in the outer limits of their response times and that future development in the area may require additional equipment and resources. Fire Services recommended that a secondary fire route be provided to access the south portion of the site. Since these comments were submitted, Burgess Street was added to the plan to provide a secondary access to the south portion of the site. Additionally, the City is currently undertaking a Location Review Study to replace Fire Station 2 on Carnegie Avenue. As noted in Report CAOFS20-002, the City acknowledges that planning for an additional fire stations may need to be considered and that, generally, as the City grows, so too must Fire Services. The need to plan for a fourth fire station will be reviewed.

Peterborough Utilities Commission

Peterborough Utilities Commission (PUC) has advised that servicing from the existing distribution system will require additional investigation/engineering to determine suitable pressure and flow requirements including looped supply for redundancy.

Details regarding water servicing will be confirmed at the time of detailed engineering design and secured in agreements with the PUC. PUC development and/or frontage

charges will apply. PUC's requirements are included as conditions of Draft Plan of Subdivision Approval.

Public Responses

Compatibility with existing housing

Some nearby residents have commented that the density of the proposed development is incompatible with existing dwellings along Fairbairn Street and Lily Lake Road and that their privacy, property value, and aesthetics of their properties will be negatively impacted.

The subject lands have been planned for development since the 1960s. When the lands were annexed by the City in 2008, they were done so for the purpose of accommodating residential development. Current planning policies and legislation require new developments to be compact and efficient in form not only to maximize use of infrastructure, but also to help curb the demand for further consumption of land.

The proposed development will be different in character than the existing homes along Fairbairn Street and Lily Lake Road. The Tree Inventory and Preservation Plan prepared for the site identifies several trees along the mutual property lines between the site and adjacent dwellings. As a condition of approval, these trees will be preserved to help maintain some visual screening. Additionally, to facilitate tree protection and enhanced landscaping opportunity, all proposed dwellings adjacent to these existing residential properties will be set back 9m from their rear lot line instead of the typical 7.6m.

Impacts on existing private wells

Many nearby dwellings along Fairbairn Street, Lily Lake Road, and north of Lily Lake Road are serviced with private wells and septic systems. Some residents have expressed concern that the proposed development will negatively impact the quality and/or quantity of water in their wells.

As part of the application, the Applicant has completed geotechnical and hydrogeological that assesses risk to existing well users in the area. According to these studies, the development is not expected to impact existing wells since the aquifers supplying those wells are separated from the shallow water table by a substantial thickness of glacial till. Accordingly, the studies conclude that the aquifers being used by nearby wells are recharged from areas further off site and that the site development is not expected to interfere with these wells.

Notwithstanding this, the City is unable to guarantee that existing wells will not be impacted by the proposed development. Therefore, in order to provide protection of health and safety for nearby wells users, staff has recommended that the Applicant

establish a well monitoring program to assess any potential well impacts pre-, during and post-development.

If it can be conclusively demonstrated that the proposed development has adversely impacted groundwater quality or quantity to the point where affected residents' wells become unsuitable for continued use either due to health, safety, or quantity concerns, the City would have an obligation to ensure a safe and adequate supply of water is made available to impacted residents in keeping with Sections 2(f) and 2(o) of the Planning Act. The proposed monitoring program will provide the means for the City to assess the impacts that the development has on area wells.

Traffic impacts and character of existing streets

Many residents have raised concern with both existing and anticipated traffic levels on Fairbairn Street and Towerhill Road resulting from development of the Lily Lake area. Some residents also expressed concern with Fairbairn Street being used as an arterial street and with the proposal to connect the broader Lily Lake area to Fairbairn Street.

Throughout the planning for the Lily Lake area, it has been acknowledged that development will generate traffic impacts on area roads. Several traffic studies have investigated the issue including the Lily Lake Functional Planning Study, traffic impact studies prepared in support of area development proposals, and the Parkway Class EA. Through the conditions of approval, some immediate road improvements are required including upgrades to the intersection of Lily Lake Road/Towerhill Road and Fairbairn Street, and pedestrian and traffic signal facilities on Fairbairn Street at Highland Road.

Because of the uncertainty surrounding the Parkway project, the City is undertaking a series of transportation studies that will culminate in the completion of a new Transportation Master Plan by November 2021. The Plan will identify a series of longer-term transportation improvements to address future needs and will enable the City proceed with completing any required EAs for those improvements. Given the development potential of the overall Lily Lake area (approximately 2600-2700 dwellings), it is anticipated that any longer-term transportation network improvements required for the area will be implemented prior to build out of the area.

Over time, it is expected that Fairbairn Street will serve as a main throughfare for traffic in the area. Fairbairn Street has long been designated as an arterial street however, in 2014, that classification was upgraded from low capacity to high capacity status to reflect anticipated traffic levels. Although it is understandable that existing residents will have concern with this transition, in staff's opinion, this transition is to be expected given the amount of future development lands annexed in 2008 in the immediate area (Lily Lake – 198 ha, Chemong West – 99 ha).

To address anticipated traffic volumes at the intersection of Lily Lake Road/Towerhill Road and Fairbairn Street, staff have recommended that a collector street access be provided from the Lily Lake area, through the subject lands, to Fairbairn Street. Although this connection was not anticipated during the Lily Lake Functional Planning Study, subsequent traffic studies have demonstrated a need for this connection. Staff note that the location of the proposed connection coincides with the road access that was planned to the subject lands in the 1960s. To help mitigate impacts on adjacent properties, the Applicant will be required to prepare and implement the recommendations of a study that assesses the impacts of anticipated traffic noise on those properties.

Some residents also expressed desire for a bridge from the Lily Lake planning area to Parkhill Road/Wallis Drive. Through the planning for the westerly portion of the Lily Lake area, Draft Plan of Subdivision 15T-16501 protects the ability to extend a collector street across the Jackson Creek Valley in the vicinity of Parkhill Road and Ravenwood Drive. Presently, neither the Official Plan nor the City's Comprehensive Transportation Plan contemplate a road crossing of the Jackson Creek Valley at this location. Accordingly, if a crossing is ever to be contemplated in the future, its need and justification would have to be demonstrated through an Environmental Assessment and the project would need to be reflected in both the Major Transportation Plan and the Official Plan.

Stormwater management and soil conditions

Some people have expressed concern about potential flooding impacts on adjacent properties and have questioned the site's suitability for development noting that portions of the site receive drainage and groundwater flow from neighbouring properties.

As part of the application, the Applicant submitted a preliminary stormwater management concept as part of a Functional Servicing Study as well as a hydrogeological and geotechnical assessment of the lands. Based on the findings of these studies, the lands are suitable for development. At the detailed design stage, the Applicant will be required to prepare and implement a detailed stormwater management plan that will protect against off-site flooding impacts caused by the development to the satisfaction of the City and ORCA. Accordingly, in staff's opinion, adjacent properties will not be subject to additional flood risk because of the development.

Compatibility with existing landscape

Some comments have suggested the subdivision plan needs to better fit into the landscape of the site, rather than assuming the site is a blank slate for development. In particular, requests have been made to provide greater tree protection in the fencerows in the northwest and central southeast areas of the site, as well as near the southern stormwater management pond.

Since these comments were made, the plan has been revised to provide additional parkland, Block 187, at the northwest corner of the site and to shift Street C north to provide greater protection for the Jackson Creek Valley and thereby enlarge the southeast park, Block 188. Through these adjustments, additional opportunity for tree protection has been created and will be explored through the detailed design process.

Additionally, a request has been made minimize grading and filling and on the site. The grade of the site will largely be dictated by the need to allow sanitary wastewater flows to drain by gravity to the southwest corner of the site where a connection will be made to the a trunk sewer recently constructed in the adjacent plan of subdivision. Because of this, it is anticipated that north portion of the site will require the placement of fill while the south portion of the site will require a cut. The extent of grading and filling on site will be limited to the extend required to ensure that servicing will work adequately.

Adequacy of supporting technical studies

Comments were received questioning the completeness of various technical studies submitted as part of the development. In particular, requests have been made for:

- additional assessment of amphibians and ephemeral ponds;
- better identification and assessment of water features (streams, springs, seeps, groundwater discharge/affected areas, etc.), both on the site and into the valley adjacent;
- identification of additional mature trees on the site, including those aligned with the mature tree fencerows;
- a more fulsome review of significant woodlands and valleylands in the area, including greater discussion of adjacent lands policies in relation to this site;
- greater discussion of connectivity and natural heritage systems, particularly in relation to north-south connections and continuity of natural cover;
- further elaboration of Low Impact Development measures, including maps and additional approaches to reduce overland flow;
- discussion on measures to address invasive species (e.g. Buckthorn and Dog-strangling Vine) on site;
- additional natural heritage, groundwater and soils investigation to more fully address the impact of development;

- fuller consideration of the sloped nature of the site in the supporting technical reports and plan design;
- fuller consideration of active transportation needs both within the site and connections to adjacent areas;
- establishment of building height limits near the Jackson Creek Valley relative to the existing tree canopy; and,
- provision for commercial opportunities in the plan.

Generally, staff is satisfied that the technical reports submitted in support of the proposed development have adequately demonstrated the principle of development. In particular, the Environmental Impact Study, Species at Risk Bird Survey, Hydrogeological Study, Geotechnical Study and Functional Servicing Report have all been reviewed by both City and ORCA staff. Additionally, the City has reviewed a Tree Inventory and Preservation Plan prepared in support of the proposed development. In response to agency comments, additional information related to hydrogeology, stormwater management, municipal servicing, significant woodland and valleyland and hydrology was submitted and reviewed were made to the plan to identify buffer lands along the top of the Jackson Creek Valley and to establish parkland in the northwest corner of the site.

Specific details related to the implementation of tree preservation, management of invasive species and low impact development will be established at the time of detailed design.

The proposed plan includes connections for active transportation both within the site and to adjacent sites and the broader City transportation network and establishes a maximum three storey building height in proximity to the top of the Jackson Creek Valley. The site, however, does not include provision for commercial uses as these uses have been planned for adjacent lands in the Lily Lake area. A planned commercial facility is located within 500m of approximately 97% of the subject site along Northcott Avenue.

Exhibit G – Land Use Map
Page 1 of 1

Land Use Map

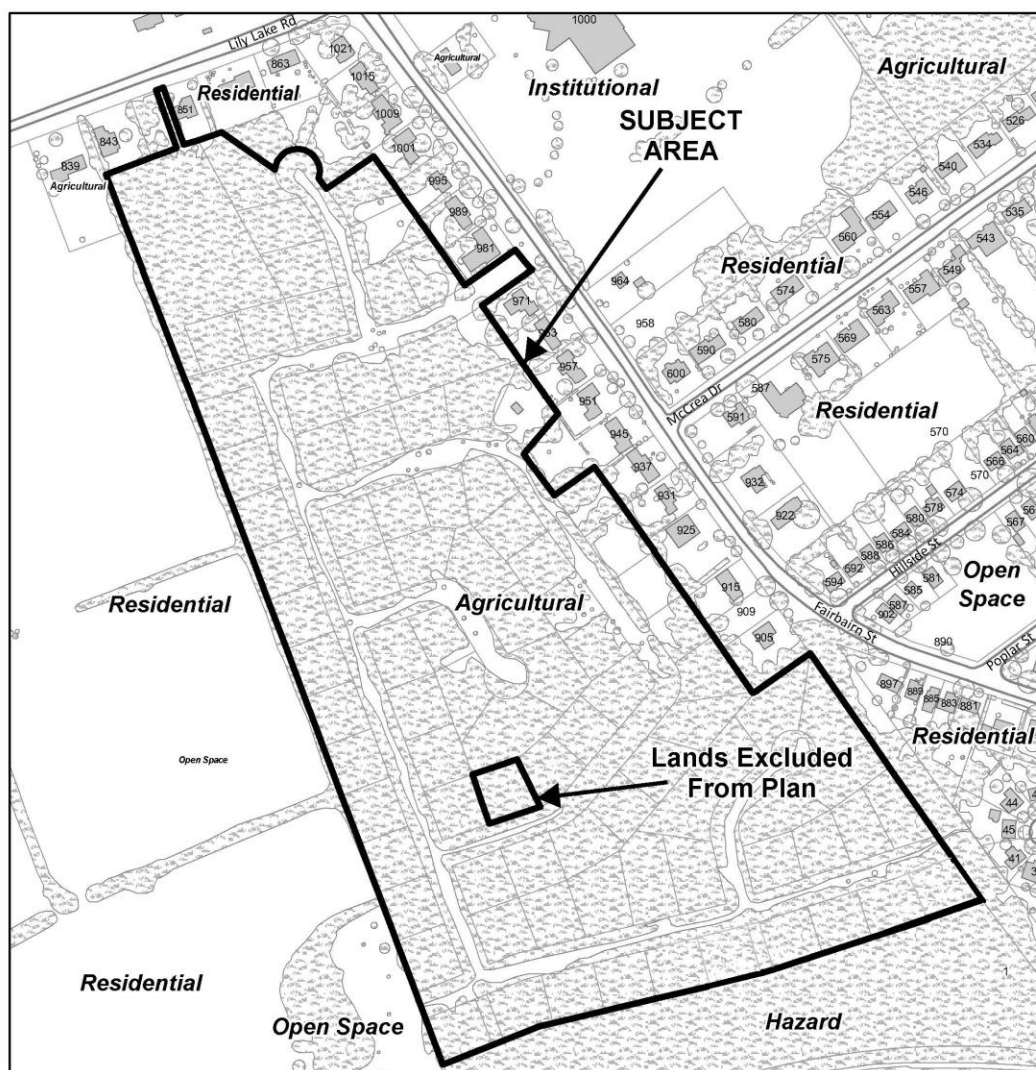
File: Z1713SB

Property Location: 0 Fairbairn and Part of 851 Lily Lake Road

EXHIBIT

SHEET

OF



The City of Peterborough Planning Division

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.



Date: September 22, 2017

Map by: Jellis

0 25 50 100 150 Metres

Exhibit H – Notice of Public Meeting
Page 1 of 1

Notice of Complete Application And Public Meeting

Take Notice that the City of Peterborough has received the following applications, and pursuant to Sections 17, 34 and 51 of the **Planning Act**, R.S.O., 1990, c.P.13, the General Committee will hold a public meeting in the Council Chambers, City Hall at **6:00 p.m. on Monday, October 19, 2020**:

- Files:** O1704, Z1713SB, 15T-17503
Affected Lands: 0 Fairbairn Street, Part of 851 Lily Lake Road
Applicant: Various Owners
Agent: Jackson Heights Developments Inc.

The applicants are proposing to develop approximately 334 residential dwellings in a draft plan of subdivision consisting of a mix of single detached, semi-detached, and townhouse/row dwellings as well as multiple-unit dwellings.

To facilitate the development, the applicants are proposing to amend the Official Plan to include a collector street access to Fairbairn Street and a stormwater management pond on site. Additionally, the application proposes to amend the Zoning By-law to zone the lands for a mix of residential and open space uses.

- Files:** O2003, Z2004
Affected Lands: 265 Edinburgh Street
Applicant: Doug Rose
Agent: Kevin Duguay, KMD Community Planning and Consulting Inc.

The applicant is proposing to convert an existing semi-detached dwelling with secondary suites in each dwelling to an 8-unit dwelling. To facilitate the development, the applicant is proposing to amend the Official Plan to designate the property for medium density residential use. Additionally, the applicant is proposing to amend the Zoning By-law to re-zone the property to R.3 – Residential District – with site-specific exceptions related to lot area, lot width, building and parking coverage, parking setbacks from the dwelling, and to prohibit a Lodging House.

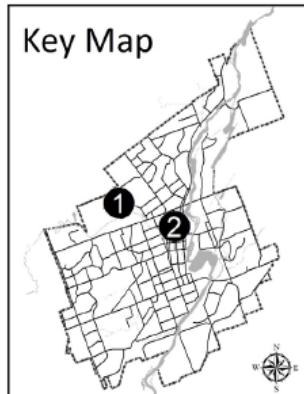
Additional information and materials relating to the proposed Zoning By-law and Official Plan Amendments and Draft Plan of Subdivision may be obtained from the Planning Division, City Hall, (8:30 a.m. to 4:30 p.m., Monday to Friday).

For more information about these matters, including information about preserving your appeal rights, contact the Planning Division at 705-742-7777 – Brad Appleby at ext. 1886 (email: bappleby@peterborough.ca).

A staff report will be available by 12:00 p.m. on Thursday, the 15th day of October, 2020.

Dated at the City of Peterborough this 21st day of September, 2020.

Key Map



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