

DRAFT

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 14-_____

BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO THE OFFICIAL PLAN OF THE CITY OF PETERBOROUGH – LILY LAKE SECONDARY LAND USE PLAN

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL
THEREOF HEREBY ENACTS AS FOLLOWS:

1. Section 10 – Secondary Plans of the Official Plan of the City of Peterborough is amended by inserting the following:

“10.9 LILY LAKE SECONDARY PLAN

10.9.1 The Lily Lake Secondary Land Use Planning Area is generally bounded by Lily Lake Road, Fairbairn Street, Jackson Park and Jackson Creek, and the Jackson Creek East Provincially Significant Wetland. The actual limits of the Planning Area are as shown on Schedule “F” – Key Map to Secondary Land Use Plans and on Schedule “R” of the Official Plan. It is the policy of Council that land within the Lily Lake Secondary Land Use Plan shall be developed in accordance with the land use pattern shown on Schedule “R”. Reference shall also be made to the policies of section 10.9 in addition to other policies of the Official Plan. The land use categories of Schedule “R” shall have the same meaning as in the Official Plan or Zoning By-law.

10.9.2 Objectives of the Plan

Council adopts the following objectives for the Lily Lake Secondary Land Use Plan:

- 10.9.2.1 To establish a complete community for the undeveloped lands within the City that are north of Jackson Park and Jackson Creek, west of Fairbairn Street, south of Lily Lake Road and east of the Jackson Creek East Provincially Significant Wetland that includes convenient access to jobs, local services, community infrastructure (including schools

DRAFT

and parks), and a range of housing, including affordable housing, that will be suitable for a broad range of age groups.

- 10.9.2.2 To recognize the Planning Area as a substantial new development area and identify the need to anticipate development impacts on the surrounding neighbourhood and environment and take reasonable actions to mitigate adverse impacts.
- 10.9.2.3 To establish a complete transportation system that integrates the Planning Area with the surrounding community by accommodating the needs of pedestrians, cyclists, transit users and motorists.
- 10.9.2.4 To establish a community open space system which preserves environmental features within and adjacent to the Planning Area including the Jackson Creek and the Jackson Creek Valley, Jackson Park, and the Jackson Creek East Provincially Significant Wetland and tributary.
- 10.9.2.5 To establish a servicing strategy to link services in the Secondary Plan Area with services in the City in a cost effective manner and ensure adequate standards are maintained for all services.

10.9.3 DEVELOPMENT POLICIES

10.9.3.1 COMMUNITY STRUCTURE

10.9.3.1.1 Open Space System

The Community Open Space System consists of Natural Areas, Corridors and Connecting Links as depicted on Schedule C – Natural Areas and Flood Plains of the Official Plan. Additionally, buffers, adjacent lands, and parklands are an integral part of the Community Open Space System and are intended to help protect the function of the Natural Area and Corridor features and ensure their long term sustainability within the urban context while also providing

DRAFT

passive and active recreation opportunities for the community.

10.9.3.1.2 Residential Areas

Residential areas permit a range of low and medium density residential uses which will be predominantly ground related in orientation. In addition, related uses that are complementary to residential uses shall be permitted including local commercial uses, home occupation uses, public and institutional uses, parks and recreation areas, churches and special care facilities.

10.9.3.1.3 Transportation System

The community will be developed based on a modified grid street system and related off-street trail/walkway system, designed to provide for a full range of transportation options with a focus on maximizing the potential for transit service and active transportation.

10.9.3.2 NATURAL AREA, OPEN SPACE AND PARKLAND

- 10.9.3.2.1 When reviewing development proposals, the City will have regard for the existing natural features of the Secondary Planning Area, particularly the Jackson Creek East Provincially Significant Wetland and its associated tributary, Jackson Creek and its associated valley lands and tributaries, and the unevaluated wetland pocket located near the homestead at 689 Lily Lake Road. Development proposals adjacent to these features shall define, through the preparation of an Environmental Study as described in Section 3.3.7, the limit of the Natural Area, development setback requirements, and the limit of any flood plain associated with the Natural Area. Areas defined as Natural Area or required as a buffer to the Natural Area shall be dedicated to the City at no cost for open space purposes.

DRAFT

- 10.9.3.2.2 In addition to the requirements of Sections 3.3.7 and 10.9.3.2.1, any Environmental Study prepared in support of a development proposal may also be required to investigate: the incidence of foxglove beardtongue and potential turtle nesting habitat on or adjacent to the lands; the extent, function and significance of unevaluated wetlands within the Jackson Creek Valley; and the hydrologic and ecological link between water features within the Jackson Creek Valley and features above the valley. The study shall recommend measures for protecting and enhancing these features.
- 10.9.3.2.3 The Jackson Creek Valley is a significant valleyland and woodland area that serves to connect Jackson Park to significant natural areas beyond the City. Generally, subject to the requirements of Sections 10.9.3.2.1 and 10.9.3.2.7, the treeline along the top of the valley shall be protected. Limited tree removal along the valley top may be permitted to facilitate the provision of infrastructure and trail facilities subject to the requirements of Section 10.9.3.6.10.
- 10.9.3.2.4 To promote public accessibility to and to protect public views of the Jackson Creek Valley, the City may require the use of window streets along the top of the valley and may consider alternative design standards for such streets. Prior to the approval of development in proximity to the valley, development proponents shall prepare an Erosion Hazard Limit Study in accordance with Ministry of Natural Resources guidelines to determine an appropriate development setback from the valley top.
- 10.9.3.2.5 Connecting Links as depicted on Schedule “C” – Natural Areas and Flood Plains shall be established with a minimum width of 30 metres to protect the existing treelines around which they are planned and/or to accommodate significant re-vegetation and an off-road trail.
- 10.9.3.2.6 The City may require the dedication of additional open space lands outside of the lands designated “Major Open Space” to facilitate useable parkland and linear open space systems.
- 10.9.3.2.7 Prior to any grading, construction or tree removal, the City will require the submission of detailed natural

DRAFT

features/vegetation studies, tree assessment and preservation plans (including an inventory of existing mature trees on site and measures for respecting or replacing these trees), hydrogeological and geotechnical studies, and archaeological assessment studies when reviewing development proposals. Development approvals will be conditional upon the completion of required studies and implementation of necessary works.

- 10.9.3.2.8 Detailed landscaping and planting plans shall be prepared in conjunction with studies prepared pursuant to Sections 10.9.3.2.1 and 10.9.3.2.7 for all areas to be dedicated to the City for open space and parkland purposes. Development approvals will be conditional upon the completion of the required plans and implementation of necessary works.

10.9.3.3 LAND USE

- 10.9.3.3.1 It is intended that the land use areas and limits of other features or site specific land uses shown on Schedule “R” – Lily Lake Secondary Land Use Plan are approximate. Adjustments can be made without amendment to the Official Plan provided the general intent and purpose of the Secondary Plan is maintained.

- 10.9.3.3.2 Development of the Planning Area will be planned to achieve a minimum average density of 50 residents and jobs per hectare combined. To achieve this, notwithstanding the provisions of Sections 4.2.2.1 and 4.2.2.2, residential areas illustrated on Schedule “R” – Lily Lake Secondary Land Use Plan shall be planned for the following average minimum net densities:

Low Density – 25 units per hectare;

Medium Density – 45 units per hectare;

Medium-High Density – 60 units per hectare.

- 10.9.3.3.3 Pursuant to Section 4.2.3.9 of this Plan, the City will encourage the development of secondary suites in areas designated for Low Density Residential use on Schedule “R”

DRAFT

– Lily Lake Secondary Land Use Plan. The development of secondary suites will be controlled through the application of Zoning By-law regulations.

- 10.9.3.3.4 When reviewing development proposals, the City may require development proponents to assess off-street parking requirements of the proposed development and to implement measures to ensure adequate parking standards are provided within the development.
- 10.9.3.3.5 When reviewing development proposals, the City will require development proponents to demonstrate how the proposed neighbourhood layout and building form conforms to the policies of Section 3.7 – Energy.
- 10.9.3.3.6 The integration of existing uses in the Planning Area, where they are anticipated to remain in the long term, will be considered in the design of development. Where new development abuts existing development, it will be designed to be generally compatible with the existing development, while maintaining options for future redevelopment.
- 10.9.3.3.7 Where an elementary school is anticipated within the Planning Area on Schedule “R” – Lily Lake Secondary Land Use Plan, such blocks will be zoned to permit alternative uses by the underlying land use designation on Schedule “A” – Land Use including other institutional uses and residential uses. As part of the approval of a plan of subdivision, a lotting plan shall be submitted to demonstrate that the school block is configured in a manner which will permit future development for other purposes should a school not be developed.
- 10.9.3.3.8 In addition to those uses contemplated in Section 4.2.6.3, institutional and cultural uses, with the exception of cinemas and theatres, shall also be permitted within Local Commercial facilities identified on Schedule “R” – Lily Lake Secondary Land Use Plan.
- 10.9.3.3.9 Development of properties designated for Medium-High Density residential purposes on Schedule “R” – Lily Lake

DRAFT

Secondary Land Use Plan will be encouraged to integrate small scale commercial uses as described in Section 4.2.6.3 in order to form a commercial core to serve the Planning Area in conjunction with planned Local Commercial facilities.

10.9.3.3.10 Prior to the adoption of a Zoning By-law to permit a mixed use development in accordance with Section 10.9.3.3.9, a planning impact analysis may be required in accordance with Section 4.3.7.

10.9.3.3.11 Land use planning for the southwest portion of the Planning Area shall maintain flexibility to provide municipal servicing and roadway installations to Parkhill Road, in the vicinity of Ravenwood Drive, should they be deemed necessary in the future.

10.9.3.4 TRANSPORTATION

10.9.3.4.1 It is intended that the location of streets shown on Schedule “R” – Lily Lake Secondary Land Use Plan are approximate. The location and alignment of streets will be determined at the time of subdivision approval without amendment to the Secondary Plan.

10.9.3.4.2 When reviewing development proposals, the City will require development proponents to assess the internal and external road servicing needs of the proposed development to the satisfaction of the City Engineer, consistent with the City's Comprehensive Transportation Plan, and to secure implementation of any required upgrades in a manner satisfactory to the City Engineer either prior to the issuance of development approval or as a condition of development approval.

10.9.3.4.3 The City will have the authority to expand designated road rights-of-way at collector/collector street intersections and collector/arterial street intersections if determined necessary for intersection design.

DRAFT

10.9.3.4.4 The City will cooperate with the County of Peterborough and the Township of Selwyn and other affected authorities to ensure that any roadway improvements beyond the City's boundary that are required to serve the Planning Area are done in accordance with any applicable County or Township Transportation Plan.

10.9.3.4.5 On-road bikeways will be provided on all Collector Roadways within the Secondary Plan area. Off-road bikeways and pedestrian facilities will be planned as a condition of development approvals to maximize linkages among parkland and open space features within the Planning Area and connectivity with adjacent features including the Trans-Canada Trail, Fairbairn Street and Poplar Park.

10.9.3.5 STORMWATER MANAGEMENT

10.9.3.5.1 The Lily Lake Functional Planning Study and the Detailed Flood Reduction Study prepared for Jackson Creek and the recommendations contained therein will serve as the basis for completing stormwater management plans, including water quality and quantity measures for the Planning Area. Development approvals will be granted, subject to the approval of detailed stormwater management reports, which will include:

- a landscaping plan to be completed by a qualified landscape architect for the stormwater management facilities and their outlets;
- measures to reduce thermal, chemical and erosion impacts on receiving waterbodies;
- a water balance to determine annual infiltration levels and recommend measures to minimize infiltration loss; and,
- a comparison of the lands' peak hydrograph time in relation to that of downstream receiving waterbodies, particularly Jackson Creek.

All stormwater management plans shall be prepared in conjunction with Environmental, Hydrogeological and

DRAFT

Geotechnical studies prepared pursuant to Sections 10.9.3.2.1 and 10.9.3.2.7.

10.9.3.5.2 Notwithstanding the provisions of Section 10.9.3.5.1, the City will work cooperatively with the Township of Selwyn and the County of Peterborough to encourage the provision of a stormwater management facility over a portion of the lands municipally known as 645 Lily Lake Road, Township of Selwyn.

10.9.3.5.3 All development shall protect against adverse water quantity and quality impacts on existing area groundwater users through the implementation of appropriate mitigation measures and monitoring as conditions of approval.

10.9.3.5.4 Where approved flood plain modelling is absent for a watercourse, proponents shall complete the required modelling to the satisfaction of the Otonabee Region Conservation Authority. All lands deemed to be flood plain shall be zoned for Open Space purposes and shall be deemed to be designated as Flood Plain on Schedule “C” – Natural Areas and Flood Plain without amendment to this Plan.

10.9.3.5.5 Concurrent with the approval of development in the Planning Area, within the Jackson Creek East Provincially Significant Wetland watershed, the City will establish, in partnership with the Otonabee Region Conservation Authority, a comprehensive program to monitor the effects of development on the function of the Jackson Creek East Provincially Significant Wetland. Funding for the monitoring program shall be provided by the proponents of development adjacent to and/or within the watershed of the wetland.

10.9.3.6 SERVICING AND STAGING OF DEVELOPMENT

10.9.3.6.1 Development of the Planning Area will proceed in a logical sequence having regard for the adequacy of municipal services including water, stormwater and sanitary systems.

DRAFT

- 10.9.3.6.2 The land use designations applied to lands within the Lily Lake Secondary Planning Area do not imply a pre-commitment of municipal services to future development. Conditions of Draft Plan of Subdivision Approval and “H” – Holding Provisions will be applied to development applications to allow the consideration of development proposals within the Planning Area without committing municipal servicing. Official Plan, Draft Plan of Subdivision and Zoning approvals granted to development applications within this area will not be considered in the calculation of the City’s uncommitted reserve capacity until Final Approval for plans of subdivision are granted, and “H” – Holding Provisions are removed.
- 10.9.3.6.3 The establishment of new Public Services which are not included as elements of an approved Development Charge By-law such as parks, trails, landscaped open space, streets, water and wastewater shall be completed concurrent with each other by development proponents.
- 10.9.3.6.4 The Lily Lake Functional Planning Study shall generally serve as the basis for the provision of water and wastewater services to the Planning Area.
- 10.9.3.6.5 When reviewing development proposals, the City will require development proponents to assess the internal and external sanitary servicing needs of the proposal to the satisfaction of the City Engineer and to secure implementation of any required upgrades in a manner satisfactory to the City Engineer either prior to the issuance of development approval or as a condition of development approval.
- 10.9.3.6.6 Development approvals will not be granted until a hydraulic analysis and water servicing strategy has been prepared to the satisfaction of Peterborough Utilities Services Inc.
- 10.9.3.6.7 The City will encourage cooperation among all landowners within the Planning Area to ensure that the provision of water and wastewater servicing within the Planning Area unfolds in an efficient and timely manner.

DRAFT

10.9.3.6.8 The City will work cooperatively with the Township of Selwyn and the County of Peterborough to encourage the provision of a trunk sanitary sewer and trail over a portion of the lands municipally known as 645 Lily Lake Road, Township of Selwyn.

10.9.3.6.9 Where a Municipal Class Environmental Assessment is required to construct new or upgrade existing road and wastewater collection infrastructure necessary for servicing the internal and external needs of a proposed development, the Assessment shall be completed in accordance with the requirements of a Municipal Class Environmental Assessment and City policies and procedures prior to or concurrent with the approval of proposed development.

10.9.3.6.10 Any disturbance of the Jackson Creek Valley for the provision of water, wastewater, stormwater management, or trail facilities shall be supported by studies prepared pursuant to Sections 10.9.3.2.1 and 10.9.3.2.7 and a landscape rehabilitation plan to be completed by a qualified landscape architect.

10.9.3.7 CULTURAL HERITAGE

10.9.3.7.1 In addition to the requirements of Section 2.4.9, prior to any grading, demolition, construction or tree removal, the City may require the submission of a Heritage Impact Assessment to assess the cultural heritage significance of existing built structures on the lands as well as the significance of the Jackson Creek Valley/Trans-Canada Trail as a Cultural Heritage Landscape and to identify measures for conserving features of cultural heritage significance.

10.9.3.8 URBAN DESIGN AND SITE PLANNING

10.9.3.8.1 The Lily Lake Planning Area, by virtue of its location, will form both a new gateway to the City and a distinct community within the City. To foster high quality urban design and a distinct built character in accordance with Section 2.4.7, the City may require development proponents

DRAFT

to submit, receive approval, and implement an Urban Design program to address some or all of the following:

- a) Site plan design, including sustainable design;
- b) Built form (including building articulation), massing and architectural quality;
- c) Exterior design such as building facades, fenestration, colour, material, rhythm and proportion of architectural elements;
- d) Streetscapes and the public realm;
- e) The Community Open Space System, including trails and wayfinding components;
- f) Universal design, such as barrier free design;
- g) Circulation and parking;
- h) Lighting;
- i) Signage;
- j) Public art; and,
- k) Additional matters as may be determined by the City.

- 10.9.3.8.2 Where development within the Secondary Plan area is subject to site plan control in accordance with Section 3.8 of this Plan, Council may require the submission of drawings mentioned in paragraph 2 of Subsection 41(4) of the Planning Act, R.S.O. 1990, c. P.13, as amended, including drawings that are sufficient to display matters relating to, without limitation, the character, scale, appearance and

DRAFT

design features of buildings, and their sustainable design insofar as they relate to exterior design.

10.9.4 IMPLEMENTATION AND INTERPRETATION

10.9.4.1 Development of the Lily Lake Secondary Planning Area shall take place in conformity with detailed regulations for all properties within the Planning Area established in the Zoning By-law and in accordance with the policies of this Plan.

10.9.4.2 This Plan should be read in conjunction with all other sections of the Official Plan which are also applicable to the Lily Lake Planning Area. In the event of conflict between the provisions of this Plan and any other provision of the Official Plan, the provisions of the Lily Lake Secondary Plan shall prevail.”

2. The Official Plan of the City of Peterborough is amended by adding Schedule ‘R’ – Lily Lake Secondary Land Use Plan in accordance with the Schedule ‘A’ attached hereto.
3. Schedule ‘A’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘B’ attached hereto.
4. Schedule ‘A1’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘C’ attached hereto.
5. Schedule ‘B’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘D’ attached hereto.
6. Schedule ‘B(a)’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘E’ attached hereto.
7. Schedule ‘C’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘F’ attached hereto.
8. Schedule ‘D’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘G’ attached hereto.
9. Schedule ‘E’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘H’ attached hereto.

DRAFT

10. Schedule 'F' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'I' attached hereto.
11. Table 1 – Residential Development by Secondary Land Use Plan Areas is amended by adding the following:

“

	Maximum Dwelling Unit Target			Existing and Approved (Jan.1992)		
	Low Density	Medium Density	High Density	Low Density	Medium Density	High Density
28. Lily Lake	1400	1400	0	24	0	0

”

12. Section 7.3 is amended by adding the following:

“7.3.5 Notwithstanding the provisions of Section 7.3.1, a municipal trunk sanitary sewer may be extended from the Lily Lake Secondary Plan area, across the property municipally known as 645 Lily Lake Road, Township of Selwyn, to an existing municipal trunk sanitary sewer located within the Jackson Creek Kiwanis Trail provided the sewer is exclusively devoted to serving the sanitary wastewater conveyance needs of lands within the City. Furthermore, pursuant to Subsection 19(2) of the *Municipal Act, 2001 S.O. 2001, Chapter 25*, as amended, the City may own and operate a trail and stormwater management facility on the property municipally known as 645 Lily Lake Road, Township of Selwyn subject to the consent of the Township of Selwyn and the County of Peterborough.”

By-law read a first, second and third time this day of _____, 2014.

Daryl Bennett, Mayor

John Kennedy, City Clerk