



City of  
**Peterborough**

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**To:** Members of the General Committee

**From:** Jasbir Raina, Commissioner of Infrastructure and Planning Services

**Meeting Date:** July 4, 2022

**Subject:** Draft Plan of Subdivision 15T-21501 Approval and Zoning By-law Amendment Z2105SB, Durham Building Corp. and 2131222 Ontario Inc., 789 Lily Lake Road, Report IPSPL22-014

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## Purpose

A report to evaluate the planning merits of a Zoning By-law Amendment and Draft Plan of Subdivision application for the property at 789 Lily Lake Road.

## Recommendations

That Council approve the recommendations outlined in Report IPSPL22-014, dated July 4, 2022, of the Commissioner of Infrastructure and Planning Services as follows:

- a) That the subject property be rezoned from A2-407 (Smith) to R.1,1r,2r,5o,8w,10m,11j-315-'H', SP.366,3n,5o,11j-315-318-'H' and SP.365,5p,7h-316-'H' – Residential Districts, SP.95,11m-317-'H' – Commercial District, and OS.1, and OS.2 – Open Space Districts in accordance with the Draft Plan of Subdivision and Exhibit A of Report IPSPL22-014; and
- b) That Draft Plan of Subdivision Approval for Plan 15T-21501, File Name 18-812 dated April 30, 2019 (June 30, 2021) by Innovative Planning Solutions be granted, subject to the Conditions of Draft Plan Approval attached to Report IPSPL22-014, 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. To support implementation of the City's new Transportation Master Plan (2022), 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.

Approval of the subject plan will require the purchase of approximately 0.94 hectares of parkland from the Applicants. 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 \$80,240 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 \$893,419.66. 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 property is 3.6 ha in size and has approximately 38.1m of frontage along Lily Lake Road, approximately 700m west of Fairbairn Street. The property is located approximately in the centre of the Lily Lake Secondary Plan area, at the top of a drumlin, and is bound by draft plan of subdivision 15T-14502 to the east which is under construction, draft plan of subdivision 15T-16501 to the west and south which is currently servicing and grading its first phase of development, and Lily Lake Road to the north. At this location, Lily Lake Road serves as the City's corporate boundary with the Township of Selwyn.

Currently, the subject property is vacant and its gravel driveway has been improved to serve as a temporary emergency access for the adjacent plan of subdivision to the east. Prior to 2018, the property contained a single detached dwelling that has since been demolished. At the north limit of the property, along Lily Lake Road, an unnamed creek flows westerly to the Jackson Creek East Provincially Significant Wetland, located approximately 1000 metres to the west. Because the property is situated on the top of a drumlin, most of the property slopes north toward Lily Lake Road while a portion slopes southerly toward the Jackson Creek Valley.

The majority of the property is designated for medium density residential use Schedule R – Lily Lake Secondary Plan of the Official Plan. The north limit of the property, coinciding with the unnamed creek and its associated flood plain, is designated Major Open Space on Schedule R while a portion of the property is designated for parkland. The property is located within the Designated Greenfield Area as depicted on Schedule A1 – City Structure of the Official Plan in accordance with the provincial Growth Plan for the Greater Golden Horseshoe.

The subject property is being co-developed by Durham Building Corp. and 2131222 Ontario Inc. who are the developers of the adjacent plans of subdivision to the west/south (Plan 15T-16501) and east (Plan 15T-14502) respectively. The parcel represents the final property in the Lily Lake area that is anticipated to seek draft plan of subdivision approval. Development of this property will link the Applicants' adjacent subdivision plans together to allow for the cohesive build-out of the Lily Lake Secondary Plan area.

Pursuant to Section 51(25) of the Planning Act, Council has the authority to impose conditions to 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 or the Zoning By-law will be imposed as conditions of Draft Plan Approval. 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.

## **Analysis**

### **Proposed Draft Plan of Subdivision**

As illustrated in Exhibit B attached hereto, the Applicants are proposing a residential plan of subdivision consisting of 21 single detached residential lots, 24 residential townhouse lots and a block for medium high density residential use to be consolidated with lands in the adjacent plan of subdivision to the west. It is estimated that 12 residential units will be achieved on this block when it is developed in conjunction with the adjacent lands. Other proposed uses include 0.19 ha for commercial use in conjunction with adjacent lands, 0.09 ha for parkette space, 1.14 ha for open space/trail corridor use, and 0.13 ha for environmental protection.

### Proposed Land Use Summary

Land Use	No. of Units	Area (ha)
Residential Singles (11m typical lot width)	21	0.789
Residential Townhomes (6.0m typical lot width)	24	0.539
Medium-High Density Residential	12	0.177
Local Commercial		0.187
Parkette		0.086
Open Space/Trail Corridor		1.138
Environmental Protection Area		0.133
Streets		0.563
<b>Total</b>	<b>57 units</b>	<b>3.612</b>

Proposed Block 31 (Street A) will form part of a collector street, Northcott Avenue, that currently exists to the east and is being developed to the west. Northcott Avenue has a 23-metre-wide road allowance and is subject to an urban design plan prepared in conjunction with the adjacent plans of subdivision. Once complete, Northcott Avenue will serve as a main east-west collector street through the neighbourhood to Fairbairn Street. Block 32 (Street B) on the proposed plan is an 18.5-metre-wide local street that will be developed to form part of LeBarr Way in the Durham Building Corp.'s adjacent plan of subdivision to the west and south, connecting the site to collector streets Heidman Street and York Drive.

The proposed plan has frontage along Heidman Street which is being developed in the adjacent subdivision to the west and proposes to develop 16 single detached lots along that street, each generally having a minimum lot width of 11 metres that will allow for 6-metre-wide driveways.

Block 25 on the proposed plan is identified for medium-high density residential use (generally between 45 and 74 units per hectare and up to six storeys in height) and is intended to be developed in conjunction with land in the adjacent plan of subdivision to the west that has been approved for the same. Similarly, Block 26 on the proposed plan is identified for local commercial use and is intended to be developed in conjunction with land in the adjacent plan of subdivision to the west that has been approved for the same.

A key feature of the Lily Lake Secondary Plan is the creation of a system of trails throughout the neighbourhood to serve both as an active transportation network and, over time, as a naturalized corridors within the neighbourhood. Blocks 27 and 28 which run along the entire length of the east limit of the subject property are intended to establish a 20-metre-wide trail corridor to connect with trails to be developed in the adjacent plans of subdivision. With a trail running north-south through this property, users will ultimately be able to use the interconnected trail system to traverse the

neighbourhood as well as to access the Trans-Canada Trail located within the Jackson Creek Valley and trail/cycling systems that may one day be developed in the Township of Selwyn in accordance with the Township's Recreation Trails Master Plan.

Block 29, at Northcott Avenue, is to be established as a parkette that will be developed in conjunction with previously approved parkettes to both the east and west. Upon completion, Block 29 will form part of a larger parkette and trail corridor that will have approximately 180 metres of frontage along Northcott Avenue and a combined area of approximately 0.73 ha.

At the north limit of the site, Block 30 is intended to be dedicated to the City for environmental protection/open space purposes in recognition of the need to protect the unnamed creek and is associated flood plain from development.

Stormwater management for the site is proposed to be accommodated in two wet ponds being developed in the adjacent plan of subdivision, 15T-16501, to the west and south. Those ponds will be adjacent to the Jackson Creek Valley, just north of the Parkhill Road West Sewage Pumping Station, and adjacent to the Jackson Creek East PSW, just beyond the northwest limit of the City, on lands situated in the Township of Selwyn.

Sanitary wastewater must be conveyed to the Parkhill Road Sewage Pumping Station located on Parkhill Road, near, Ravenwood Drive. Sanitary wastewater from this development will be conveyed through the adjacent plan of subdivision to the west to the pumping station via two different outlets: an outlet along the top of the Jackson Creek Valley previously built as part of draft plan of subdivision 15T-14502 to the east, and an outlet currently being built as part of the adjacent plan of subdivision to the west near the Jackson Creek East PSW.

The existing water service in the adjacent plan of subdivision to the east will be extended through the subject property, along Northcott Avenue to help serve both the subject lands and the developing subdivision to the west. Additionally, existing water service on York Drive will be extended westerly into the adjacent subdivision to the west/south that will then allow for the installation of local service within the subject site.

### **Proposed Zoning By-law**

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

<b>Lot/Block</b>	<b>Existing Zoning</b>	<b>Proposed Zoning</b>	<b>Land Use Type</b>
Lots 1-21	A2-407 (Smith)	R.1,1r,2r,5o,8w, 10m,11j-315	Single Detached
Blocks 22-24	A2-407 (Smith)	SP.366,3n,5o,11j-315-318	Townhomes
Block 25	A2-407 (Smith)	SP.365,5p,7h-316	Medium-High Density Residential
Block 26	A2-407 (Smith)	SP.95,11m-317	Local Commercial
Blocks 27-29	A2-407 (Smith)	OS.2	Open Space/Trail, Parkette
Block 30	A2-407 (Smith)	OS.1	Open Space/ Environmental Protection

The proposed zoning is consistent with the zoning used in the adjacent plan of subdivision to the west and south. All single detached and townhouse dwellings are proposed to have a maximum building height of three storeys and a setback from the streetline of 3 metres for the dwelling, 6 metres for a garage or carport, and 1.5 metres for an unenclosed verandah. Additionally, for single detached dwellings, a reduced side yard building of 0.6 metres is proposed for the side of the dwelling with an attached garage. Where dwellings are subject to a reduced side lot line setback that permits less than 2.4 metres of separation between dwellings on adjacent lots, the Applicants will be required to register a restrictive covenant on title of the affected lots/blocks to ensure the area remains free of encumbrances for the purpose of facilitating property maintenance.

Medium-high density residential uses on Block 25 may have a maximum building height of six storeys. Additionally, the requested zoning for Block 25 provides flexibility for ground floor local commercial uses. Because of minimum lot width and depth regulations, and the need for street frontage, Block 25 can only be developed in conjunction with the adjacent lands to the west. This requirement will be reflected in the conditions of approval and secured through the use of a Holding Symbol in the Zoning By-law.

Local commercial Block 26 may be developed either as a stand-alone commercial plaza or as a mixed-use commercial-residential development. Similar to Block 25, Block 26 must be developed in conjunction with the adjacent lands to the west. This requirement will be reflected in the conditions of approval and secured through the use of a Holding Symbol in the Zoning By-law. Combined with the adjacent lands, the local commercial site will be required to have between 700 and 2000 square metres of commercial floor space and may have a building height of up to five storeys.

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. For Blocks 25 and 26, the Holding Symbol shall only be removed once those blocks are consolidated with the corresponding blocks in adjacent plan of subdivision 15T-16501 to the west. Due to the site's reliance on street access from and stormwater management facilities within the adjacent subdivision to the west/south, the conditions of approval will prevent registration of the subject plan of subdivision until the required services are built and have received interim acceptance.

### **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
- are transit supportive.

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

- establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households;
- permitting and facilitating all forms of housing and all forms of intensification;
- directing new housing to locations where appropriate levels of infrastructure and public service facilities are or will be available; 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 the final "piece" of the Lily Lake Secondary Plan to seek approval. The Secondary Plan was adopted by Council in

2014 and 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 facilitates active transportation throughout the broader neighbourhood. Furthermore, the development promotes future transit service by allowing for the completion of Northcott Avenue as a main transportation spine through the neighbourhood, by facilitating pedestrian connectivity to Northcott Avenue, and by enhancing planned commercial and higher density uses along Northcott Avenue and Heidman Drive that will serve as a neighbourhood core. Until such time as full transit service is warranted in the developing neighbourhood, 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 climate change adaptation by promoting:

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

In staff's opinion, the proposed development is 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 Trans-Canada Trail. In the future, as Lily Lake Road and Towerhill Road are re-built to accommodate growth, additional active transportation options will be provided between the site and the Chemong Road corridor to the east.

With respect to vegetation, all trees previously on-site have been removed. As a condition of approval, the Applicants will be required to plant street trees in front of each single detached and townhouse to promote shade. Additionally, in recognition of limited growing conditions in front of dwellings, the Applicants will also be required to implement a program ensure an additional tree is planted for every rear yard in the development, either by offering homebuyers a tree for their rear yard, or by planting an additional tree on-site in lieu of planting a rear-yard tree. Finally, to compensate for trees removed from the site, the Applicant will be required to plant trees on-site in accordance with the compensation requirements of the City's Woodland Conservation By-law and/or Tree Removal By-law, as applicable. Given the amount of land to be

established for trail, parkette and open space purposes in the plan, a particular focus will be paid to enhancing these areas for both shading and ecological purposes.

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 required new homes to achieve an additional 15% increase in energy efficiency. Staff is satisfied that all housing to be developed in the proposed plan will be energy efficient.

Approximately 11% of the 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 to take advantage of passive solar heating opportunity. The remaining 89% of the proposed single 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.

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 2.1.4, 2.1.5 and 2.1.8 of the PPS prohibits development within significant wetlands, significant woodlands, significant wildlife habitat or on lands adjacent thereto unless it has been demonstrated that there will be no negative impacts on the natural heritage feature or on their ecological functions. The subject lands are not located within or adjacent to significant wetland, woodland or wildlife habitat.

Notwithstanding this, the proponent has submitted an Environmental Impact Study (EIS) which was an update to a previous EIS completed for the lands to the west. The study notes the presence of unevaluated wetland pocket alongside the unnamed creek at the north limit of the site. Although the pocket has not been evaluated, the study notes that, if evaluated, it may be considered part of the Jackson Creek East PSW located approximately 1000 metres to the west because of their surface water connection. On the proposed plan of subdivision, the wetland pocket is to be protected as part of open space Block 30 which includes a 30-metre setback from the tributary (a cool-coldwater creek that seasonally supports fish). Additionally, through implementation of mitigation measures such as stormwater management, low impact development, erosion and sediment controls, landscaping and performance monitoring, it is expected that no negative impacts will occur on the wetland pocket or the tributary. ORCA has reviewed the proposed development both on the City's behalf as a service provider of advice on

Natural Heritage issues, and as a regulatory authority, and has advised that it is satisfied that the development is consistent with Sections 2.1 and 2.2 of the PPS.

Section 3.1 of the PPS directs development away from natural hazards such as flood plain. All floodplain associated with the unnamed tributary along Lily Lake Road is located outside of areas proposed for development and will be conveyed to the City as open space. As the delegated authority from the Province to represent provincial interests regarding natural hazards, ORCA has advised that the proposed development is consistent with Section 3.1 of the PPS.

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 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. Again, when considered in conjunction with the remainder of the Lily Lake area, the proposed plan achieves this objective.

The Growth Plan 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. As previously noted, stormwater management for this site is to be handled in two ponds to be built within the adjacent subdivision not the west. To date, staff has reviewed a preliminary stormwater management report prepared for that subdivision as well as the detailed design for one of planned ponds. Stormwater

management for the broader neighbourhood has been 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 and to confirm that the planned stormwater management facilities within the adjacent subdivision have been built to support development of this subdivision.

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 D.

Generally, staff is satisfied that the proposed development conforms to the Official Plan. The plan provides for a variety of housing forms and densities, will be municipally serviced, and provides adequate protection to natural features on the site, namely the unnamed creek along Lily Lake Road and an associated unevaluated wetland pocket. However, it should be noted that the Lily Lake area does face unique challenges with respect to transportation planning.

With respect to transportation planning, traffic impact studies prepared for both the subject draft plan of subdivision and the adjacent draft plans of subdivision to the east and 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 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, has been uncertain.

In lieu of completing an individual EA for the Parkway, the City completed a Transit Route Review Study in 2021 as well as a Cycling Master Plan, the East Side Transportation Study, and a new Transportation Master Plan (TMP) in 2022. The new TMP, in particular, confirmed that a new North-South transportation corridor is not required on the west side of the City (e.g. The Parkway) to accommodate development to 2051 and that instead focus should be given to optimizing the performance of existing intersections and road links. As part of the TMP, confirmation was received from the Ministry of Environment, Conservation and Parks that projects intended to optimize existing intersections and road links are not subject to the Ministry's order regarding The Parkway and therefore such projects would fall under the Municipal Class EA process. In light of this, the TMP has identified the Lily Lake area as a special study area that will be subject to a Class EA to determine the specific optimization projects to be undertaken. Once a Class EA is complete and approved by the Minister, the City can begin 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 had previously imposed a development cap on the Lily Lake area. Subsequently, 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 and the TMP direction to complete a Class EA for the Lily Lake area, development in the 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 (currently being designed). 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 following completion of a Class EA for the area. Although development in the area faces unique transportation challenges, staff is of the opinion that these challenges can be adequately addressed through a combination of conditions of approval and future City study therefore that the plan is in conformity with the Official Plan.

## **Responses to Notice**

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

### **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 March 23, 2021, with additional materials being provided to select agencies on January 7, 2022. Additionally, notice of the Public Meeting was provided to the prescribed agencies on June 6, 2022.

Agency comments were received from: Bell Canada; Canada Post; County of Peterborough; Enbridge Gas Distribution Inc.; Hydro One Networks Inc.; ORCA; and Peterborough Utilities Group (water).

Agency comments were generally supportive of the proposed development with some agencies requesting that conditions of approval be imposed. 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 June 6, 2022 in accordance with the Planning Act.

On May 26, 2021 the Applicant hosted a virtual neighbourhood open house using the Zoom digital meeting platform. The Applicant delivered a notice of the meeting to all persons that own property within 120m of the site. The meeting was attended by one area resident and an area homebuilder.

A Notice of Public Meeting was mailed and/or emailed on June 6, 2022 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.

To date, comments have been received from two members of the public concerning this application. The concern raised by both individuals relates to tree removal that occurred on-site in late May/early June 2020, prior to the subject application's filing. Specifically, at that time, 1 hectare of woodland (based on air photography interpretation) was removed from the property in conjunction with tree removal work occurring within the adjacent subdivision to the west. Woodland Conservation By-law 17-121 regulates the injury or destruction of trees within woodlands. Because the subject property is currently not approved for development and has not received a permit under By-law 17-121, the trees removed from the property were done so in contravention of the By-law.

The public comments received to date expressed a desire to see the Applicants compensate for the trees removed from the site and/or face a penalty for contravening the By-law. As part of the conditions of approval, the Applicants will be required to compensate for trees removed from the site at a rate that is consistent with the requirements of the Woodland Conservation By-law. This compensation is to occur on-site and can be used to enhance the open space, natural heritage and trail areas of the site. Where full woodland compensation cannot be achieved on site, the Applicant will be required to provide the City the balance of the compensation owed as a cash payment to be used toward woodland creation elsewhere in the City.

In staff's opinion, the proposed plan will address these individuals concerns through the conditions of approval.

## **Summary**

In staff's opinion, the proposed Draft Plan of Subdivision has been planned in accordance with the Lily Lake Secondary Plan. Accordingly, staff recommends that approval be granted for the proposed Draft Plan of Subdivision and Zoning By-law Amendment for the following reasons:

1. The development helps to complete the subdivision planning for the Lily Lake Secondary Plan Area and facilitates build-out of the area, including completion of a comprehensive active transportation and street network for the neighbourhood;
2. 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;
3. 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,

4. 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,

Jasbir Raina, CEng., M.Tech, MBA, PMP, MIAM  
Commissioner of Infrastructure and Development Services

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**Attachments**

Exhibit A – Draft Zoning By-law Amendment  
Exhibit B – Draft Plan of Subdivision 15T-21501  
Exhibit C – Lily Lake Area context plan  
Exhibit D – Detailed Review of Official Plan Conformity  
Exhibit E – Detailed Review of Agency Comments  
Exhibit F – Land Use Map  
Exhibit G – Notice of Public Meeting  
Schedule 1 – Conditions of Draft Plan of Subdivision Approval

**Exhibit A, Page 1 of 2**



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**The Corporation of the City of Peterborough**

**By-Law Number 22-[Clerk's Office will assign the number]**

Being a By-law to Amend the Zoning By-law for the property known as 789 Lily Lake Road

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

1. Map 29a 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 A2-407 (Smith) to R.1,1r,2r,5o,8w,10m,11j-315-'H'; SP.366,3n,5o,11j-315-318-'H'; SP.365,5p,7h-316-'H'; SP.95,11m-317-'H'; OS.1, and OS.2.
2. The H – Holding Symbol will be removed as follows:
  - a. For lands zoned R.1,1r,2r,5o,8w,10m,11j-315 and SP.366,3n,5o,11j-315-318, upon registration of the Plan of Subdivision in the Land Registry Office; and,
  - b. For lands zoned SP.365,5p,7h-316 and SP.95,11m-317, upon the lands' consolidation with adjacent lands with matching zoning.

By-law read a first, second and third time this 25<sup>th</sup> day of July, 2022.

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Diane Therrien, Mayor

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John Kennedy, City Clerk

**Exhibit A, Page 2 of 2**

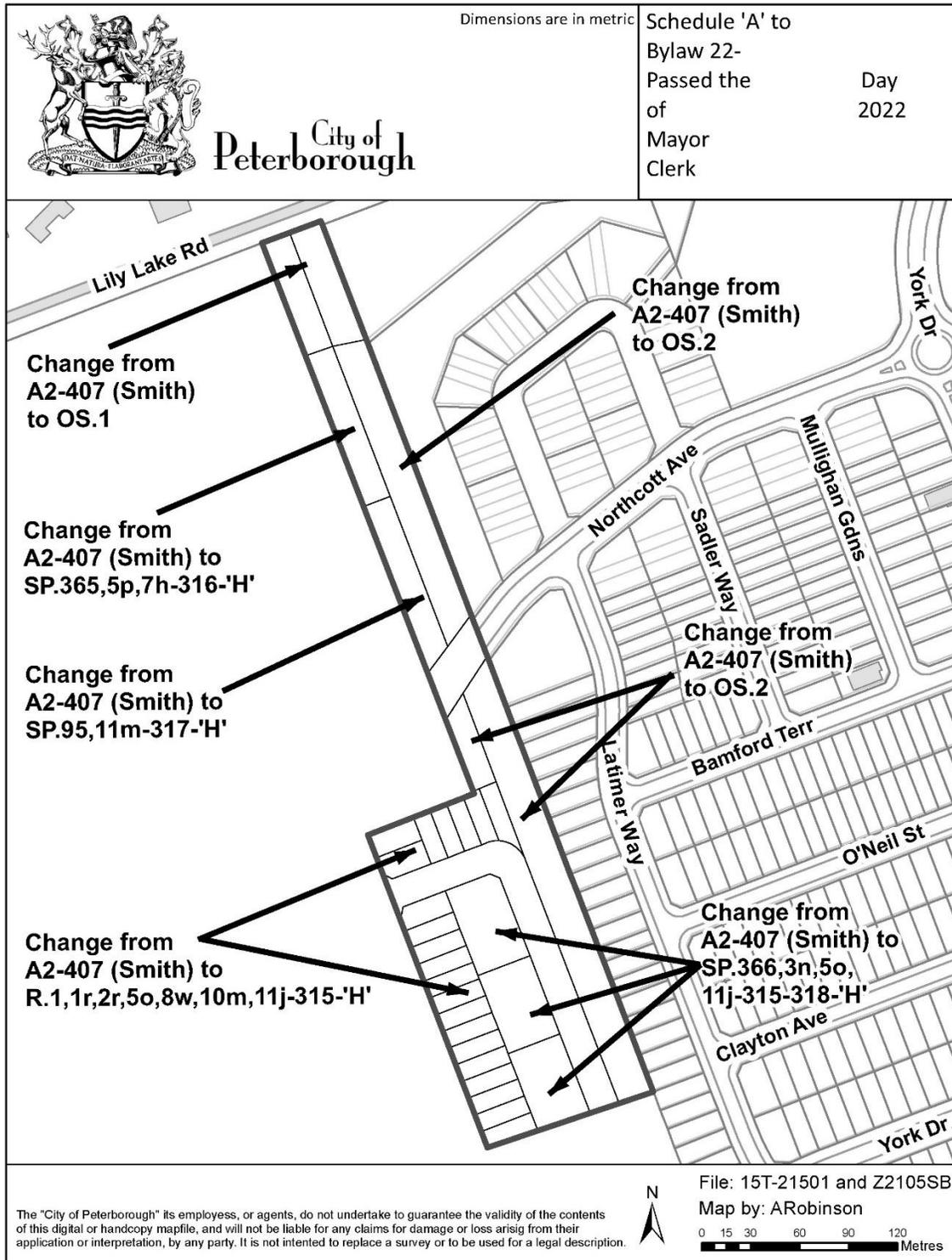
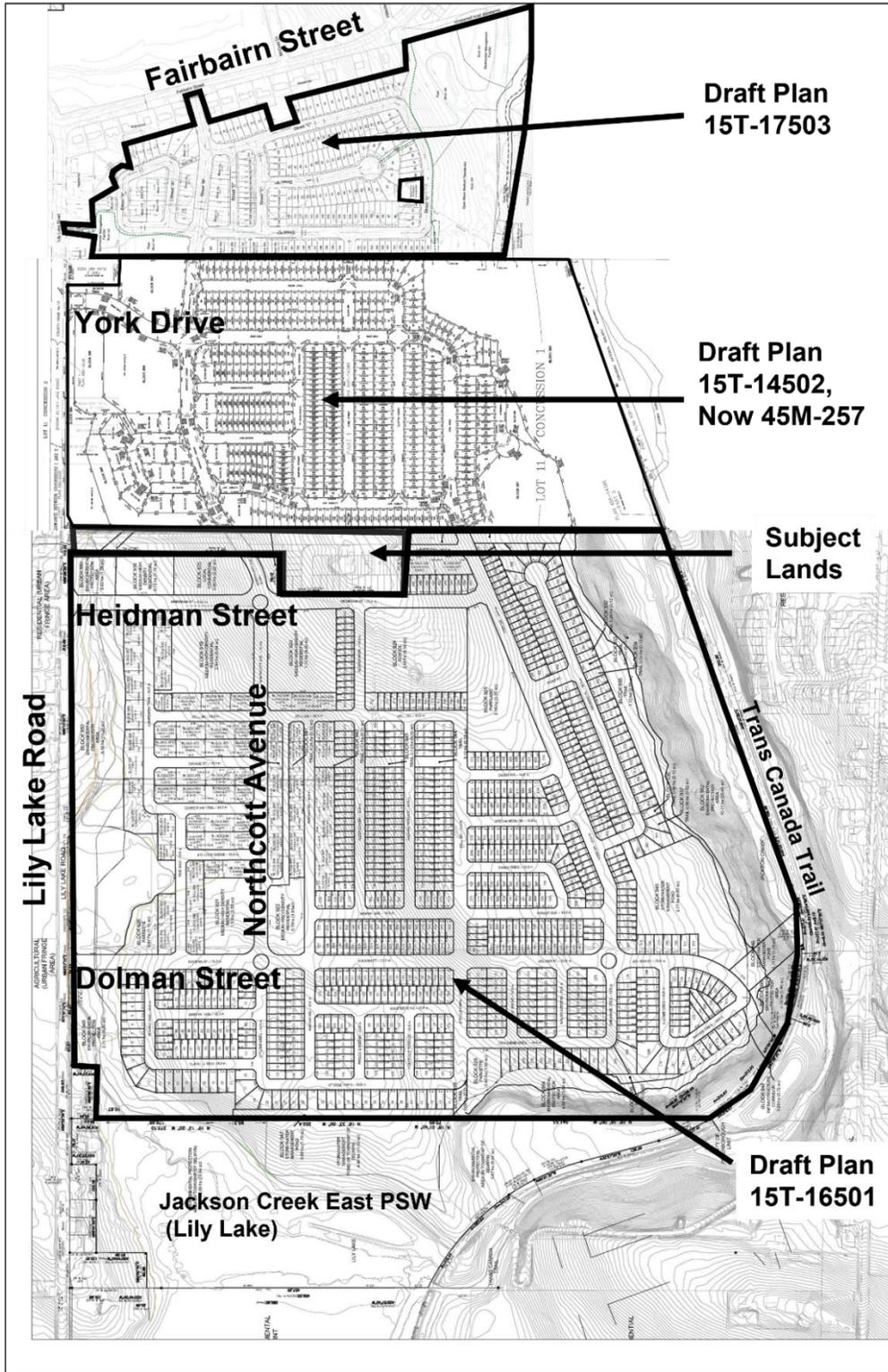




Exhibit C, Page 1 of 1, Lily Lake Area Context Plan



**Exhibit D, Page 1 of 11**

## **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 57 residential units consisting of 21 single detached residential units with a typical lot width of 11 metres, 24 street-fronting townhomes with a typical width of 6 metres, and approximately 12 medium-high density (e.g. apartment) units to be developed in conjunction with adjacent lands. Of the residential units being proposed, 63% are made up of street-fronting townhomes and medium density units. The diversity and range of lot widths and unit types proposed is in keeping with both Provincial policy and the Lily Lake Secondary Plan and will provide more affordable housing alternatives than a traditional residential subdivision. Additionally, subject to Zoning By-law compliance and receipt of building permits, all single detached and townhome dwellings could have the potential to accommodate a secondary suite in accordance with the Official Plan and Section 6.33.3 of the Zoning By-law.

### **ii) Surrounding Land Uses**

Presently, the subject lands are bordered by developing plans of subdivision to the east, west and south. The area north of Lily Lake Road North located in the Township of Selwyn consists of rural residential properties. Development on the subject property will be set back approximately 74 metres from Lily Lake Road to protect an unnamed creek and unevaluated wetland pocket.

Generally, staff is satisfied that the proposed development is compatible with surrounding land uses.

### **iii) Adequacy of Municipal Services**

#### **a) Water and Electrical Service**

Peterborough Utilities Group (PUG) has advised that water development charges will apply and that the developer is required to enter into a Subdivision Agreement with PUG to proceed with construction of water infrastructure.

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As a condition of Draft Plan Approval, the Applicants will be required to enter into a standard servicing agreement with the PUG for the provision of water service to this site.

For electrical service, the entire site falls within the service territory of Hydro One. Hydro One has not expressed any concerns with the proposed development and has noted in comments for the adjacent Lily Lake plans of subdivision that it has sufficient capacity to service the area. As a condition of Draft Plan Approval, the Applicant will be required to ensure that sufficient provision has been made to provide electrical service to the lands.

### **b) Sanitary Service**

As contemplated by the Lily Lake Secondary Plan, two sanitary sewer outlets are planned for the Lily Lake area: one located at the west limit of the area (approximately 1000 metres west of the subject property) that would cross through the property at 645 Lily Lake Road (in the Township of Selwyn) to access a trunk sanitary sewer within the in the Trans-Canada Trail; and another outlet at the southwest limit of the area that has been built in conjunction with the adjacent subdivision plan to the east which descends into the Jackson Creek Valley and meets the same sewer located within the Trans-Canada Trail. Ultimately, all sanitary wastewater from the area is conveyed to the Parkhill Road Sewage Pumping Station alongside Jackson Creek, near Ravenwood Drive. The Parkhill Road Pumping Station, which was reconstructed between 2012 and 2014, has been designed to accommodate flow from the entire Lily Lake planning area.

In 2016, the County of Peterborough passed By-law 2016-47 to amend its Official Plan to permit the proposed sanitary sewer to cross the property at 645 Lily Lake Road. Additionally, the Township of Selwyn passed By-law 2016-036 to amend its Zoning By-law to permit the proposed sanitary sewer across 645 Lily Lake Road and as since lifted a holding symbol on that property to allow the sewer's construction.

Because the subject property is relying on a local wastewater conveyance system to be built in the adjacent plan of subdivision, Final Approval of the subject plan can only occur once that conveyance system is operational and is available to the property. Accordingly, as a condition of approval, Final Approval will only be available once the required sanitary sewers in the adjacent site are built, have received interim acceptance from the City, and are available to the subject property.

### **c) Stormwater Management**

Stormwater management for the site is proposed to be accommodated in two wet ponds to be built in the adjacent subdivision plan to the west: one located on 645 Lily Lake Road in the Township of Selwyn and one at the south limit of that site, above the Jackson Creek Valley, in proximity to the Parkhill Road Sewage Pumping Station. The

**Exhibit D, Page 3 of 11**

pond located at 645 Lily Lake Road will be located adjacent to the Jackson Creek East PSW (subject to a 33-metre buffer) and will ultimately discharge to the PSW. Once constructed, the pond will be conveyed to the City to own and maintain in perpetuity pursuant to subsection 19(2) of the Municipal Act.

The County of Peterborough and the Township of Selwyn have amended their Official Plan and Zoning By-law respectively in order to permit a stormwater management pond on the property at 645 Lily Lake Road. This pond is currently under construction and is subject to a tri-party agreement between Durham Building Corp., the Township of Selwyn and the City. The Township of Selwyn has removed a Holding Symbol from its Zoning By-law that applied to 645 Lily Lake Road to allow for the pond's construction.

The pond at the south limit of the adjacent site is intended to discharge to Jackson Creek. As a condition of approval for the neighbouring subdivision, the Durham Building Corp. is required to design the outfall of that pond in consultation with a qualified biologist, the Otonabee Region Conservation Authority (ORCA), and the City in order to minimize disturbance to the Jackson Creek Valley and/or rehabilitate areas of disturbance.

Since the required stormwater ponds are being built as part of the adjacent plan of subdivision, Final Approval of the subject plan can only occur once required stormwater management infrastructure is operational and is available to the property. Accordingly, as a condition of approval, Final Approval will only be available once the required stormwater management facilities and conveyance systems in the adjacent site are built, have received interim acceptance from the City, and are available to the subject property.

A key component of the site's overall stormwater management system will be 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. As part of the final stormwater management report to be prepared in conjunction with the detailed design of the site, the Applicant will be required to provide a detailed description of the means for maintaining a pre-development water balance and the natural hydrology of the site which will include the use of LID technology. As a condition of approval, the Applicant will be required to implement these measures to the City's satisfaction. Additionally, where LID is implemented on private property, the Applicant will be required to register a covenant on title to advise prospective purchasers of the presence and purpose of these features on their property, and of homeowners' responsibility to maintain these features on their property.

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### iv) Traffic Impacts

The Draft Plan of Subdivision proposes a small section of collector street, Street A, that will facilitate the completion of Northcott Avenue as an east-west spine through the neighbourhood. The plan also proposes to develop Street B as a local street extension of LeBarr Way from the adjacent subdivision to create a through connection between York Drive and Heidman Street which are both collector streets that provide connectivity to Lily Lake Road. The proposed subdivision generally fits into and completes the street network contemplated by the Lily Lake Secondary Plan and approved in the adjacent plans of subdivision. Street A will be established as 23-metre-wide road allowance while Street B will be an 18.5 metre wide road allowance. Staff has no objection to the proposed street pattern or allowance widths. Prior to Final Approval, Heidman Street and/or LeBarr Way in the adjacent plan of will be required to have been dedicated as public highway and receive interim acceptance from the City.

The City's sidewalk policy requires sidewalks on both sides of all streets except cul-de-sacs with fewer than 30 residential units and no through pedestrian connection. As a condition of Draft Plan Approval, the Applicant will be required to provide sidewalks in accordance with City policy.

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 Street A to the satisfaction of the City Engineer. In the adjacent plan of subdivision, Heidman Street is also required to accommodate on-road cycling facilities. Because of this, the Applicants will be required to acknowledge that due to the implementation of on-road cycling facilities, on-street parking may be prohibited along Heidman Street along the frontage of Lots 1, 2, and 8 to 21.

Traffic impact studies prepared for both the subject draft plan of subdivision and the adjacent draft plans of subdivision to the east and 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:

- Widening of the existing Parkhill Road bridge over Jackson Park to provide an a dedicated east-bound double left turn lane on Parkhill Road at Fairbairn Street;
- Addition of a westbound right turn lane on Parkhill Road at Fairbairn Street;
- Separate southbound dual left and right turn lanes on Fairbairn Street at Parkhill Road;

**Exhibit D, Page 5 of 11**

- Widening of Fairbairn Street to 4 lanes from Parkhill Road to Towerhill Road/Lily Lake Road;
- Expansion and signalization of the Fairbairn Street and Wolesley Street intersection to include a northbound right turn lane and a southbound left turn lane and a two-way left turn lane on Fairbairn Street between Wolesley Street and Parkhill Road;
- Expansion and signalization of the Fairbairn Street and Highland Road intersection to include separate westbound left and right turn lanes on Highland Road;
- A northbound left turn lane and traffic signals on Fairbairn Street at the planned intersection with Northcott Avenue along with separate eastbound left and right turn lanes on Northcott Avenue;
- Widening of Lily Lake Road and Towerhill Road between Chemong Road and Heidman Street;
- The addition of east-west through capacity (i.e. additional lane(s)) at the intersection of Towerhill Road and Chemong Road as well as separate eastbound and westbound right turn lanes;
- Expansion and signalization of the Lily Lake Road/ Towerhill Road / Fairbairn Street intersection to include two northbound left turn lanes and a separate northbound right turn lane on Fairbairn Street, and a separate eastbound right turn lane on Lily Lake Road, or consideration of a multi-lane roundabout;
- Expansion and signalization of the Lily Lake Road and Ackison Road intersection to include a separate westbound left turn lane on Lily Lake Road; and,
- Traffic signals on Lily Lake Road at Heidman Street, and Dolman Street (in the adjacent subdivision to the west) and separate northbound left and right turn lanes on Dolman and Heidman Streets at Lily Lake 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;

## **Exhibit D, Page 6 of 11**

- Addition of separate right turn lanes on the northbound and eastbound approaches to the Lily Lake Road/Towerhill Road / Fairbairn Street intersection; and
- Separate westbound left turn lanes and eastbound right turn lanes on Lily Lake Road at York Drive, Heidman Street and Dolman Street.

All requirements related to turn lanes and traffic signals along Lily Lake Road at Dolman Street, Heidman Street and York Drive and at the planned intersection of Northcott Avenue and Fairbairn Street have been secured as conditions of approval for adjacent subdivisions.

Additionally, through the other subdivision approvals granted in the Lily Lake area, the required improvements to the Lily Lake Road/Towerhill Road / Fairbairn Street intersection have been included in the approval conditions and secured through arrangements with the adjacent subdivision developers. Consistent with other approvals granted in the Lily Lake area, the conditions of approval will require the Applicants to enter into an agreement with all other Lily Lake area developers regarding the fair and equitable sharing of costs that may be incurred by the any one developer to the benefit of the other developers.

Based on the recommendations of the City's new Transportation Master Plan (2022), longer-term transportation improvements to optimize existing intersections and road segments in the area will be subject to a Municipal Class EA and implementation will be staged over time in accordance with EA and budget approval.

### **v) Adequacy of Amenities, Parks and Recreation Opportunities**

The proposed plan illustrates a small parkette, Block 29 (0.21 ha) which is to be developed in conjunction with parkettes in the adjacent subdivisions to the east and west, along Northcott Avenue, once developed, the parkette will have a combined area of approximately 0.73 ha and approximately 180 metres of frontage along Northcott Avenue.

Within close proximity to the subject lands, a 2.16 ha neighbourhood park will be developed approximately 120 metres to the southwest. Additionally, two elementary schools are planned in close proximity -- one directly opposite the lands along Heidman Street and one approximately 120 metres northeast along Northcott Avenue.

A key feature of the Lily Lake Secondary Plan is to create open space corridors through the neighbourhood. The purpose of these corridors, as described in Section 10.9.3.2.10 of the Secondary Plan, is to function as Connecting Links and to protect existing treelines (where possible) or to accommodate significant re-vegetation and off-road trails. In order to function as a connecting link, the Secondary Plan envisioned these

## Exhibit D, Page 7 of 11

corridors connecting between core natural areas such as the Jackson Creek Valley and the Jackson Creek East PSW and other open space areas such as parkland and floodplain/creek buffer areas.

Along the east limit of the site, Blocks 27 and 28 are to be developed as a 20-metre-wide trail corridor that, when developed in conjunction with lands in the adjacent subdivision to the south, will provide a trail stretching from the top of the Jackson Creek Valley to the open space area along Lily Lake Road. At its southern extent, this trail is envisioned to connect to a trail to be developed within the adjacent plans of subdivision that would travel along the top of the Jackson Creek Valley and connect to both to the Trans-Canada Trail at locations to the east and the west and to Fairbairn Street. At its north limit, the trail is to connect to an additional east-west trail that will provide connectivity through adjacent lands to the neighbourhood's road accesses to Lily Lake Road as well as connectivity to the Trans-Canada Trail at the far west limit of the neighbourhood. To facilitate connectivity from the trail to areas east of the site, a walkway is to be constructed in the adjacent plan of subdivision that will facilitate pedestrian and cycling connectivity through that plan, along O'Neil Street, a planned parkette, and Burgess Street, to the eastern-most portions of the Lily Lake area.

As a condition of approval, the Applicants will be required to construct the proposed trail in accordance with City standards. Additionally, at the north limit of the trail, the Applicants will be required to construct an east-west trail link through this site to Heidman Street (to the west) and to an existing trail/stormwater management maintenance access to the east.

In staff's opinion, the proposed trail system envisioned in the Lily Lake Secondary Plan is a local facility intended to serve the local neighbourhood. Accordingly, the cost and responsibility for implementing these features is a developer responsibility. All trails constructed within the site must comply with the requirements of Ontario Regulation 191/11 – Integrated Accessibility Standards – where possible.

In accordance with Section 6.5.2 of the Official Plan and Section 51.1 of the Planning Act, the City can require 2% of the land that is planned for industrial or commercial development to be dedicated as parkland. Additionally, the City can require up to 5% of the land devoted for all other purposes to be dedicated as parkland or 1 ha of parkland for every 300 residential units developed, whichever is greater.

For this plan of subdivision the City is entitled to receive approximately 0.28 ha of parkland dedication while the plan provides approximately 1.224 ha of land that may be considered parkland (Blocks 27 to 29, trail and parkette). For any parkland to be received over and above the City's entitlement, the City will be required to purchase said land. As part of the development of the adjacent plan of subdivision to the east, the City collected cash-in-lieu of 0.91 ha of parkland dedication.

## **Exhibit D, Page 8 of 11**

Section 6.3 of the Official Plan specifies that the Council will endeavour to provide a minimum standard of 4 ha of public open space per 1,000 population. When considering all open space, parkland, parkette and trail lands planned within the Lily Lake area, staff estimate that approximately 7 ha of park and open space is being established per 1,000 population.

### **vi) Parking, Buffering and Landscaping**

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. 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: 3m to the house and 1.5m 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. These same setbacks are implemented in the adjacent subdivision to the west.

Rear yard building setbacks are proposed to be 7.0 metres throughout for single detached dwellings and 9.0 metres for street-fronting townhomes that back onto single detached dwellings. Additionally, side yard setbacks are also proposed to be established at 1.2m for both single detached dwellings and street-fronting townhomes however the setback for single detached dwellings may be reduced to 0.6 metres for the side with an attached garage. These setbacks are consistent with the zoning approved for the adjacent plan of subdivision to the west.

In accordance with typical zoning standards, all single detached and street-fronting townhouse dwellings will be required to provide a minimum of two off-street parking spaces while the 1.75 spaces will be provided for medium-high density dwelling units. Should the medium-high density block develop with a multi-suite residence, parking would be required at 0.75 spaces per suite. These parking standards are consistent with those implemented in the adjacent plan of subdivision to the west.

With respect to overall site landscaping, the Applicants will be required to plant a street tree in front of each single detached unit and each street-fronting townhome as is standard in new subdivisions, where feasible. Generally, in accordance with the City's Urban Forest Strategic Plan, the City prefers to plant large stature, long-lived native tree species to provide shading to buildings and hard surfaces and to maximize the trees' environmental, aesthetic and social benefits. However, due to reduced building setbacks, such large stature trees are not feasible for street tree use in this site. Accordingly, to compensate for limited street tree growing space and to supplement the reduced environmental benefits of the street trees that will be planted, staff is recommending the planting of rear-yard trees for each street-fronting dwelling as well. Consistent with the adjacent subdivision to the west, the Applicants will be required to

## **Exhibit D, Page 9 of 11**

plant the equivalent of a rear-yard tree for each single and townhome by either offering a tree to new homebuyers to plant in their yard or by planting additional trees elsewhere on site.

Prior to submitting the current application, approximately 1 ha of woodland was removed from the site in 2020 in contravention of the City's Woodland Conservation By-law. As a condition of approval, the Applicants will be required to compensate for all trees removed in accordance with standards established in the By-law.

Furthermore, as a condition of approval, the Applicants will be required to complete and implement an overall landscaping and vegetation plan that includes:

- Details for planting street trees including, in accord with the City's standard street cross sections, the applicable boulevard width, utility locations and depth of topsoil to ensure street trees are to be planted in viable locations;
- Details for plantings to be made as compensation for trees removed from the site; and,
- Details for enhancing the parkette, open space area along Lily Lake Road, and the trail corridor throughout the site.

In accordance with Section 10.9.3.6.3 of the Lily Lake Secondary Plan, plantings to occur in parkland and open space areas will need to be completed concurrent with the servicing of the development.

### **vii) Significant Natural/Environmental Features**

The subject lands contain a cool-coldwater creek along Lily Lake Road that seasonally supports fish and drains westerly to the Jackson Creek East PSW approximately 1000 metres away. Because the unevaluated wetland pocket is connected hydrologically with the Jackson Creek East PSW, it is possible that the wetland pocket could be considered significant if evaluated.

To ensure their protection, the creek and wetland pocket are to be zoned as open space and conveyed to the City. Additionally, Applicants will be required to implement and monitor erosion and sediment controls and stormwater management throughout the development process to protect water quality in the creek and wetland. Furthermore, consistent with other developments, the Applicants will be required to install permanent fencing between private property and public areas such as open space and parkland to distribute a Natural Systems Stewardship Manual to all prospective purchasers.

To support development of the Lily Lake area, ORCA is undertaking a long-term monitoring program to assess the effectiveness of approved mitigation measures

## **Exhibit D, Page 10 of 11**

including erosion and sediment controls, stormwater management, vegetated buffers, and planting/compensation plans to minimize impacts to the natural heritage and hydrological features within or adjacent to the Lily Lake Secondary Plan area. Funding for this program is being collected from all developers in the Lily Lake area at the time of subdivision plan Final Approval. As a condition of approval, the Applicants will be required to pay their proportionate share of the overall estimated program cost.

### **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 proposal is the fourth and final plan of subdivision to seek approval in the area.

In addition to the issues already discussed herein, the Lily Lake Secondary Plan identifies issues to be considered specifically for the Lily Lake Area including development phasing, cultural heritage and urban design.

With respect to phasing, the subject lands will only develop once road and servicing infrastructure is available from adjacent lands. Accordingly, the timing of development on this site will depend on the pace of development on adjacent lands.

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 (soon to be 50% once the new Official Plan comes into effect) 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 minimum 3-year supply of 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 that registration of the plan 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.

With respect to cultural heritage, the Lily Lake Secondary Plan, the Official Plan and the PPS all identify the need to assess and conserve items of archaeological significance. As part of the application, the Applicant prepared a Stage 1 and 2 Archaeological Property Assessment prepared by AMICK Consultants Ltd. dated December 14, 2017. The report recommends that no further archaeological assessment is required and that the proposed development is clear of any archaeological concern.

The Lily Lake Secondary Plan envisions Northcott Avenue (Street A) developing as a neighbourhood core that integrates local commercial uses and home-based businesses

**Exhibit D, Page 11 of 11**

within residential buildings and implements urban design principles that foster a pedestrian oriented, accessible and active streetscape, and multi-modal transportation. To achieve this, the proposed zoning provides flexibility for the inclusion of residential uses in the proposed commercial plaza site. Beyond this property, development along Northcott Avenue will include several medium-high density residential sites with flexibility for local commercial uses, street-facing townhomes, an elementary school, and an additional mixed use local commercial/residential block.

In order to foster good urban design, the Applicants collaborated in the planning of their adjacent subdivisions to establish an urban design program for Northcott Avenue to the City's satisfaction. As a condition of approval, the Applicants will be required to implement that program for the portion of Northcott Avenue within this development.

**Exhibit E, Page 1 of 5**

## **Review of Agency Comments Submitted**

i) Development Engineering Division

Development Engineering staff advised that coordination between the adjacent landowners will be required to ensure site design will match at the property boundary with the adjacent plans of subdivision. Additionally, it was noted that 6.0-metre-wide driveways are preferred along collector roads (e.g. Heidman Street) and that, if the north-south trail through the site is to terminate prior to intersecting Lily Lake Road, that the existing emergency access entrance from Lily Lake Road should be removed and rehabilitated.

Through review of the plan, staff has confirmed with the Applicants the City's preference to terminate the north-south trail south of Lily Lake Road so as to direct trail uses east or west to collector streets should they wish to access Lily Lake Road. As a condition of approval, the Applicants will be required to provide an east-west trail link from the site to Heidman Street and to a trail/stormwater management maintenance access in the adjacent plans of subdivision so as to terminate the north-south trail south of Lily Lake Road. Additionally, as a condition of approval, the Applicants will be required to remove the existing emergency vehicle access at Lily Lake Road, north of the trail termination, and to rehabilitate the affected land as open space. A rehabilitation plan shall be prepared to the satisfaction of the City and ORCA.

Along Heidman Street, all single detached lots within the plan will be developed with sufficient width to accommodate a 6-metre-wide driveway. As a condition of approval, the Applicants will be required to design these lots with 6-metre-wide driveways.

ii) Water Resources Engineering

The City's Water Resources Engineer advised that Low Impact Development (LID) will be required for the first 15mm of rainfall as per the City's Engineering Design Standards. LID for medium-high density Block 25 and local commercial Block 26 will be addressed at a future site plan approval stage when they are developed in conjunction with adjacent lands. At the detailed design stage, the Applicants will be required to confirm the LID measures to be implemented and will be required to assess the potential for LID features within trail Blocks 27 and 28.

iii) Accessibility Compliance

City Accessibility Compliance staff requested and/or recommended the following:

## Exhibit E, Page 2 of 5

- That zero-step access be provided to rear yards for all dwellings, either through the dwelling or garage or from the front yard via a 1.2m wide accessway;
- A setback exemption or accessibility upgrades such as ramps or lift systems or, alternatively, require zero-step access to verandahs and the ground floor of buildings;
- That the developers design and offer at least one accessible housing floor plan model that incorporates universal design features such as a zero-step entrance, ramp access to ground floor from the garage, an accessible main floor bedroom and bathroom, an accessible kitchen, wider hallways and doors, lower electrical switches and higher receptacles; and,
- That the north-south trail be constructed with:
  - Benches, waste/recycling receptacles and shading,
  - Lighting;
  - At least two connections to LeBarr Way to connect the trail to the sidewalk network, and,
  - A parking lot or on-street parking, complete with accessible parking options, to serve as a trail head.

The Applicants have advised that they are agreeable to designing and offering a house model incorporating universal design features as a condition of approval. With respect to providing zero-step access to rear yards and zoning exceptions for building setbacks to exterior accessibility upgrades such as lifts and ramps, it is Planning staff's opinion that such considerations are best made on a site-specific basis as grading and building elevation needs vary from lot to lot. At the detailed design stage, staff will encourage the Applicants to maximize the provision of zero-step access to rear yards and to consider accessibility needs when siting houses on lots. Should a future homeowner need to make accessibility improvements that conflict with zoning regulations, By-law relief can be sought from the Committee of Adjustment.

With respect to the design requirements for the proposed trail, the City will need to review and approve the trail design at the detailed design stage. At that time, the City will specify any requirements to be incorporated in the design.

### iv) Urban Forestry

City Urban Forestry staff advised that approximately one hectare of woodland area was removed from the site in contravention of Woodland Conservation Bylaw 17-121.

### **Exhibit E, Page 3 of 5**

Rather than proceed with penalties under the By-law, staff is seeking compensation as required under Schedule B of the By-law through the draft plan of subdivision approval. Furthermore, staff noted that the compensation for the removed woodland area should be replaced on this parcel and that if full compensation can not be achieved on site, then monetary compensation will also be required.

Staff recommended that open space/trail Blocks 27 and 28 be used to facilitate the required tree compensation with trees being planted along both sides of the trail.

As a condition of approval, the Applicants will be required to prepare and implement a landscaping and vegetation plan that, among other things, provides details for plantings to compensate for woodland removal and details for enhancing the open space, trail and parkette areas to the satisfaction of the City and ORCA.

#### v) Bell Canada

Bell Canada advises that during detailed design the Applicants are to contact Bell to confirm the provisioning of communication/telecommunication infrastructure needed to service the development. Bell also advised that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. If no such network infrastructure exists, the Owner may be required to pay for the extension of such network infrastructure.

Bell has requested that the following paragraph be included as a condition of approval:

"The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost."

Bell Canada's requirements are included as conditions of approval.

#### vi) Canada Post

Canada Post advised that mail delivery will be provided through centralized community mailboxes. Mailbox locations will be determined at the detailed design stage as part of the composite utility plan preparation. 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, of those lots identified for potential Community Mailbox locations.

Canada Post's requirements are reflected in the proposed conditions of approval.

**Exhibit E, Page 4 of 5**

vii) County of Peterborough

The County of Peterborough has requested that the Applicants pay \$4,000.00 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 proposed development. The County's request is reflected in the proposed conditions of approval.

viii) Enbridge Gas Inc.

Enbridge Gas advises that they do not object to the proposed application. Enbridge requests that the Applicant contact their Customer Connections Department to determine gas availability, 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.

In the event that easement(s) are required to service this development, the Applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

Enbridge's requirements are included in the proposed conditions of approval.

ix) Hydro One Networks Inc.

The subject lands are located within Hydro One's service territory. Hydro One advised that it has no comments or concerns with the proposed plan. As a condition of approval, the Applicant will be required to make satisfactory arrangements with Hydro One for the provision of electrical service to the development.

x) Otonabee Region Conservation Authority

ORCA has advised that, in its opinion, the proposed development is consistent with Sections 2.1 (Natural Heritage), 2.2 (Water) and 3.1 (Natural Hazards) of the PPS.

ORCA notes that the unnamed watercourse and associated floodplain at the north limit of the site is split between Block 30 (Environmental Protection) and Block 28 (Open Space/Trail). Block 30 is proposed to be zoned Open Space District 1 (OS.1) while Block 28 is proposed to be zoned Open Space District 2 (OS.2). To facilitate enhanced protection, ORCA has recommended that the entirety of the creek and its associated floodplain and wetland pocket be zoned OS.1 save and except for that portion affected by the existing emergency access to Lily Lake Road.

Given the City's preference to see the emergency access removed and rehabilitated once it is no longer needed and to direct the proposed trail termination to the east and west rather than connect directly to Lily Lake Road, staff recommend that on the final

**Exhibit E, Page 5 of 5**

plan of subdivision Block 30 be extended east encompass the entire creek, floodplain and wetland in an open space/environmental protection block that is zoned OS.1. On the final plan of subdivision, Trail Block 28 will consequently terminate approximately at the intersection of the site's eastern property limit with the mutual boundary between Blocks 382 and 389 on registered plan of subdivision 45M-257. The recommended Zoning By-law includes this change and the conditions of approval require Block 30 to be extended east as described.

ORCA advised that any trail corridor proposed within Blocks 27 and 28 will need to be outside of the area of interference associated with the wetland and watercourse on site. This requirement is reflected in the conditions of approval.

Furthermore, ORCA advised that portions of the site are subject to Ontario Regulation 167/06, ORCA's "development, interference with wetlands and alterations to shorelines and watercourses" regulation and therefore permits will be required from ORCA prior to site alteration or construction in regulated areas.

As a service provider to the City for providing technical advice on stormwater management (water quality and quantity), ORCA advised that supporting stormwater management documentation provided with the application is satisfactory and provided additional technical comments for review at the detailed design stage of development.

Finally, ORCA advised that the property is not located in an area that is subject to the policies of the Trent Source Water Protection Plan prepared under the Clean Water Act.

Consistent with development approvals granted to date in the Lily Lake area, the conditions of approval contain several standard conditions relating areas of ORCA interest and/or issues of common interest throughout the Lily Lake area including the need to distribute a Natural Heritage Stewardship guide to new homeowners and the need to participate in the overall Lily Lake area Environmental Monitoring Plan.

xi) Peterborough Utilities Group

PUSI advised that development and/or frontage charges will apply for water servicing.

As a condition of Draft Plan Approval, the Applicant will be required to enter into a standard servicing agreement with the Peterborough Utilities Group for the provision of water service to this site.

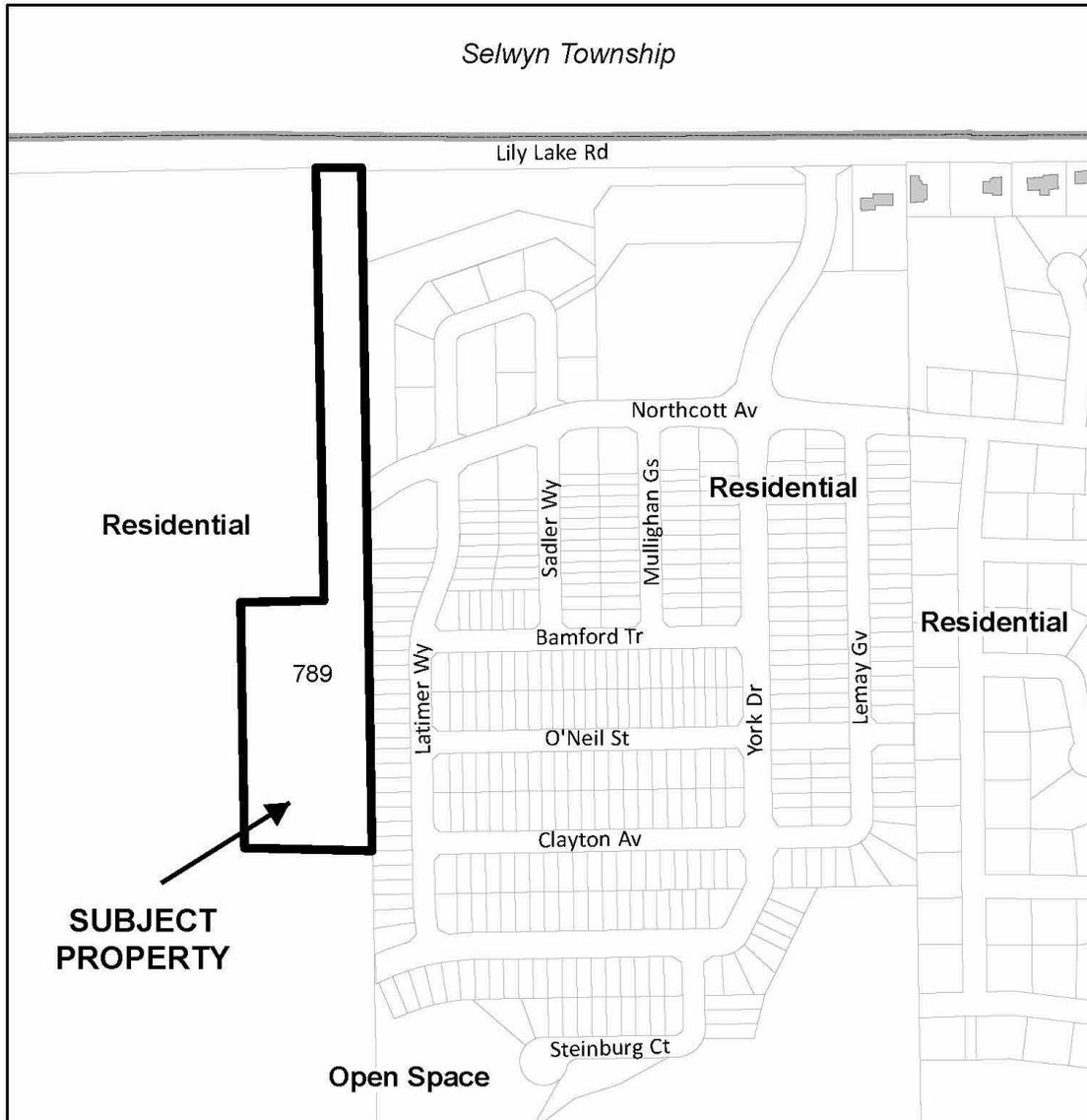
Exhibit F, Page 1 of 1

# Land Use Map

File: 15T-21501 and Z2105SB

Property Location: 789 Lily Lake Rd

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: February 23, 2021  
Map by: KMuma

A north arrow is located to the left of the scale bar. The scale bar is marked with 0, 20, 40, 80, 120, 160, and 200 metres.

**Exhibit G, Page 1 of 1**

Notice of Public Meeting Published in the Peterborough Examiner, June 6, 2022

**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 City of Peterborough General Committee will hold a Public Meeting electronically, through the City's website ([www.peterborough.ca](http://www.peterborough.ca)), at 6:00 p.m., **Monday, July 4, 2022**.

1. **Files:** O2103 and Z2104  
**Affected Lands:** 1139 Water Street  
**Owner/Applicant:** 2687109 Ontario Limited / Sarajjit Mehat  
**Agent:** Kevin M. Duguay, MCIP, RPP

The applicant is seeking to amend Schedule E – Residential Density of the Official Plan with a site-specific policy exception to permit high density residential development at a density greater than prescribed by the policies. An amendment to the Zoning By-law is also proposed to change the zoning from the C.1,C.2 – Commercial Zoning District (former gas station use) to a modified Residential District to permit a 52 unit, 6 storey apartment building with reduced setbacks from the centreline of both Water Street and Marina Boulevard and reduced parking and loading space requirements. Site-specific regulations are proposed to facilitate the proposal.

2. **Files:** 15T-21501 and Z2105SB  
**Affected Lands:** 789 Lily Lake Road  
**Owner/Applicant:** Durham Building Corp. and 2131222 Ontario Inc.  
**Agent:** Cameron Sellers, Innovative Planning Solutions

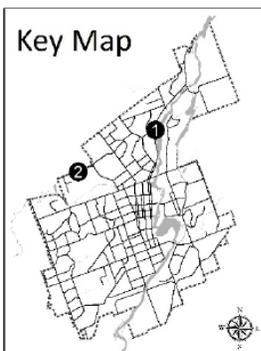
The applicants are proposing to develop a residential plan of subdivision consisting of 21 single detached residential lots, 24 residential townhouse lots, a block for medium high density residential use (12 units), and associated parkland, open space and natural heritage protection areas. The subject property is currently vacant and is 3.6 hectares in area. The property is located adjacent to developing subdivisions to the east and west within the Lily Lake Planning Area. To facilitate the development, the applicants are proposing to implement residential and open space zoning on the property in a manner that is consistent with the adjacent plan of subdivision to the west.

**Additional information and materials** relating to the proposed Official Plan Amendment, Plan of Subdivision and/or Zoning By-law Amendments, including information about preserving your appeal rights may be obtained from the Planning Division, City Hall, (8:30 a.m. to 4:30 p.m., Monday to Friday) at 705-742-7777. Contact Caroline Kimble at ext. 1735 (email: [ckimble@peterborough.ca](mailto:ckimble@peterborough.ca)) for Files O2103 and Z2104, and contact Brad Appleby at ext. 1886 (email: [bappleby@peterborough.ca](mailto:bappleby@peterborough.ca)) for Files 15T-21501 and Z2105SB.

**For more information** about how to watch or participate in the public meeting, please contact the City Clerk's Department at 705-742-7777 ext. 1820 or register on the City's website by 11:00 a.m. the day of the meeting. Unregistered delegations are not permitted.

A staff report will be available by 12:00 p.m. on the City's website on Thursday, the 30<sup>th</sup> day of June, 2022.

Dated at the City of Peterborough this 6<sup>th</sup> day of June, 2022.



John Kennedy, City Clerk  
City of Peterborough, City Hall  
500 George Street North  
Peterborough, Ontario  
K9H 3R9  
[jkennedy@peterborough.ca](mailto:jkennedy@peterborough.ca)



**Schedule 1  
Draft Plan of Subdivision Application 15T-21501  
Durham Building Corp. & 2131222 Ontario Inc.  
789 Lily Lake Road  
File Numbers 15T-21501, Z2105SB**

## Conditions of Draft Plan of Subdivision Approval

The City of Peterborough Conditions for Final Plan Approval registration of this Subdivision File No. 15T-21501 are as follows:

### Identification

1. That this approval applies to the Draft Plan of Subdivision 15T-21501, File Name 18-812 dated April 30, 2019 (June 30, 2021) by Innovative Planning Solutions, which shows the following:

Land Use	Lot/Block No.	Estimated Unit Count
Residential Singles	Lots 1 to 21	21
Residential Townhomes	Blocks 22 to 24	24
Medium-High Density Residential	Block 25	12
Local Commercial	Block 26	
Open Space/Trail	Blocks 27 and 28	
Parkette	Block 29	
Environmental Protection	Block 30	
Streets	Block 31 and 32	

2. That if Final Approval is not given to this within five (5) years of the draft approval date, and no extensions have been granted, draft approval shall lapse.
3. 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.

## Schedule 1, Page 2 of 14

### Public Roads and Walkways

4. That Block 31 be shown on the Final Plan as Northcott Avenue and dedicated as public highway.
5. That Block 32 be shown on the Final Plan as LeBarr Way and dedicated as public highway.
6. As directed by the City of Peterborough, 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 the City and held in trust.
7. That temporary turning circles be established at the termination of road allowances as directed by the City of Peterborough.
8. That prior to Final Approval, the Owner shall agree in the Subdivision Agreement to construct sidewalks in accordance with the City's Sidewalk Policy.
9. That Blocks 27 and 28 be conveyed to the City for open space/trail purposes.
10. 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.
11. That the Owner implement on-road cycling facilities on Block 31 (Northcott Avenue) to the satisfaction of the City Engineer.
12. 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.
13. That prior to Final Approval, Heideman Street and LeBarr Way within adjacent plan of subdivision 15T-16501 shall be open as public highway and have received Interim Acceptance from the City of Peterborough.
14. 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:
  - i) Installation of traffic signals;
  - ii) Addition of separate left turn lanes on all approaches; and,
  - iii) Addition of separate right turn lanes on the northbound and eastbound approaches to the intersection.

## **Schedule 1, Page 3 of 14**

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.

15. 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.
16. That the Owners 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**

17. That the Owner agree in writing to convey parkland dedication to the City in accordance with the Planning Act and Official Plan policy. Blocks 27, 28 and 29 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 and shall instead be conveyed to the City for open space purposes at no charge. Furthermore, the Owner shall agree to install water service to parkette sites as directed by the City Engineer to support uses such as community gardens.
18. That the Owner agree that any conveyance of Blocks 27, 28 and 29 to the City in excess of the City's parkland dedication entitlement, excepting floodplain, environmental setbacks, and stormwater management facilities, will be subject to compensation from the City at a rate to be secured in the Subdivision Agreement.
19. That the Owner erect permanent fencing to the satisfaction of the City Engineer 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.
20. That Block 30 be extended to the east limit of the site on the final plan of subdivision, from Lily Lake Road to the mutual boundary of the subject property with Blocks 382 and 389 on Plan 45M-257, and conveyed at the owner's expense to the City of Peterborough for Environmental Protection/Open Space purposes. Block 28 shall be reduced in area on the final plan of subdivision accordingly.
21. That the Owner agree in the Subdivision Agreement to remove the existing emergency vehicular access within the expanded Block 30 and rehabilitate the

## Schedule 1, Page 4 of 14

affected lands as open space to the satisfaction of the City and the Otonabee Region Conservation Authority once the City deems the emergency access to be no longer required.

22. 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 trail system will be located within Blocks 27 and 28 and will turn to the east and west within expanded Block 30 to provide connectivity to Heidman Street and to the existing stormwater management pond maintenance access to the east provided the trail is placed outside of the area of interference associated with the wetland and watercourse on site. All trails shall be constructed to the satisfaction of the City Engineer and Otonabee Region Conservation Authority, where applicable, and shall conform with the standards of Ontario Regulation 191/11 – Integrated Accessibility Standards, wherever possible. Trail construction shall be coordinated to ensure continuity with trails constructed on, or to be constructed on, adjacent properties to the satisfaction of the City Engineer.
23. That the Owner agree in the Subdivision Agreement to construct a walkway to the City's satisfaction within Block 384, Plan 45M-257 to connect the trail in Block 27 with Latimer Way in the adjacent subdivision to the east.
24. 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.
25. 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.
26. 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.
27. That the Owner agree in the Subdivision Agreement to place topsoil throughout the site that meets the City's Engineering Design Standards (February 2022, as amended) to the satisfaction of the City Engineer.
28. 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.
29. That prior to Final Approval, all stormwater management quantity and quality control facilities and conveyance systems to said facilities and all sanitary sewer facilities required for the subject plan that are being developed in conjunction with

## Schedule 1, Page 5 of 14

adjacent plan of subdivision 15T-16501 shall be available to the subject property and shall have received Interim Acceptance from the City of Peterborough.

30. 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 all plans of subdivision within the Lily Lake area (663, 689, 739, 821, 825, 829 and part of 851 Lily Lake Road, 0 Fairbairn Street) regarding the fair and equitable sharing of costs that may be incurred by the Owner to the benefit of the other Lily Lake development lands and/or costs that may be incurred by the adjacent landowners to the benefit of Draft Plan of Subdivision 15T-21501. Such costs could relate to the provision of infrastructure, parkland, schools, and other public recreational facilities.
31. 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. Driveways are encouraged to be planned to the maximum width permitted by the Zoning By-law where feasible. 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. 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.
32. That for Lots 1 and 9 to 21 inclusive, driveways shall be planned with a width of 6 metres.
33. That for Lots 2 and 8, driveway access shall be provided from LeBarr Way.
34. 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.
35. 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.
36. 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.

## Schedule 1, Page 6 of 14

37. That the Owner agree in the Subdivision Agreement to undertake Quality and Quantity Monitoring of the receiving 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.
38. 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).
39. That the Owner shall enter into an agreement with the Peterborough Utilities Group for the provision of water service.
40. 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.
41. That the Owner agree to implement the Northcott Ave. (Lily Lake) Urban Design Program dated October 2020 by Innovative Planning Solutions for Northcott Avenue within the site.
42. 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.
43. 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.
44. That the Owner acknowledge that Block 25 (Medium-High Density Residential) shall only be developed in conjunction with Block 918 in Draft Plan of Subdivision 15T-16501. Furthermore, the Owner agrees to consolidate the two parcels upon their inclusion in registered plans of subdivision.
45. That the Owner acknowledge that Block 26 (Local Commercial) shall only be developed in conjunction with Block 923 in Draft Plan of Subdivision 15T-16501. Furthermore, the Owner agrees to consolidate the two parcels upon their inclusion in registered plans of subdivision.
46. That the Owner agree in the Subdivision Agreement to design and offer at least one house model incorporating universal design features such as a zero-step entrance, ramp access to ground floor from the garage, an accessible main floor

## Schedule 1, Page 7 of 14

bedroom and bathroom, an accessible kitchen, wider hallways and doors, lower electrical switches and higher receptacles. The Owner further agrees to display the accessible housing floor plan model(s) in the sales office and website, along with a list of all universal design features that are available.

### Other Agency Conditions

47. That the Owner agree to fund its proportional share of the cost to implement the Lily Lake Planning Area Monitoring Program being undertaken by the Otonabee Region Conservation Authority and the City of Peterborough.
48. That the Owner agree to not undertake any clearing, grading and grubbing of the site during the main bird breeding season of May 1st to July 31<sup>st</sup> to the satisfaction of the Otonabee Region Conservation Authority and the City.
49. That the Owner agrees 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 silt fencing shall be installed and maintained along the development envelopes. All sediment and erosion control measures shall be in place prior to site preparation. All disturbed areas of the site are to be stabilized and revegetated immediately.
50. That the Owner agrees to implement any mitigation measures identified in the Environmental Impact Study Addendum prepared by Dillon Consulting dated September 2020 to the satisfaction of the Otonabee Region Conservation Authority and the City.
51. 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:
  - i) 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;
  - ii) Details for plantings to compensate for trees and/or woodland previously removed from the site at a ratio of 3:1 or in accordance with Schedule B of Woodland Conservation By-law 17-121, as applicable;
  - iii) Details for enhancing open space, parkette and trail areas within Blocks 27 to 30;

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- iv) 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,
- v) Details for monitoring the survival of all plantings.

All recommended plantings shall consist of native plants and trees.

- 52. Due to reduced building setbacks which impact the number and quality of tree planting locations in the street right-of-way and the front yards of properties, the Owner will compensate for the reduced tree canopy by establishing a program to the satisfaction of the City to provide home purchasers the option of receiving a tree, at the developer's expense, in the rear yard of each single detached and townhome dwelling. For each purchaser who opts not to receive a rear-yard tree, compensation shall be paid to the City at Final Acceptance to ensure the equivalent of 1 rear-yard tree has been planted per single detached and townhouse dwelling in the subdivision over and above the tree planting requirements of condition 51.
- 53. 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.
- 54. 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;

**Schedule 1, Page 9 of 14**

- 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.
55. 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. 54. 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.

**Schedule 1, Page 10 of 14**

- d) That the Owner notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.
- 56.
- a) That the Owner make satisfactory arrangements, financial and otherwise, with all telecommunication infrastructure providers that have confirmed, in writing, their intent to serve this development through the installation of wire-line telecommunication infrastructure.
  - b) The Owner shall agree in the Subdivision Agreement, in words satisfactory to each telecommunication infrastructure provider, to grant any easements that may be required for same.
  - c) If there are any conflicts with existing telecommunication infrastructure provider facilities or easements, the Owner shall be responsible for resolving such conflict.
57. That the Owner make satisfactory arrangements with Canada Post Corporation for the provision of mail delivery service to the site and that the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:
- i) 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.
  - ii) 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.
  - iii) Provide, at the Owner's expense, a paved lay-by at the Community Mailbox location when required by the municipality.
  - iv) 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.
58. 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:

## **Schedule 1, Page 11 of 14**

- i) 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,
  - ii) 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.
59. That the Owner make satisfactory arrangements with Hydro One for the provision of electrical service to the site.
60. That prior to Final Approval, the Owner agree in the subdivision agreement to pay \$4,000.00 to the County of Peterborough, representing the development's contribution for future traffic improvements to the Lily Lake Road / Ackison Road intersection.
61. 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 21, 22, 48 to 51 and 53 to 55 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 26, 31 and 56 have been carried out to their satisfaction. The letter from Bell Canada 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 26, 31 and 56 have been carried out to their satisfaction. The letter from Cogeco Cable Solutions 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 Inc. that Conditions 26, 31 and 56 have been carried out to their satisfaction. The letter from Nexicom Inc. 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 Rogers Communications that Conditions 26, 31 and 56 have been carried out to their satisfaction. The letter from Rogers Communications

## Schedule 1, Page 12 of 14

- 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 Canada Post that Conditions 31 and 57 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.
  7. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by the Enbridge Gas Distribution Inc. that Conditions 26, 31 and 58 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.
  8. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by Peterborough Utilities Group (PUG) that Conditions 26, 31 and 39 have been carried out to their satisfaction. The letter from PUG 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 Hydro One Networks Inc. that Conditions 26, 31 and 59 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.
  10. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by the County of Peterborough that Condition 60 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.
  11. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by Curve Lake First Nation that Condition 61 has been carried out to their satisfaction. The letter from Curve Lake First Nation shall include a brief but complete statement detailing how the condition has been satisfied.
  12. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by Hiawatha First Nation that Condition 61 has been carried out to their satisfaction. The letter from Hiawatha First Nation shall include a brief but complete statement detailing how the condition has been satisfied.
  13. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by the Mississaugas of Scugog Island First Nation that Condition 61 has been carried out to their satisfaction. The letter from the Mississaugas of Scugog Island First Nation shall include a brief but complete statement detailing how the condition has been satisfied.
  14. Prior to final approval, the Commissioner of Infrastructure and Planning Services shall be advised by Alderville First Nation that Condition 61 has been carried out to

**Schedule 1, Page 13 of 14**

their satisfaction. The letter from Alderville First Nation 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 Group 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
Mississaugas of Scugog Island First Nation Supervisor, Consultation, Lands and Membership 22521 Island Road Port Perry, ON L9L 1B6	Curve Lake First Nation Lands and Resources Consultation Liaison Government Services Building 22 Winookeeda Street Curve Lake, ON K0L 1R0
Rogers Communications Canada Newdevelopment@rci.rogers.com	Hiawatha First Nation Core Consultation Worker 123 Paudash Street Hiawatha, ON K9J 0E6
Nexicom Inc. Attn: Manager, Network Operations 5 King Street East Millbrook, ON L0A 1G0	

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### 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. For 2022, this fee is \$1740 per developable hectare to a cap of \$27,200, 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.