



City of
Peterborough

To: **Members of the General Committee**

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

Meeting Date: **October 4, 2021**

Subject: **Report IPSPL21-035**
Final Draft Official Plan

Purpose

A report to provide an outline of the Official Plan update process, to recommend Council receive the final draft Official Plan and land needs assessment report for information and to advise that the required public meeting will be held on Monday November 1, 2021, at 6:00 pm to present the final draft Official Plan and hear from public delegations.

Recommendations

That Council approve the recommendations outlined in Report IPSPL21-035 dated October 4, 2021, of the Commissioner of Infrastructure and Planning Services, as follows

- a) That Report IPSPL21-035, the final draft Official Plan, land needs assessment and supporting documents be received for information; and
- b) That a Public Meeting be held in accordance with Section 17 of the Planning Act to present the final draft Official Plan at General Committee on November 1, 2021.

Budget and Financial Implications

There are no budget and financial implications related to the recommendations in this report.

Background

In accordance with the **Planning Act (the Act)**, the City of Peterborough is required to adopt and maintain an Official Plan. Official Plans are over-arching policy documents that establish a comprehensive framework for guiding land use decisions. Official Plans shape community development by setting goals, objectives and policies for managing and directing physical change and its effects on the social, economic, built and natural environment. Typically, Official Plans plan for growth over a 20-year period, or longer as directed by provincial policy. They affect our everyday lives by guiding where and how housing, employment and other land uses and associated infrastructure and services will locate. Because Official Plans are implemented over long time periods, they are typically intentionally written with flexibility to accommodate changing community and provincial priorities and development trends over the plan's lifespan. The City's current Official Plan has been in place since 1981.

Under the Act, Official Plans are required to be consistent with provincial policy and to conform with applicable provincial plans. Furthermore, the Act requires municipalities to regularly review and update their official plans to ensure they reflect changes to provincial plans, policies and legislation as well as changes in community priorities with respect to land use planning. Under the Act, the Minister of Municipal Affairs and Housing (the Minister) is the approval authority for the City's new official plan.

In 2011, the City launched a comprehensive review of the current Official Plan. Since that time, the province released a new Provincial Policy Statement (PPS) in 2020 and a new Growth Plan for the Greater Golden Horseshoe (the Growth Plan) in 2019. In accordance with the Places to Grow Act, the Minister has established July 1, 2022 as the deadline for all municipalities to update their official plans to bring them into conformity with the Growth Plan.

The Final Draft Official Plan attached hereto as Exhibit A, was released for public review in July 2021. The plan, which was developed through significant public engagement and consultation with staff from the Ministry of Municipal Affairs and Housing (MMAH), partner ministries through MMAH's one-window plan review service, and staff from the Ontario Growth Secretariat and is the culmination of a significant volume of work completed over the last ten years. Based on supportive feedback provided by MMAH, it is staff's opinion that the Plan is consistent provincial policies, conforms with applicable provincial plans, and addresses the Minister's July 1, 2022 requirement for Growth Plan conformity.

Council Process:

Council is being asked to receive for information only the Final Draft Official Plan on October 4, 2021. The Statutory Public meeting for the Official Plan is scheduled for November 1, 2021. During that November meeting, Council will receive a presentation for the Official Plan and supporting information. Members of the public may register as delegates to speak to Council about the Official Plan at that Statutory meeting on November 1st.

Delegates will be steered to the November 1st meeting, in keeping with the process for Public Meetings to address Planning matters.

The intent of asking Council to receive the document for information on October 4th is to ensure Council and the community have time to review the document well in advance of the required Public Planning meeting on November 1, 2022.

Official Plan Review Process

The City's Official Plan Review process, originally branded as "Plan It Peterborough", began with an initial review of issues, community priorities and policy options. Feedback was gathered through an online survey, public and stakeholder workshops, guest speaking appearances and Advisory Committee meetings. Phase One of Plan It Peterborough concluded in 2013 with a statutory public meeting and the presentation of a Potential Policy Directions Report (Report PLPD13-014) summarizing the public the key messages heard during consultation.

Phase two of the Official Plan review process, which began in 2017, involved extensive community consultation and policy renewal, including conformity exercises to address changes to key provincial legislation, plans and policies. Additional funding support was received to retain staff, procure a public engagement software (MetroQuest) and appoint consultants from the Planning Partnership and Beacon Environmental Limited. The Project Governance included the following groups to oversee development of the Plan:

- a) Working Advisory Group consisting of 25 public and private sector stakeholders and First Nations representatives;
- b) Technical Group consisting of 19 senior interdepartmental staff; and,
- c) Natural Heritage Task Force consisting of representation from the Ministry of Natural Resources and Forestry, Otonabee River Conservation Authority, First Nations, Reimagine Peterborough and Peterborough Field Naturalists representatives.

The new Official Plan will replace the current Official Plan. Since 1981, nearly 200 amendments have been made to that Plan including both City- and privately-initiated amendments. During that time, the City reviewed the Plan on a section-by-section basis as deemed appropriate by the Ministry of Municipal Affairs and Housing (MMAH). Previous policy reviews included, but are not limited to:

- Commercial Policy Review – 1985
- Residential Policy Review – 1992
- Industrial Policy Review – 1996
- Open Space Policy Review – 2000
- Commercial Policy Review – 2000
- Transportation Policy Review – 2002
- Growth Plan Conformity – 2009

Once the new Official Plan takes effect, the Planning Act requires that the Plan be updated within 10 years of coming into effect and then every five years thereafter to ensure continued conformity and/or consistency with provincial plans, policies and legislation. Furthermore, the City is required to update its Zoning By-law within three years of the Official Plan coming into effect to ensure that the By-law conforms with the Plan.

Community Engagement Activities 2017-2019

In May 2017, Council agreed to involve the public in the development of the Official Plan with some opportunities to collaborate based on the International Association for Public Participation (IAP2) model.

Public engagement ensued for each of the Plan's major components: the vision and guiding principles, growth management strategy, land use, transportation, urban design, cultural heritage and the natural heritage system.

Other engagement events revolved around project milestones such as the release of the draft Official Plan in June 2019 and final draft Official Plan in July 2021.

Project updates and information related to the Official Plan Update were provided through a dedicated page on the City's website and through the City's online engagement platform, ConnectPtbo. Through online and in-person engagement, the Official Plan Update accumulated over 1,200 email subscribers who receive direct notifications on key project milestones and upcoming events.

Since 2017, an estimated 5,700-plus people have participated in the Official Plan Update process. The methods of community engagement for the second phase of the Official Plan Update are described below.

a) Surveys

Five surveys were conducted on the following topics: vision and guiding principles, growth management, land use, transportation, and urban design and cultural heritage using the online Metroquest engagement platform. Paper surveys were also made available for pick-up and drop-off at the Peterborough Public Library, Simcoe Transit Terminal, Peterborough Social Services and City Hall. In total, 3,800 responses were collected.

b) Pop-up Events:

Staff hosted 13 pop-up events, including six events held in collaboration with Trent University Ecological Design students, to engage people in their day-to-day activities and reach a wider demographic. Pop-up locations included Trent University, Fleming College, Peterborough Public Library, Lansdowne Place, Simcoe Street Transit Terminal, Peterborough Square, Peterborough Pulse and the Wednesday Downtown Farmers Market.

c) Speaking Engagements:

Staff gave formal presentations at various community organization meetings and events, including:

- Peterborough and the Kawarthas Association of Realtors Land Planning Event;
- Rotary Club of Peterborough Kawartha;
- Peterborough and District Probus Club;
- World Town Planning Day Event;
- Trent University Ecological Design course;
- Construction Exchange;
- Sustainable Peterborough: Planning Locally for Food and Farming Event;
- Kiwanis Club of Peterborough; and,
- Peterborough Landlords Association.

d) Community Design Charrette:

In June 2018, the City hosted a four-day community design charrette led by The Planning Partnership and Lett Architects. Over the four days, the event attracted 315 participants.

The charrette sought to envision how key intensification corridors and intersections (nodes) and the Downtown could redevelop to meet density and intensification targets as well as to inform urban design guidelines for development and redevelopment. The charrette results informed the draft Official Plan policies for built form, public realm and mobility and refinement of strategic growth areas, key intersections within the Major Mixed-Use Corridor designation and key strategic development and investment areas identified in the Plan.

Staff hosted two public open houses in November and December 2018 to present the urban design guidelines from the community design charrette and the natural heritage system framework.

e) Meetings:

Throughout the Official Plan Update process, staff met with the Province, individual stakeholders/proponents and various groups and committees:

- Official Plan Working Advisory Group;

- Official Plan Technical Advisory Group;
- Official Plan Natural Heritage Task Force;
- Nogojiwanong Friendship Centre;
- Arts Culture and Heritage Advisory Committee;
- Peterborough Architectural Conservation Advisory Committee;
- Accessibility Advisory Committee;
- Peterborough Environmental Advisory Committee;
- Arenas Parks and Recreation Committee;
- Planning Advisory Committee;
- Downtown Business Improvement Area;
- Electric City Culture Council (EC3);
- Sustainable Peterborough;
- New Canadians Centre Immigration Partnership;
- Peterborough and the Kawarthas Economic Development; and,
- Chamber of Commerce.

f) Consultation with First Nations:

The PPS and the Growth Plan both require planning authorities to engage with Indigenous communities and coordinate on land use planning matters. The Official Plan Advisory Working Group and Natural Heritage Task Force included representation and attendance from Curve Lake First Nation and Hiawatha First Nation. Further, direct consultation with First Nations has occurred throughout the Official Plan Update. Meeting invitations were extended to all modern signatories of Treaty 20 and, to date, meetings have been held as follows:

- Formal presentations to the Chief and Council of Curve Lake First Nation and Hiawatha First Nation in May, 2018;
- Meetings with Land and Resource Consultation staff from Curve Lake First Nation and Hiawatha First Nation in October 2018, November 2018, and September 2019; and,
- Meeting with Treaty 20 First Nations Elders and Traditional Knowledge Keepers to discuss the history of the area, natural heritage and cultural heritage in January, 2019.

g) 2019 Draft Official Plan:

In June 2019, a first draft of the new Official Plan was released for public review on the City's website and on ConnectPtbo. To elicit comments on that draft, seven public open houses were held between August and October 2019. The sessions had an average of 40 attendees and, in one instance, almost 100 attendees. From those sessions, 50 completed comment sheets were received along with positive feedback reception from attendees regarding the format and information at sessions.

In addition to feedback received at the open houses, staff also received over 130 unique written submissions in response to the June 2019 draft Official Plan. That feedback has been recorded and documented in a series of comment and response matrices attached hereto as Exhibit C.

Land Needs Assessment

The Growth Plan requires municipalities to undertake a Land Needs Assessment (LNA) in accordance with a provincially established methodology to assesses the quantity of land required to accommodate the population and employment forecasts in Schedule 3 of the Plan. Where a LNA concludes that a municipality has more land within its settlement area than is required for development to 2051, the municipality must declare that land excess and prohibit it from development to 2051.

Between 2018 and 2021, staff worked in consultation with MMAH staff to complete a LNA for the City. During that time, changes in Growth Plan policy, the provincial population and employment forecast, and the LNA methodology prompted several adjustments to the City's LNA before being finalized.

In May 2021 staff presented the preliminary LNA results to Council (Report IPSPL21-016). The report noted that City has almost 200 hectares of land within its settlement area that is not required for development to 2051 and is therefore to be declared excess. The report also noted that the City requires over 100 hectares of employment land and therefore sought direction from Council to accommodate that land need within the existing City limit for the purpose of completing the Official Plan. On May 25, 2021, Council approved this direction.

The final LNA is attached as Exhibit B and the results are summarized in Table 1. Schedules A and B of the Final Draft Official Plan illustrate a land use distribution consistent with the LNA results including the identification of excess lands as Rural Transitional Area and two new employment areas in the Chemong West and Coldsprings planning areas.

Table 1: Land Needs Summary

	Community Area Land Need (hectares)	Employment Area Land Need (hectares)	Net Excess Land (hectares)
Land Available	590	0	-
Land Needed	290	110	-190

Recognizing the impact that an excess land designation may have on both landowners and the City's ability to accommodate long term growth should growth trends change, the Final Draft Official Plan requires the City to review its LNA as part of future municipal comprehensive reviews as well as in response to any amendments to the Growth Plan population and employment forecast.

Summary of the Final Draft Official Plan

The new Official Plan will guide the long-term growth and development of the city to 2051. The Plan has been prepared in accordance with the population and employment forecasts in Schedule 3 of the Growth Plan. Based on those forecasts, the City is required, at a minimum, to plan for a population of 125,000 and employment of 63,000 jobs by 2051.

The draft Official Plan is organized into nine sections:

- I. **Introduction:** describes the plan's context, purpose, effect, organization and provides supplementary information on how to read the plan;
- II. **Vision and Guiding Principles:** sets out the City's basis for future development and informs the policies of the plan by reflecting local priorities, knowledge and aspirations;
- III. **Planning for Future Growth:** identifies broad strategies for implementing the vision, the population and employment forecast, objectives for growth management, and planning for growth based on the identified urban structure for the city;
- IV. **Land Use Designations:** establishes land use designations and associated permitted uses and development policies to guide new development in each area of the city;
- V. **Community Development Policies:** policies applicable to the entire city for addressing cultural heritage, housing, parkland, urban design, climate change, local food production and the urban forest;
- VI. **Infrastructure Policies:** policies for the provision of water and sewer services, stormwater management facilities, utilities, energy generation and transmission and transportation facilities in coordination with land use planning. It also provides policy direction on water resources, including source water protection;
- VII. **Implementation:** describes the range of tools and processes available to the City for implementing the Official Plan;
- VIII. **Interpretation and Definitions:** outlines how the plan is to be interpreted and provides a glossary of terms used within this plan to support policy implementation; and,
- IX. **Secondary Plans:** includes the secondary plans for defined areas of the city.

Key Features of the Draft Official Plan

Vision and Guiding principles

- Establishes a goal-oriented vision statement for the City derived from community consultation that both celebrates the City's existing qualities and charts out how the City is to develop over time; and,
- Focus on sustainability, efficiency, resiliency, quality of life, sense of place, equity and accessibility.

Commercial Structure

- Replaces a strict commercial policy hierarchy and land use schedule with flexible policies that focus commercial development on the Central Area and Mixed-Use Corridors;
- Limits small-scale retail uses outside of the Central Area to protect that function of the downtown;
- Central Area remains the focus for office, administrative, art, cultural and entertainment uses as well as a diverse range of retail facilities and services as well as incentive supports and the widest range of permitted uses;
- Encourages an equitable distribution of large-scale food stores based on population distribution and growth; and,
- Enhances support for neighbourhood supportive uses such as small-scale retail, services, public facilities and home-based business in neighbourhood areas.

Housing Affordability and Choice

- Increases the existing city-wide annual affordable housing target from 10% to 20%;
- Enhances recognition of the need for accessible housing and universal design;
- Supports strategies for the creation of affordable and accessible housing including, but not limited to, co-locating affordable housing with new public service facilities, community improvement plans and disposition of surplus City-owned land;
- Allows up to two additional residential units (aka secondary suites) within both a principal dwelling and in a building accessory thereto;
- Provides for greater flexibility with respect to mid-rise (4 to 6 storeys) and high-rise (above 6 storeys) residential development in both Strategic Growth Areas and Neighbourhoods; and,

- Shifts density policy away from measuring dwelling units per hectare to instead evaluating built form and land use compatibility.

Urban Structure, Strategic Growth, and Intensification

- Identifies Strategic Growth Areas (the Central Area, Lansdowne Street, Clonsilla Avenue, Chemong Road, George Street, Water Street and portions of Armour Road, Hilliard Street, and Charlotte Street) as the focus for intensification, higher densities and mix of land uses;
- Supports enhanced intensification, urban design and complete community development around key intersections within Strategic Growth Areas;
- Requires Secondary Plans for the Strategic Growth Areas;
- Identifies key strategic development and investment areas (Market Plaza, General Electric lands, former Public Works yard) to be the focus of financial and planning tools due to their potential to support the Plan's desired vision and objectives, including the creation of community hubs, a high-quality public realm and waterfront, transit improvements, and the restoration of natural heritage features;
- Increases of the annual residential intensification from 40% to 50%; and,
- Designates excess lands as Rural Transitional Area to prevent their development to the Plan's horizon.

Natural Heritage System

- Identifies a Natural Heritage System (NHS) as mapped by Beacon Environmental for the City;
- Introduces a graduated approach for protecting natural heritage features based on the function and significance of each feature;
- Requires all development to undertake a Preliminary Natural Heritage Feature Screening;
- Requires an Environmental Impact Study for any development within 120 metres of a natural heritage feature;
- Introduces minimum vegetation protection zones; and,
- Enhances woodland protection policies over and above provincial standards.

Parkland and Open Space

- Introduces a new hierarchy of parkland that includes urban park spaces to respond to the promotion of high-density mixed-use Strategic Growth Areas.

Employment Areas

- Removes an industrial land use hierarchy and land use schedule in favour of two industrial classes – Prestige Employment and General Employment;
- Enhances policies to protect lands from conversion to non-employment land uses; and,
- Consistent with the LNA results, identifies two new employment areas in the Chemong West and Coldsprings planning areas.

Indigenous People of Canada and Duty to Consult

- Introduces policy regarding consultation with Indigenous Communities, Indigenous placemaking, naming of public assets to acknowledge Indigenous place names and partnership opportunities;
- Directs development proponents to First Nations archaeology protocols; and,
- Identifies the City's Duty to Consult and identifies need for Indigenous consultation with regards to several potential City initiatives including the development of a Restoration and Enhancement Strategy, Environmental Impact Study Guidelines, Archaeological Management Plan, Heritage Master Plan, and public art program.

Public Consultation

- Establishes a framework for public consultation including communication methods and criteria for venue selection.

Urban Design

- Introduces a standalone section for Urban Design, with additional policy direction based on the recommendations of the community urban design charrette completed in 2018; and,
- Provides direction to explore opportunities to rediscover/daylight Jackson creek, reinforce street edges with buildings, and transition new development from adjacent areas with the application of a 45-degree angular plane.

Climate Change and Environmental Design

- Includes guiding principles regarding environmental stewardship and sustainability to ensure a more sustainable environment over the long term by taking a leadership role in encouraging and promoting green buildings, infrastructure resilience, and sustainable development practices that mitigate and adapt against climate change;

- Introduces policies to support local food production, to increase the total urban forest canopy to 35% of the City's land area, and to support sustainability measures such as green roofs, passive solar design, renewable or alternative energy systems, community energy plans, bird-friendly design measures and Green Development Standards;
- Introduces policies to recognize the Greater Peterborough Area Community Sustainability Plan/Sustainable Peterborough Plan (2012) and Greater Peterborough Area Climate Change Action Plan (2016) and to promote climate change mitigation and adaptation measures;
- A summary of policies addressing climate action is attached hereto as Exhibit D.

Secondary Plans

- Phase-out of several secondary plans that are either no longer relevant or necessary including the Downey West, Lansdowne West, Chemong, Auburn North, Jackson Creek, and Coldsprings secondary plans;
- The creation of new and updated secondary plans for strategic growth areas such as the Mixed Use Corridors and Central Area. A re-fresh of the Central Area Master Plan (CAMP).
- Retains more recent secondary plans for the Lily Lake and Lift Lock planning areas, subject to minor language amendments to improve consistency with the draft new Official Plan.

Final Phase Public Engagement

- In July 2021, staff presented the Final Draft Official Plan to the Official Plan Working Group and released the document for public review on the City's website and through ConnectPtbo.
- September 1 and 2, 2021, staff hosted a series of four online open houses to present the Plan to the public.
- September 14, 16 and 16, 2021, staff presented the Plan to the Arenas, Parks and Recreation Advisory Committee, the Peterborough Environmental Advisory Committee, and the Planning Advisory Committee respectively
- September 28, 2021 the plan was presented to the Official Plan Natural Heritage Task Force.
- Additionally, staff has met with landowners in the Coldsprings and Chemong West planning areas who are particularly impacted by the Plan's identification of new employment areas and excess lands.

Comments and questions received through the public open house sessions are outlined in a matrix in Exhibit C.

Next Steps

Under the Planning Act, Council is required to host a statutory public meeting to consider the Plan where members of the public may make delegations to Council on the Plan. The statutory Public Meeting will be held at General Committee on November 1, 2021. At that time Council will consider a presentation and report recommending adoption of the Plan and summarizing any new comments received on the Plan throughout October. The schedule is set up for Council to adopt the plan in principle on November 1st and to ratify that decision sitting as Council on November 29, 2021. The Plan will then be forwarded to MMAH for review and approval. Council's adoption of the plan is a critical first step toward ensuring the City meets its regulatory obligation of bringing the Official Plan into conformity with the Growth Plan by July 1, 2022.

Provincial Process

- 1) Once the adopted Official Plan is received by MMAH, a notice will be issued on the Environmental Registry of Ontario website (ero.ontario.ca) seeking public comment on the Plan. MMAH will allow comments for a period of 30 days.
- 2) After MMAH public commenting period, the Ministry will review the Plan for consistency and/or conformity with provincial legislation, policies and plans as well as review any public comments received.
- 3) Once the Ministry's review is complete, the Minister will issue a decision on the Plan. The Minister could approve the Plan as adopted, modify and approve the Plan, or deny approval of all or part of the Plan.
- 4) The Minister's decision on the Plan is final and is not subject to appeal in accordance with Section 17(36.5) of the Planning Act.
- 5) With the Minister's approval, the Plan will come into effect the day after notice of the Minister's decision is made.

When the Official Plan is approved by the Minister, the City will have three years to update its Zoning By-law to ensure it conforms with the Plan. To allow for appropriate time to update the Zoning By-Law and in accordance with Section 22(2.1) of the Planning Act, a request for an amendment to the Plan shall not occur within two years of the Plan coming into effect unless Council declares by resolution that such requests are permitted.

Summary

The Final Draft Official Plan is a significant milestone for the City. The culmination of ten years' work, the Plan is the first new Official Plan for the City since 1981. The Plan establishes a framework for guiding development in the City to 2051 that is rooted in a vision of building a complete, resilient and environmentally sustainable city that is equitable and accessible for residents and visitors alike and provides a high quality of life, supports a strong diverse economy, and promotes a unique, vibrant sense of place. The Plan has been developed with significant public engagement and with the support of staff at MMAH, their partner ministries, and the Ontario Growth Secretariat. Adoption of the Plan will help ensure the City meets its regulatory obligation for provincial plan conformity as required by the **Planning Act** and the **Places to Grow Act**.

Although the Plan is a milestone for the City, it is really the starting point for a much longer implementation process that will be undertaken over the next three decades. Over the long term, the Plan will become an evolving, living document that is subject to periodic review and updates to respond to issues of the day.

Submitted by,

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Commissioner of Infrastructure and Planning Services

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Attachments

- Exhibit A – Final Draft Official Plan
- Exhibit B – Land Needs Assessment Report
- Exhibit C – Comment and Response Matrices
- Exhibit D – Summary of Draft Official Plan Policies that Address Climate Action