



City of
Peterborough

To: Members of the General Committee

From: Blair Nelson, Commissioner, Infrastructure, Planning and Growth Management, Acting

Meeting Date: April 22, 2024

Report Number: Request for Reinstatement of Draft Plans of Subdivision 15T-10504 and 15T-05503, 4571 Guthrie Drive, 2006 and 2011 McNamara Road, Report IPGPL24-010

Subject:

A report to consider a request for reinstatement of Draft Plans of Subdivision 15T-10504 and 15T-05503 for AON Inc. located at 4571 Guthrie Drive, 2006 and 2011 McNamara Road in the Coldsprings Planning Area.

Recommendation

That Council approve the recommendation outlined in Report IPGPL24-010, dated April 22, 2024 of the Acting Commissioner of Infrastructure, Planning and Growth Management as follows:

That Report IPGPL24-010 be received for information.

Executive Summary

- AON Inc. has requested Council to deem Draft Plan of Subdivision Approval for Plans 15T-05503 and 15T-10504 located on their lands at 4571 Guthrie Drive, 2006 and 2011 McNamara Road to not have lapsed pursuant to subsection 51(33.1) of the Planning Act.
- The lapsed plans of subdivision do not conform to the current Official Plan which identifies the lands as a Special Study Area and requires completion of a

Secondary Land Use Plan to establish an appropriate urban structure, delineate land use boundaries, and provide urban design guidelines and development policies to support the establishment of employment land and compatible development.

- Staff is planning to complete a Secondary Land Use Plan for the Coldsprings area as soon as possible pending budget approval and anticipate that the process may take up to two years once it has started.
- Significant infrastructure improvements are required to support the proposed plans of subdivision and the broader Coldsprings area. Future capital budgets and development charge studies will need to reflect the area's infrastructure needs. Consequently, the planned housing units in these subdivisions are unlikely to contribute to the City's 4700-unit Housing Pledge as evidenced by the applicant's request for a 15-year lapse date.
- This report provides four decision-making options for Council's consideration and action in response to the AON Inc. request.

Background

Prior to March, 2020, AON Inc. was the owner/proponent of two draft approved plans of subdivision, files 15T-05503 and 15T-10504, located immediately south of Highway 7/115, east of the Otonabee River and west of Wallace Point Road, in the Coldsprings Planning Area (see Key Map in Appendix A).

Draft Plan of Subdivision 15T-05503, located at 4571 Guthrie Drive, was comprised of 63 single detached lots with a minimum lot width of 12 metres, four blocks for up to 29 row or semi-detached dwellings, and three blocks for multiple unit residential purposes (up to 222 units) across 11.88 ha (see Appendix B). The Plan was granted Draft Plan of Subdivision, Official Plan and Zoning approvals in 2006 and was subsequently granted extensions of Draft Plan Approval in 2010, 2012, 2014 and 2017.

Draft Plan of Subdivision 15T-10504 is located immediately adjacent to Plan 15T-05503 and encompasses parts of 4571 Guthrie Drive, 2006 and 2011 McNamara Road. The plan was approximately 40.52 hectares in size and was comprised of 409 single-detached dwellings with lot widths ranging from 12.1m (40 Feet) to 13.7m (45 feet), a 130-unit retirement residential complex, and blocks of land for open space, parkette, stormwater management facility/sewage pumping station, and future development purposes (see Appendix C). The Plan was granted Draft Plan of Subdivision Approval by Council in 2010 and was subsequently granted an extension of Draft Plan of Subdivision Approval in 2014 and 2017.

Together, the two plans encompass 52.4 ha and propose a total of 472 single detached dwellings, 29 semi-detached or row dwellings, and 352 medium density (e.g. retirement)

residential suites – achieving an estimated average density of 40 residents per hectare prior to consideration of home-based and retirement-facility employment.

As part of the Conditions of Draft Plan Approval imposed on these plans, Council established a lapsing date whereby, if Final Approval of the plan is not granted within the required timeframe, Draft Plan Approval shall lapse. On March 2, 2020, Draft Approval for the two plans lapsed.

In the past when draft plan of subdivision approval has lapsed, proponents would need to re-apply for the subdivision, undertake a new public consultation process, and be subject to the formal notice of decision and appeals process. However, based on amendments made to the **Planning Act** by Bill 109 in 2022, Council now has a one-time ability under subsection 51(33.1) of the **Act** to deem a draft plan of subdivision approval not to have lapsed if:

- the lapse date was within the past five years;
- the approval has previously been deemed not to have lapsed under this subsection; and,
- and if the developer provides a sworn statement that there are no agreements of purchase and sale for the draft approved lots.

In accordance with the **Act**, should Council wish to exercise its power to deem a subdivision approval to have not lapsed, Council must impose a new lapse date on that plan and no further extensions to the lapse date are permitted.

In a letter dated March 14, 2023, AON Inc., through their solicitor, made a written request to the City to exercise its authority to deem plans 15T-05503 and 15T-10504 to not have lapsed (Appendix D). In their request, AON Inc. noted that, with the emergence of COVID-19 in March 2020, their attention at the time was directed to their long-term care facilities and retirement residences and they unintentionally failed to request an extension to their draft plan of subdivision approvals. As part of their request, AON Inc. submitted sworn declarations confirming that it has not entered into any agreements of purchase and sale for the lands within the two plans of subdivision. Furthermore, through ongoing discussions with staff, the Applicant has requested that should their draft plans of subdivision be re-instated, that Council establish a new lapse period of 15 years to provide sufficient time for the City to complete a Secondary Plan for the remainder of the Coldsprings area and for the completion of significant infrastructure upgrades that are required prior to any development proceeding in the area.

Planning Context

In 2006 and 2010, the AON Inc. subdivision lands were designated and zoned for residential development purposes under the City's previous Official Plan.

On November 29, 2021, Council adopted a new Official Plan that removed the previous land use designations from the AON Inc. subdivision lands in response to provincial policies requiring a land needs assessment and accommodation of provincially-assigned population and employment projections. In lieu of continuing the former land use designations, the adopted Official Plan established a new Special Policy Area that would require accommodation of both employment and neighbourhood uses through preparation of a new Secondary Land Use Plan.

On April 11, 2023, the Minister of Municipal Affairs and Housing approved the City's new Official Plan, subject to 61 modifications as previously described in report IPSP23-016. As part of those modifications, the Minister removed any explicit policy reference to accommodating employment uses in the Coldsprings area and also removed any reference to declaring and "freezing" excess lands that are not needed for development before 2051 based on the City's land needs assessment. On December 6, 2023, however, the province passed Bill 150 which repealed 58 of the 61 modifications and then proposed Bill 162, the Get it Done Act, on February 20, 2024 to reinstate some of those 58 repealed modifications. If Bill 162 is approved as currently written, the Official Plan will continue to identify a Special Study Area and require a Secondary Land Use Plan for the Coldsprings Area that accommodates both employment and neighbourhood uses to help meet the City's land needs. Additionally, the Bill will also reaffirm the Official Plan's excess declaration for lands designated Rural Transitional Area. The adopted Official Plan had identified the need to accommodate approximately 80 hectares of employment land and 60 hectares of neighbourhood uses in the Coldsprings area which would represent about half of the 280 ha planning area. While Bill 162 would remove the specific 80 and 60 ha land area references for Coldsprings, the Bill would still require that land use planning for the area maintain consistency with the City's land needs assessment. Accordingly, Coldsprings lands located outside the Special Study Area that are not required for development before 2051 will remain as excess lands in the Rural Transitional Area designation.

Presently, the lands encompassed by plans 15T-05503 and 15T-10504 are identified as Special Study Area and portions are designated as Natural Areas Designation on Schedule B – Land Use Plan of the Official Plan. Official Plan Section 3.3.6 – Coldsprings Special Study – notes that the subject lands are anticipated for development to 2051 and that the City will complete a Secondary Plan and Official Plan Amendment to establish the appropriate urban structure, delineate land use boundaries, and provide urban design guidelines and development policies. Until a new Secondary Plan and Official Plan Amendment is approved for the Coldsprings Special Study Area, the policies of the Rural Transitional Area Designation apply which only permit the continued rural/agricultural use of the lands.

Notwithstanding their current land use designation, the subject lands remain zoned for urban use in accordance with the zoning that was approved in support of the proposed plans of subdivision. However, the zoning includes the use of a Holding Symbol that can only be removed after a plan of subdivision is registered so the lands can not be used in accordance with the current zoning. Based on subsection 26(9) of the **Planning Act**,

the City must update its Zoning By-law to implement the new Official Plan before April 11, 2026.

Presently, the city and province are in a housing affordability and supply crisis. Following release of the Ontario Housing Task Force's report in February 2022, the provincial government has established a goal to have 1.5 million homes built in the province by 2031 and has assigned a target of 4700 new homes to be built in the City of Peterborough by that date. As described in reports IPSPL23-002, IPSPL23-021, IPGPL23-001 and IPGPL23-008, the City is committed to meeting this target and is undertaking several initiatives to help achieve that goal. Given the obvious need for house construction, the Applicant contends that re-instating lapsed draft plans of subdivision is an opportunity for the City to support housing creation. While re-instating the subject plans of subdivision would introduce potential housing to the City's approval pipeline, the planned housing units are unlikely to contribute to the City's 4700-unit Housing Pledge as evidenced by the applicant's request for a 15-year lapse date unless significant investment is accelerated for infrastructure.

Current Official Plan: Vision, Goals Objectives

The new Official Plan speaks to strong natural and cultural heritage protection, environmental sustainability and resilience, efficient use of land and infrastructure, promotion of healthy lifestyles and equity. The City is to grow as a complete and connected community that provides a high quality of life, supports a strong and diverse economy and promotes a unique, vibrant sense of place.

To help achieve this vision, the Official Plan establishes a density target for new development approvals occurring outside the existing built-up area of 60 residents and jobs per hectare, exceeding the previous Official Plan and current provincial policy requirement of 50 persons and jobs per hectare, to promote a greater mixing of land uses, a full range of housing opportunities to meet community needs, and better integration of land use and multi-modal transportation planning, including transit and active transportation. The Official Plan also requires greater integration of land use and infrastructure planning to ensure the efficiency and financial sustainability of infrastructure over their entire life cycle.

Draft plans of subdivision 15T-05503 and 15T-10504 are currently designed to implement city and provincial policies that were in effect in 2006 and 2010. Comparatively, the vision, direction and standards of the new Official Plan exceed those past policies in terms of density requirements, land use and unit-type mix, and the need for neighbourhood supportive uses. Accordingly, there is a need to review the subdivision plans under current policy to ensure they both meet the policies and the City's short, medium and long-term needs. As detailed in reports PLPD06-065 and PLPD10-058 (Appendices E and F respectively), extensive infrastructure improvements involving several external agencies are required for the proposed subdivisions. Pending the outcome of current proposed changes to the Municipal Class Environmental

Assessment process, the required infrastructure improvements may or may not require Class Environmental Assessments (EAs) under the **Environmental Assessment Act**.

In the absence of a Secondary Plan for the Coldsprings area, staff cannot confirm that the lapsed plans conform with the overall vision, goals and objectives of the current Official Plan. A new Coldsprings Secondary Plan will establish the metrics evaluating Official Plan conformity and would promote a diverse range of housing types, densities and tenures, a mix of employment and neighbourhood-supportive uses, and an interconnected transportation network to promote active transportation, transit, and a complete community. Land use and infrastructure in a new secondary plan would be coordinated to promote infrastructure lifecycle cost sustainability and ensure that development balances infrastructure and service cost with revenue generation to be more self sufficient.

As part of the City's 2023 application to the Canada Mortgage and Housing Corporation's Housing Accelerator Fund (HAF) (IPSPL23-021), the City had proposed to undertake updated infrastructure and land use planning studies to establish a servicing strategy and Secondary Land Use Plan for the Coldsprings areas to support long-term residential, employment and mixed-use growth. While the City was ultimately unsuccessful in its bid for HAF funding, staff noted that the proposed HAF initiatives would occur later when they are funded through future capital budgets. Presently, the City does not have sufficient approved funds to complete a Coldspring Secondary Plan and staff anticipates seeking funding of approximately \$1 million in a future budget(s) to complete the plan.

Legislative Considerations

Section 24 of the **Planning Act** dictates that Council shall not undertake any public work or pass any by-law that does not conform with the Official Plan. Furthermore, Sections 2 and 3 of the **Planning Act** require that any Council decision made under the **Act** must have regard to matters of provincial interest and must be consistent with the **Provincial Policy Statement, 2020** (PPS) and must conform or not conflict with the **Growth Plan for the Greater Golden Horseshoe, 2019** (Growth Plan), as amended.

Deeming a plan of subdivision to have not lapsed under subsection 51(33.1) is considered to be a Council decision under the Planning Act and therefore must be consistent with the PPS and conform/not conflict with the Growth Plan. Furthermore, the removal of a Holding Symbol from the Zoning By-law requires Council to pass a by-law which must therefore conform with the Official Plan.

Presently, re-instatement of the lapsed plans of subdivision in the absence of an approved Secondary Land Use Plan would not conform to the Special Policy Area requirements of the Official Plan. Furthermore, since the lapsed plans of subdivision propose a significantly lower residential density than contemplated in the City's land needs assessment, reinstatement would likely be in conflict with the requirements of the PPS and the Growth Plan.

Regardless of whether Council opts to approve or deny a request to re-instate a subdivision plan under subsection 51(33.1) of the **Act**, there is no mechanism to appeal Council's decision and therefore Council's decision is final. Furthermore, the **Act** does not compel Council to make a decision under subsection 51(33.1), it simply provides Council the authority to make a decision.

Decision-making Options

1. Receive Report IPGPL24-010 for Information

Report IPGPL24-010 recommends that the report be received for information. Receiving this report for information would mean that Council is not making a decision on the Applicant's request for draft plan of subdivision approval re-instatement at this time. Should Council accept this recommendation, Council would still have opportunity to issue a decision at any time prior to March 2, 2025 (the 5-year anniversary of the date that plans of subdivision 15T-05503 and 15T-10504 lapsed). While not rendering a decision at this time does not directly respond to the Applicant's request, it does leave that option available while also affording time to monitor progress on the completion of a Coldsprings Secondary Plan and changes in provincial legislation and policy, which have been rapidly evolving in recent years.

Policy Conformity:

Not making a decision at this time will maintain conformity with the Official Plan.

Next Steps:

Should Council support the report recommendation, Council may wish to direct staff to bring a further report back to Council with a final decision recommendation prior to March 2, 2025.

2. Deny the request for subdivision re-instatement

In the absence of an approved Coldsprings Secondary Land Use Plan that establishes appropriate Official Plan designations for the subject lands, re-instatement of subdivision plans 15T-05503 and 15T-10504 will not conform to the current Official Plan and will not have the benefit of a land needs review that balances the need for neighbourhood uses and employment uses as required by the PPS and Growth Plan and as identified in the Official Plan.

Should Council wish to deny the Applicant's request rather than receive this report for information, such a decision could cause the Applicant to either file new applications to amend the Official Plan and Zoning By-law for their proposed development or wait for the City to complete a Secondary Land Use Plan for the Coldsprings area prior to making new applications. For the Applicant, either option could take two or more years before development approvals are in place and both options would be subject to the formal appeals process. For the City, such a decision would ensure that any future

development in the Coldsprings area is planned in conformity with the Official Plan and provincial policy and meets the City's current density, unit mix, land use mix and financial sustainability objectives.

If Council wished to deny the re-instatement request, Council could introduce and move the following as a motion:

“That the request from AON Inc. dated March 14, 2023 attached as Appendix D to report IPGPL24-010 for Council to exercise its authority under subsection 51(33.1) of the **Planning Act** with respect to lapsed plans of subdivision 15T-05503 and 15T-10504 be denied.”

Policy Conformity:

Choosing to deny the Applicant's request will maintain conformity with the Official Plan.

Next Steps:

Should Council opt to deny the request, the City Clerk will notify the Applicant of the Council's decision and the Applicant will need to evaluate their options for advancing development on their lands which could include filing new land use planning applications under current policy.

3. Approve the request for subdivision re-instatement

Should Council prefer to re-instate subdivision plans 15T-05503 and 15T-10504 as requested, Council will need to identify a new date whereby if final approval has not been granted, the approval will lapse without the opportunity for extension. Through ongoing discussions with staff, the Applicant has requested that a new lapse period of 15 years be established.

If Council chooses this option, it would be acknowledging that the decision does not conform to the current Official Plan and may not implement the vision, goals and objectives of the current Official Plan. Additionally, Council would be acknowledging the need to support the extensive infrastructure requirements outlined in Appendices E and F and the estimated financial implications noted herein.

In 2010, when Council granted draft approval to Plan 15T-10504, Council passed a motion to negotiate a separate financing agreement with AON Inc. for the City to construct a required sanitary pumping station and forcemain with the cost to be charged to the Coldsprings Area Specific Development Charge Reserve Fund. The expense was to be re-imbursed through the collection of Area-Specific Development Charges from AON and any other developer in the Coldsprings area at the time of subdivision registration and/or in a lump sum payment from AON Inc. at the end of ten years. Presently, this financial arrangement has effectively lapsed as the City no longer has a project identified in the capital budget for the proposed pumping station and forcemain. Accordingly, should the plans be re-instated, implementation of the required

infrastructure will need to wait until sufficient budget is approved and/or until the required funds are front-ended by the development community.

Should Council prefer to approve the Applicant's request, Council could introduce and move the following as a motion:

- "a) That the request from AON Inc. dated March 14, 2023 attached as Appendix D to report IPGPL24-010 for Council to exercise its authority under subsection 51(33.1) of the **Planning Act** with respect to lapsed Plans of Subdivision 15T-05503 and 15T-10504 be approved;
- b) That if Final Approval is not granted to Plans of Subdivision 15T-05503 and 15T-10504 pursuant to subsection 51(58) of the **Planning Act** prior to April 29, 2039, Draft Plan of Subdivision Approval shall lapse."

Policy Conformity:

Approving the Applicant's request would not conform with the Official Plan.

Next Steps:

Should Council approve the Applicant's request, staff would need to consider seeking budget to advance a Secondary Land Use Plan for the Coldsprings Area to reflect the draft-approved subdivision development and update the area's infrastructure planning. Additionally, staff would need to work with the Applicant and Council to ensure a feasible infrastructure financing program to support the planned development.

- 4. Approve the request for subdivision re-instatement conditional upon amending the draft plan of subdivision

As noted, staff intends to complete a Secondary Land Use Plan for the Coldsprings area in accordance with the Special Study Area policies of the Official Plan once budget is available. A Secondary Plan will establish land use designations that implement the vision, goals and objectives of the new Official Plan and will ensure the area develops in consistency/conformity with provincial policies and plans. Once a Secondary Plan is complete, staff will be able to evaluate the re-instated subdivision plans' conformity to the Secondary Plan.

In accordance with subsection 51(44) of the Act, Council has authority to withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time before the plan is granted final approval. Accordingly, should Council re-instate the subject plans of subdivision and then determine that amendments are needed to the plans or their conditions of approval to implement a new Coldsprings Secondary Plan, Council could use its authority to make such changes.

In conversations with staff, AON Inc. has expressed a willingness to work with staff to review the plans of subdivision and their approval conditions once a Coldsprings

Secondary Plan is in effect. However, should changes be required to the plans to implement the Secondary Plan, AON Inc. has requested that the need for such changes be determined by Council.

Given the extent of infrastructure improvements and approvals required to support the proposed plans, staff anticipates the Applicant will be unable to fulfill their conditions of approval and obtain final approval for the full extent of their subdivision plans before a Coldsprings Secondary Plan is in effect. Accordingly, should the plans be re-instated, staff expects there would be opportunity to review the subdivision plans and report to Council on their Official Plan conformity once a new Coldsprings Secondary Plan is approved.

Should Council support re-instating the draft plans of subdivision, in addition to the considerations noted above, Council could consider amending the conditions of approval for each plan (Appendices G and H) to delete the current lapse of approval condition (No. 2) and to replace it with a new condition requiring the Applicant to work with staff to review and, if deemed necessary by Council, amend the draft plans of subdivision, their approval conditions and potentially the applicable zoning to implement the Coldsprings Secondary Plan should it come into effect prior to final subdivision approval.

While re-instating the subdivision plans in this manner would not conform to the current Official Plan, it would create opportunity to review the subdivision plans and potentially amend them to bring them into conformity with the Official Plan once a Secondary Plan is approved. Should Council choose this option and require changes to the draft plans of subdivision, the Applicant could appeal the plans and/or their approval conditions to the Ontario Land Tribunal at any time before the subdivision plans receive final approval.

If Council would prefer to approve the Applicant's request subject amending the conditions of subdivision approval to require further review and potential amendments to the draft plans of subdivision upon completion of a Coldsprings Secondary Plan, Council could introduce and move the following as a motion:

- a) That the request from AON Inc. dated March 14, 2023 attached as Appendix D to report IPGPL24-010 for Council to exercise its authority under subsection 51(33.1) of the **Planning Act** with respect to lapsed Plans of Subdivision 15T-05503 and 15T-10504 be approved;
- b) That if Final Approval is not granted to Plans of Subdivision 15T-05503 and 15T-10504 pursuant to subsection 51(58) of the **Planning Act** prior to April 29, 2039, Draft Plan of Subdivision Approval shall lapse;
- c) That the Conditions of Draft Plan Approval for Draft Plan of Subdivision 15T-05503 as set out in the Notice of the Director of Planning and Development

Services dated February 23, 2017 and attached to Report IPGPL24-010 as Appendix G be amended as follows:

- i. That Condition No. 2 be deleted in its entirety and replaced as follows:
 - “2. That should a secondary land use plan come into effect for the subject lands prior to Final Approval, the Owner will work with the City to amend the draft plan of subdivision, conditions of approval and Zoning By-law, if deemed necessary by Council, to implement the approved secondary land use plan to the satisfaction of Council.”
- d) That the Conditions of Draft Plan Approval for Draft Plan of Subdivision 15T-10504 as set out in the Notice of the Director of Planning and Development Services dated February 23, 2017 and attached to Report IPGPL24-010 as Appendix H be amended as follows:
 - i. That Condition No. 2 be deleted in its entirety and replaced as follows:
 - “2. That should a secondary land use plan come into effect for the subject lands prior to Final Approval, the Owner will work with the City to amend the draft plan of subdivision, conditions of approval and Zoning By-law, if deemed necessary by Council, to implement the approved secondary land use plan to the satisfaction of Council.”; and,
- e) That Council deem the amendments made to the conditions of approval for Plans of Subdivision 15T-05503 and 15T-10504 to be minor in nature and declare that no further formal written notice of the amendments will be provided pursuant to subsection 51(47) of the **Planning Act**.”

Policy Conformity:

Approving the Applicant’s request would not conform with the Official Plan however concurrently modifying the conditions of approval to require future update to the subdivision plans does provide opportunity to ensure Official Plan conformity in the future, provided the modifications required by a Secondary Plan are incorporated.

Next Steps:

Should Council approve the Applicant’s request, staff will need to seek budget to advance a Secondary Land Use Plan for the Coldsprings Area identify the desired land use mix and update the area’s infrastructure planning. Additionally, staff will need to work with the Applicant and Council to ensure a feasible infrastructure financing program to support the planned development.

Strategic Plan

Strategic Pillar: Governance and Fiscal Sustainability

Strategic Priority: Pursue service excellence in governance to support long-term fiscal sustainability of the City while respecting the impact of decisions on taxpayers

The obligation to make a decision on a formal request to re-instate lapsed plans of subdivision must be balanced between accountable, transparent and responsible governance and the City's need to secure its fiscal sustainability. Decision-making Options 2 and 4 described in this report support the City's long-term economic interest by promoting higher density development options that provide greater land use mix, including potential employment opportunities, to generate more sustainable revenue for the City.

Strategic Pillar: Growth and Economic Development

Strategic Priorities: Create a balanced property tax base by proactively exploring options for securing and enhancing competitive employment lands and plan for mid-density and high density mixed-use neighbourhoods to make the most efficient use of and land municipal services.

Decision-making Options 2 and 4 of this report support the City's long-term economic interest by promoting higher density development options that provide greater land use mix, including potential employment opportunities, to attract new business and improve land use efficiency.

Engagement and Consultation

Council is not obliged to consult externally when considering exercising its authority to deem a plan of subdivision to have not lapsed.

Public and agency consultation did occur when the lapsed plans of subdivision were first approved by Council.

Should Council wish to make a decision on the Applicant's request rather than receive this report for information and choose either decision-making Option 2 or 4, extensive public, agency and stakeholder consultation will be undertaken as part the process to prepare a Coldsprings Secondary Plan. Additional public and agency consultation would be completed as part of any proposed amendments to plans 15T-05503 and 15T-10504 in response to the Coldsprings Secondary Plan and/or as part of any new application for development approval should Council choose to not support the Applicant's request.

Budget and Financial Implications

Significant development charge-eligible infrastructure investments are required to support development of Draft Plans of Subdivision 15T-05503 and 15T-10504 and the broader Coldsprings planning area. In 2010, it was identified that two sanitary sewage pumping stations and associated forcemains, upgrades to the existing Southpark Drive sanitary sewer south of the Sherin Avenue trunk, centralized stormwater management ponds, and phased transportation network improvements to Wallace Point Road, Bensfort Road, River Road (to Lansdowne Street), the Highway 7/115 interchange and overpass at Bensfort Road, Neal Drive, Otonabee Drive, Kennedy Road, a potential future bridge crossing of the Otonabee River would be required. Additionally, a new trunk watermain crossing under the Otonabee River and under Highway 7/115 was also identified for the area.

In 2010, the sanitary pumping station and forcemain required to service the AON subdivision lands was estimated to cost \$2.5 million dollars. At the time, this cost was anticipated to be front-ended by the City and recovered from AON Inc. over a 10-year period. Presently, however, there is no City capital budget for this infrastructure nor a formal agreement with AON Inc. for the City to front-end such costs.

Development-related sewage pumping stations, forcemains, trunk sewers and centralized stormwater ponds are typically subject to area-specific development charges. The 2022 Planning Area-Specific Development Charges Study estimates that approximately \$27,000,000 (approximately \$38,400,000 in Q3 2023 dollars) worth of area-specific development charge eligible infrastructure is required to service the Coldsprings area.

The 2019 City-Wide Development Charges Background Study included a cost estimate of approximately \$31,900,000 (approximately \$45,400,000 in Q3 2023 dollars) for several anticipated transportation network improvements associated with development of the Coldsprings area. Subsequently, the 2022 Transportation Master Plan identified the need for additional study and a Class Environmental Assessment to identify transportation network improvement needs to support build-out of the Coldsprings area.

The 2019 Peterborough Utilities Commission Development charge Background Study estimated a total capital cost of approximately \$6,600,000 (approximately \$9,400,000 in Q3 2023 dollars) for water infrastructure upgrades to service the Coldsprings area.

Subject to available budget, the City expects to undertake additional servicing and transportation studies as part of a Coldsprings Secondary Plan. Upon completion of these studies, the various Development Charge Background Studies may need to be updated to reflect the recommended servicing and road network improvements. Additionally, Class EAs or other infrastructure planning studies/processes may be required. Funds for any required studies will be sought in future capital budgets. The City will seek cost sharing with the Ministry of Transportation (MTO) for any infrastructure planning studies that seek to improve MTO infrastructure.

Once all servicing and road improvements required for the development of the Coldsprings Area are confirmed and included in the City's Development Charge By-laws, their design and construction will be included in future Capital Budgets as necessary. Should the Coldsprings development community wish to accelerate construction of the necessary infrastructure improvements to facilitate development, Coldsprings-area developers may need to enter into agreements with the City to front-end such costs.

If Draft Plans of Subdivision 15T-05503 and 15T-10504 were to be re-instated and developed as they were originally approved, they would generate approximately \$32,033,300 in city-wide development charges and \$6,925,180 in Coldsprings area-specific development charges (based on 2024 rates).

The ability for the land uses to support the full life-cycle costs of the required infrastructure will be contingent on the types of land uses ultimately approved.

Attachments

Appendix A: Key Map

Appendix B: Draft Plan of Subdivision 15T-05503

Appendix C: Draft Plan of Subdivision 15T-10504

Appendix D: Letter from Mr. G. Petch for AON Inc., dated March 14, 2023

Appendix E: Report PLPD06-065

Appendix F: Report PLPD10-058

Appendix G: Conditions of Approval for Plan 15T-05503

Appendix H: Conditions of Approval for Plan 15T-10504

Conclusion

This report outlines four decision-making options for Council and has recommended that Option 1 be approved – that the report be received for information. Should Council wish to with to make a decision on the Applicant's request to re-instate draft plan of subdivision approval, Option 2 (to deny the request) would maintain conformity with the Official Plan and provincial policy while Option 3 (to approve the request) would not. Option 4 provides opportunity to review Official Plan conformity for plans 15T-05503 and 15T-10504 once a Coldsprings Secondary Plan is in effect, however achieving conformity will require Council to direct staff and the Applicant to amend the draft plans of subdivision which would be subject to Applicant appeal.

Should Council choose to support Option 3 or 4, corresponding financial support will be required in future budgets to confirm and implement the required transportation and servicing improvements for the Coldsprings area.

Submitted by,

Blair Nelson, P.Eng.
Commissioner, Infrastructure, Planning and Growth Management (Acting)

Contact Name:

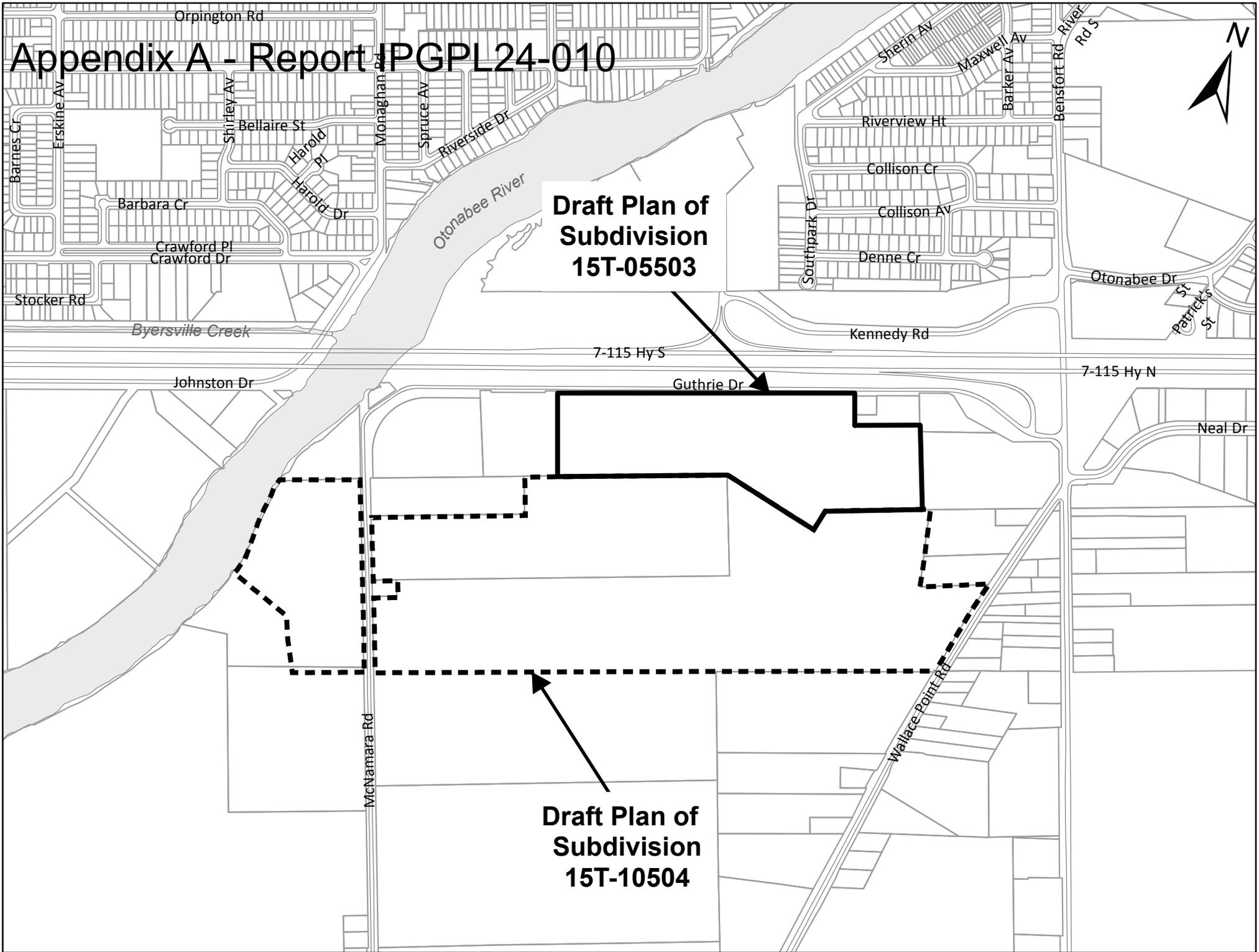
Brad Appleby, MA, MCIP, RPP
Director, Planning, Development and Urban Design
Phone: 705-742-7777 Ext. 1886
Toll Free: 1-855-738-3755
Email: bappleby@peterborough.ca

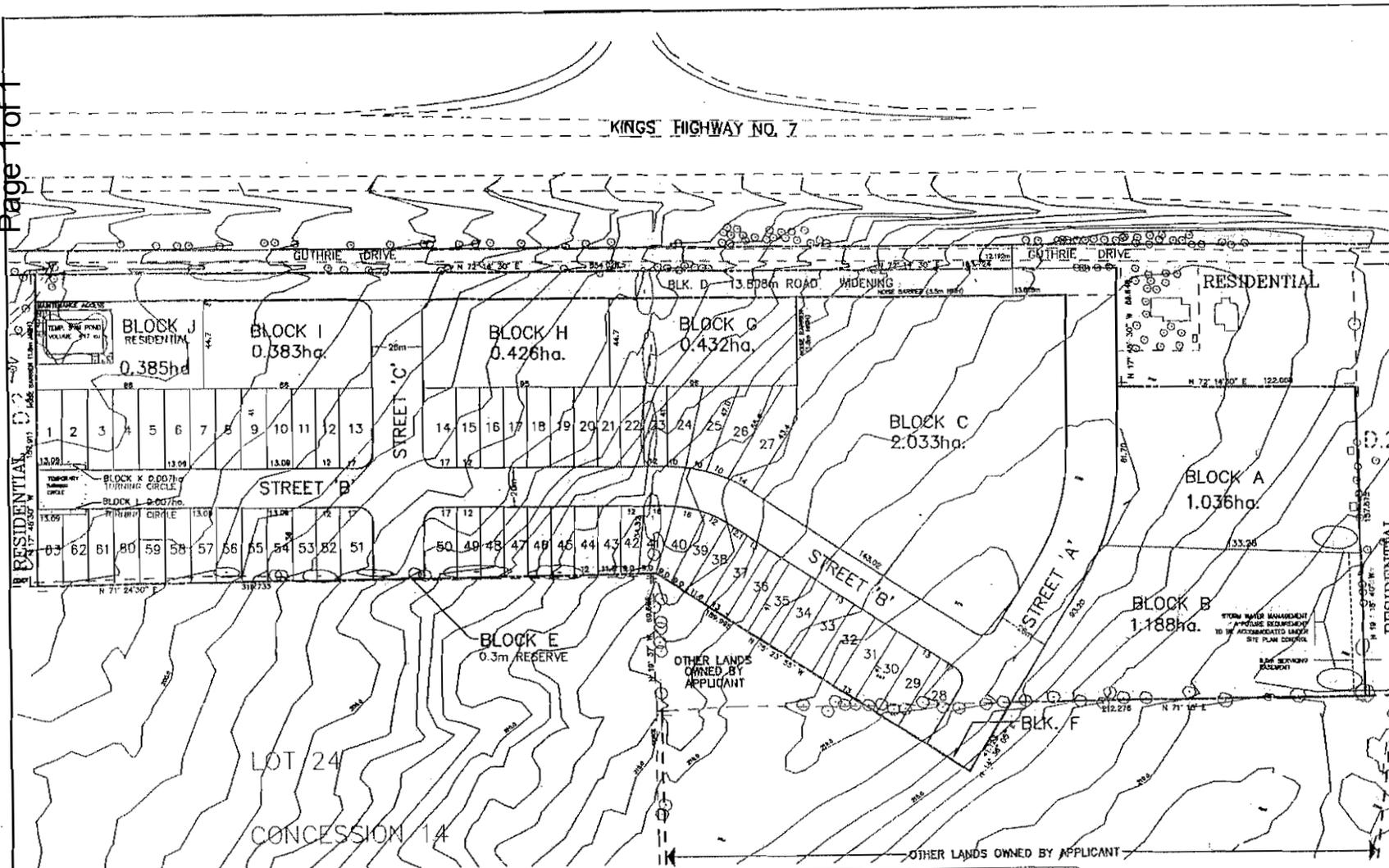
Appendix A - Report IPGPL24-010



**Draft Plan of
Subdivision
15T-05503**

**Draft Plan of
Subdivision
15T-10504**





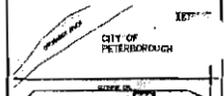
GRANDVIEW ESTATES
DRAFT PLAN

METRIC
Dimensions are in METRES and/or MILLIMETERS unless otherwise shown

1. 14/08/2008	REVISED DRAFT PLAN
2. 10/01/2009	RESUBMISSION TO THE CITY
3. 19/07/2009	DRAFT APPROVED
4. 19/07/2009	FILE # P/2009-14-0001
5. 19/07/2009	RESUBMISSION FOR DRAFT
6. 19/07/2009	DESCRIPTION

DRAFT PLAN OF SUBDIVISION
OF PART OF NORTH HALF OF LOT 24
CONCESSION 14 FORMERLY IN THE
TOWNSHIP OF OTTAWA NOW IN THE
CITY OF PETERBOROUGH

WILLS
Professional Land Surveyors
1000 Highway 7 East, Unit 10
Peterborough, Ontario K9A 1A7
Phone: (705) 751-1111
Fax: (705) 751-1112



Information Required Under Section 51(17) of the Planning Act As Amended

- (a) As indicated on plan
- (b) As indicated on plan
- (c) Key plan illustration
- (d) Proposed Uses: Residential, Stormwater Management
- (e) Adjacent Uses: Residential and Village

(f) As indicated on plan
(g) As indicated on plan
(h) Water Supply is Municipal
(i) Clay Till Soil
(j) As indicated on plan
(k) Municipal Services Available include Sanitary, Storm Sewers and Hydro Electric.
(l) None

Proposed Land Use Location	Area (sqm)	Intended Use	Estimated # Units
LOT 1-63	3,236sqm	RI	83
Block A	1,036ha	Apartments, with central dining	85
Block B	1,188ha	Apartments and nursing	82
Block C	2,033ha	Retirement/Long Term Care	155
Block D	0,782ha	13,80m Guthrie Drive Road Widening	
Block E	0,000ha	0,3m Reserve	
Block F	0,000ha	0,3m Reserve	
Block G	0,432ha	Residential (Town/Semi)	8
Block H	0,426ha	Residential (Town/Semi)	8
Block I	0,383ha	Residential (Town/Semi)	7
Block J	0,385ha	Residential	8
Block K-L	0,014ha	Turning Circle	
Streets	1,902sqm		
	11,882ha		354 Units

Surveyor's Certificate
I hereby certify that the boundary of the land to be subdivided and their relations to the adjacent lands are accurately and correctly shown on this plan.

Dated: _____

As per Ontario Regulation 194/04, a surveyor must file a copy of this certificate with the Registrar of Land Titles.

Owner's Authorization
I hereby authorize D.M. WILLS Associates, Consulting Engineers, to submit this Draft Plan of Subdivision to the City of Peterborough for approval.

Dated: _____

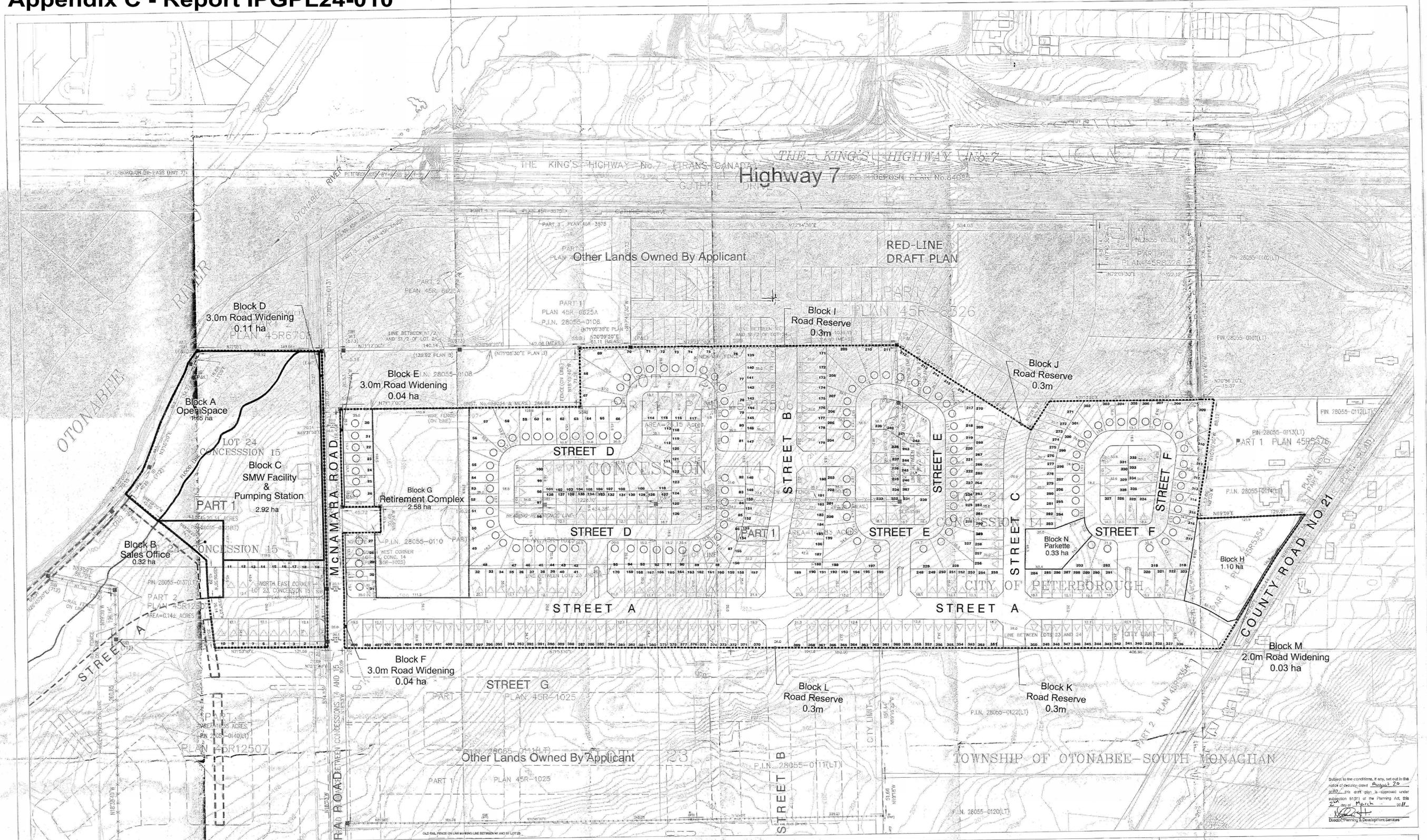
With a valid Ontario Professional Engineer License No. 12345, expires 12/31/2010.

CITY OF PETERBOROUGH

City File: GRANDVIEW ESTATES DRAFT PLAN

Drawn By: M.C. Scale: 1:1000
Checked: D.S.V.
Engineer: D.A.K. Date: AUG. 5/09
Project Number: 88-0723 Drawing File No: 107/09/09

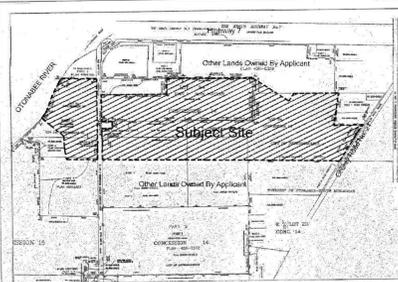
GRANDVIEW ESTATES
DRAFT PLAN



DRAFT PLAN OF SUBDIVISION

PART OF LOTS 22, 23 AND 24 CONCESSION 15 AND PART OF LOTS 23 AND 24 CONCESSION 14

GEOGRAPHIC TOWNSHIP OF OTONABEE, NOW IN CITY OF PETERBOROUGH COUNTY OF PETERBOROUGH



Key Map

PROPOSED RESIDENTIAL LOTS		Total	%
13	19.1m (40') SINGLE DETACHED	282	88%
21	13.7m (45') SINGLE DETACHED	127	31%
PROJECTED LOT YIELD		409	100%

PROPOSED ROADS		m	ft.
1)	1.9m R.O.W. Local	1,912	6,274
2)	25m R.O.W. Between	209	686
3)	25m R.O.W. Collector	1,641	5,384
TOTAL ROAD LENGTH		3,762	12,359

Schedule of Land Use

PROPOSED LAND USE	ha	ac
1) Residential	22.50	55.51
2) Open Space (Blocks B)	1.65	4.07
3) Sales Office (Blocks E)	0.34	0.84
4) Storm Water Management & Pumping (Blocks C)	2.56	6.32
5) Road Widening (Blocks D-F & Block M)	3.32	8.24
6) Retirement Complex (Block G)	2.55	6.33
7) Block H	1.11	2.75
8) Parkette (Block N)	0.33	0.82
9) Roads & Road Reserve's (Blocks I-J)	8.52	21.06
TOTAL SITE AREA	40.52	100.12

NOTE: All numbers shown subject to rounding and may not add up.

Surveyor's Certificate

I hereby certify that the boundaries of the land to be subdivided as shown on this plan and their relationship to the adjacent land are accurately and correctly shown.

[Signature] April 14, 2010 DATE
Christopher E. Massey OLS
Eliott and Parr (Peterborough) Ltd.

Additional Information of the Planning Act R.S.O. 1990 Required Under Section 51(17)

- (1) SHOWN ON DRAFT PLAN
- (2) SHOWN ON DRAFT AND KEY PLANS
- (3) SHOWN ON KEY PLAN
- (4) SHOWN ON DRAFT PLAN
- (5) SHOWN ON DRAFT PLAN
- (6) SHOWN ON DRAFT PLAN
- (7) SHOWN ON DRAFT AND KEY PLANS
- (8) SHOWN ON DRAFT AND KEY PLANS
- (9) SHOWN ON DRAFT PLAN
- (10) SHOWN ON DRAFT PLAN
- (11) SHOWN ON DRAFT PLAN
- (12) SHOWN ON DRAFT PLAN

Owner's Authorization

I authorize Walker, Nott, Dragicevic Associates Limited to prepare and submit this Draft Plan of Subdivision to the City of Peterborough for approval.

[Signature] July 22, 2010 DATE
David R. Smith Vice President

Revisions

REVISION	DATE	INITIAL

Scale 1:1,500
July 22, 2010
04690

Walker, Nott, Dragicevic Associates Limited
Planning Urban Design

Subject to the conditions, any set out in the report of design cover August 20 2010, this draft plan is approved under subsection 51(17) of the Planning Act, R.S.O. 1990, Chapter P22, as amended.

[Signature]
Deputy Planning & Development Services



Appendix D - Report IPGPL24-010

GORDON E. PETCH

- Barrister -

REAL ESTATE DEVELOPMENT | MUNICIPAL LAW | ENVIRONMENTAL LAW

March 14, 2023

VIA EMAIL

City of Peterborough
Attn: John Kennedy
City Clerk and Freedom of Information Officer
500 George St. N.
Peterborough, ON K9H 3R9

Dear Mr. Kennedy:

Re: AON INC. re Draft Approved Plans of Subdivision 15T 00503 and 15T 00504

I am retained by Aon Inc. the owner of the above captioned draft approved plans of subdivision. The extensions of both plans of subdivision had consistently occurred with the co-operation of the City with the last extension due to lapse on March 2, 2020. With the onslaught of COVID-19 at that time Aon's total attention was directed to its long-term care facilities and retirement residences which resulted in Aon unintentionally failing to apply to extend the draft approvals.

The said subdivisions are located in the Coldspring Secondary Plan Area, and were designated in 2020 for residential uses in Schedule "P" in the City's currently in force official plan. Similarly, the implementing zoning by-laws for each of the said subdivisions were also adopted at the same time in 2010 and remain in full force and effect.

In 2022, Section 51(33) was added to the *Planning Act*, R.S.O. 1990, c. P. 13 to allow for the reinstatement of draft plans of subdivision that had lapsed, provided the application is made to the approval authority (herein the City of Peterborough) within 5 years of the lapse having occurred and provided the applicant provides the approval authority with a sworn affidavit that "no agreement had been entered for the sale of any land by a description in accordance with the draft approved plan of subdivision." In accordance with this requirement, I enclose the sworn affidavit of Brad Smith of Aon for both of the said plans of subdivision.

Royal Building
277 Lakeshore Road East, Suite 211
Oakville ON L6J 1H9



Toronto Meeting Rooms
Brookfield Place, 161 Bay Street, Suite 2700
Toronto ON M5J 2S1

TELEPHONE: 416-955-9530 | CELLULAR: 416-720-7103 | EMAIL: gpetch@mlawc.com | FACSIMILE: 416-955-9532

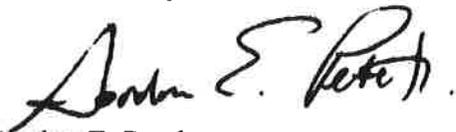
www.MunicipalLawChambers.com

In support of this request I also enclose the planning opinion of Robert Dragicevic dated February 21, 2023 who has acted for Aon at all relevant times seeking their initial approvals and the extension of draft approvals.

This is highly significant to Aon as they have invested approximately \$20M in this long-term residential project in the Coldsprings Planning Area to date and would appreciate the City's earliest attention to this request.

We would ask that the City confirm the required fees for same. If you require any additional materials, please advise.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gordon E. Petch". The signature is fluid and cursive, with a large initial "G" and "P".

Gordon E. Petch
GEP/dh

cc: B. Smith
R, Dragicevic

IN THE MATTER OF AON INC. AND THE CITY OF PETERBOROUGH, and
IN THE MATTER OF DRAFT SUBDIVISION APPROVALS 15T – 10504 AND 15T – 05503, and
IN THE MATTER OF SUBSCETION 51 (33.1(c)) OF THE PLANNING ACT R.S.O. 1990, c.P.13

I, Brad Smith, of the City of Peterborough, in the Province of Ontario, make oath and swear as follows:

1. I am the President of Aon Inc. the owner of those lands subject to draft subdivision approvals 15T – 10504 and 15T – 05503 located in the City of Peterborough.
2. Through inadvertence related to the onset of COVID 19 and its impact on Aon’s two long-term care facilities and four retirement residences, the said draft approvals lapsed on March 2, 2020.
3. In accordance with Section 51(33) of the Planning Act that came into force on April 2, 2022, Aon has instructed if Planning Consultants RDLandplan Consultants and its legal counsel Gordon E. Petch to apply for reinstatement of the said draft plans of subdivision.
4. In accordance with subsection 51(33.1) (c) of the Planning Act I confirm that Aon has not entered into any agreement for the sale of the lands described in the said draft approved plans of subdivision.

SWORN/AFFIRMED REMOTELY BEFORE ME by)
Brad Smith of the City of Peterborough in the)
Province of Ontario, before me at the Town of)
Oakville, in the Regional Municipality of Halton,)
in the Province of Ontario, this 28th day of)
February, 2023, in accordance with O. Reg.)
431/20,)
Administering Oath Remotely



Brad Smith

_____)
A Commissioner & etc.)
Stephanie Fleming (LSO #78197W)

IN THE MATTER OF AON INC. AND THE CITY OF PETERBOROUGH, and
IN THE MATTER OF DRAFT SUBDIVISION APPROVALS 15T – 10504 AND 15T – 05503, and
IN THE MATTER OF SUBSCETION 51 (33.1(c)) OF THE PLANNING ACT R.S.O. 1990, c.P.13

I, Brad Smith, of the City of Peterborough, in the Province of Ontario, make oath and swear as follows:

1. I am the President of Aon Inc. the owner of those lands subject to draft subdivision approvals 15T – 10504 and 15T – 05503 located in the City of Peterborough.
2. Through inadvertence related to the onset of COVID 19 and its impact on Aon’s two long-term care facilities and four retirement residences, the said draft approvals lapsed on March 2, 2020.
3. In accordance with Section 51(33) of the Planning Act that came into force on April 2, 2022, Aon has instructed if Planning Consultants RDLandplan Consultants and its legal counsel Gordon E. Petch to apply for reinstatement of the said draft plans of subdivision.
4. In accordance with subsection 51(33.1) (c) of the Planning Act I confirm that Aon has not entered into any agreement for the sale of the lands described in the said draft approved plans of subdivision.

SWORN/AFFIRMED REMOTELY BEFORE ME by)
Brad Smith of the City of Peterborough in the)
Province of Ontario, before me at the Town of)
Oakville, in the Regional Municipality of Halton,)
in the Province of Ontario, this 28th day of)
February, 2023, in accordance with O. Reg.)
431/20,

Administering Oath Remotely

Brad Smith

A Commissioner & etc.)
Stephanie Fleming (LSO #78197W)

February 21, 2023

City of Peterborough
City Hall
500 George Street North
Peterborough, ON K9H 3R9

Attention: John Kennedy
City Clerk

Dear Mr. Kennedy,

RE: Reinstatement of approval of Draft Plans of Subdivision
Draft Plan of Subdivision Approval for Plan 15T-10504
Draft Plan of Subdivision Approval for 15T-05503
Coldsprings Planning Area
City of Peterborough
Aon Inc.

On behalf of Aon Inc. ("Aon"), our opinion herein is in support of a request filed by Aon's lawyer to the City of Peterborough to allow for the lapsing provisions of the above referenced residential draft plans of subdivision to be reinstated pursuant to Section 53(33) of the Planning Act that was introduced by Bill 109 and received Royal Assent on April 2, 2022.

This request applies to the above captioned the draft plan approvals which lapsed in March of 2020.

Background

The draft plans subject to this request were approved in 2006 and 2010 by the City and the Ontario Municipal Board (now the Ontario Land Tribunal ("OLT")). The draft plans of subdivision involve approximately 129 acres (52 ha) of the Aon lands in the Coldsprings planning area. The lands received two draft subdivision approvals as well as the related zoning and official plan approvals. The lands continue to be designated in the approved and in-force Official Plan as Residential and zoned for residential use.

The City has retained jurisdiction over any amendments to the conditions of draft plan approval. The two (2) subdivision plan approvals lapsed in March 2020, due primarily to an oversight on the part of Aon Inc. during the tumultuous times of Covid 19.

The lands subject to draft plan approvals by the City are subject to a number of conditions, all of which have been considered and updated as appropriate through previous requests for extension of the approvals for draft plan approval. All necessary environmental, traffic and servicing matters have been addressed in accordance with contemporary standards.

Approval of this request for an extension will essentially maintain and protect the pre-existing approvals and allow our client to develop the subdivision lands. The requested extension is consistent with the approved land use designation of the draft approved subdivisions in the City's approved and in-force Official Plan. As well the subject plans of subdivision have been implemented with the approval of site-specific zoning bylaws which were adopted in 2010 concurrent with the approval of the said draft subdivision approvals and the aforesaid official plan amendment adopting the Coldsprings Secondary Plan.

The reinstatement of the draft plan approvals will contribute to the provincial efforts to incentivize the building of more housing, with a range of housing types and as such is consistent with the Provincial Policy Statement (PPS) and in conformity with, and not inconsistent with, the Growth Plan for the Greater Golden Horseshoe (GP). Municipal servicing, cultural, environmental and the promotion of public transportation have all been accounted for in the planning and design of the draft plans of subdivision, consistent with the PPS and in conformity with, and not inconsistent with the GP.

We would ask that this matter be brought forward to Council at your earliest convenience to assist and allow Aon to formally request the extension of the approvals of the subdivision plans. On previous occasions Aon has made this request to the Municipality and have received the support Council.

This writer has long been involved in all the aforesaid approvals. We trust this is sufficiently detailed to allow you to process this matter. Should you require anything further or wish to discuss this request please call me.

Your cooperation and assistance are appreciated.

Yours truly,

RD LANDPLAN CONSULTANTS
Urban Planners



Robert A. Dragicevic, MCIP, RPP
President and Senior Consultant

cc: Mr. Brad Smith, Aon Inc.



City of
Peterborough

TO: The Chairman and Members of the Planning Committee

FROM: Ken Hetherington, Acting Manager of Planning

MEETING DATE: August 28, 2006

SUBJECT: Report PLPD06-065
Draft Plan of Subdivision Approval
And Zoning By-law Amendment Applications
4051 Guthrie Drive – AON Inc. (File Z0524 SB)

PURPOSE

A report to evaluate the planning merits of the Draft Plan of Subdivision and Zoning By-law Amendment applications for the property at 4051 Guthrie Drive (AON Inc.).

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD06-065 dated August 28, 2006, of the Acting Manager of Planning, as follows:

- a) That Draft Plan of Subdivision Approval for Plan 15T-05503, dated August 3, 2006, be granted, subject to the Conditions of Draft Plan Approval attached to Report PLPD06-065 as Schedule 1.
- b) That the subject property be rezoned from D.2 – Development District, R.31- 3x-“H” and R.4-“H”-Residential Districts to R.1-“H”, R.2/R.3-“H”; SP.325-H” and SP.325, 11j,-“H” – Residential Districts in accordance with the Draft Plan of Subdivision.

BUDGET AND FINANCIAL IMPLICATIONS

Standard policy is for the City to be financially responsible for the costs associated with upgrading a street from a local street to a collector street. One new collector street is proposed and, therefore, the City is responsible for over-sizing costs including 50% of the costs for providing sidewalks on both sides of the new collector streets. The over-sizing costs are paid through Development Charges.

The estimated costs to the City for this work is approximately \$21,500 for collector street oversizing and \$21,500 for sidewalk construction. Development Charges for the proposed development will generate approximately \$1.7 million.

When the current Development Charge By-law was approved, Area Specific Charges were implemented for the identified Growth Areas based on the infrastructure that was required to support development in these areas. Although Planning Studies were completed or underway for several of the Growth Areas and infrastructure needs were generally understood, the Coldsprings Functional Planning Study had not yet provided an understanding of servicing requirements and, therefore, the Area Specific Development Charge is much lower than it should be. With the Coldsprings Functional Planning Study now well underway, servicing information which has been discussed includes the need for permanent pumping facilities, trunk sewer extensions and road and intersection improvements. Accounting for these improvements will significantly increase the Area Specific Development Charge for the Coldsprings Growth Area, however, this increase will likely not be in place prior to the registration of the subject plan, which is when the Area Specific Charge is payable. Therefore, the conditions of Draft Plan Approval for the subject Draft Plan of Subdivision require the developer to agree, in writing, to pay any increase in the Coldsprings Area Specific Development Charge for any lot or block registered prior to an amendment to the Development Charge By-law.

OTHER PERTINENT CONSIDERATIONS

The 'H' – Holding Symbol will be removed upon the registration of the plan at the Land Registry Office.

BACKGROUND

The subject property is 11.67 hectares (28.8 acres) in area and is located south of Highway No. 7, west of Bensfort Road. To the west of the subject property is a single detached home with a lot area of 2.2 hectares (5.5 acres) and the Ontario Federation of Anglers and Hunters building. To the east of the property are four single detached

homes, three fronting onto Guthrie Drive and a 3.4 hectare (8.5 acre) property fronting onto Bensfort Road. The applicant owns additional lands to the south of the subject property, which are included in the Coldsprings Secondary Planning Area.

The east half of the subject Draft Plan was originally granted Planning approval in 1997. Official Plan approvals were granted to the whole property, however, Draft Plan of Subdivision and Zoning approvals were granted only to a first phase of development on May 26, 1997. The approvals permitted a development comprised of 15 single detached lots and 3 multiple unit blocks with a total of 123 row housing and apartment suites. Draft plan and zoning approvals were only granted to the east half of the Plan due to the fact that the City's growth management policy in place at the time limited the servicing pre-commitment of planning approvals to developments with approximately 100 units or less. Although Draft Plan and Zoning approvals were considered for the east half, the approved Draft Plan did illustrate a concept for the west half which is consistent with the current Draft Plan proposal.

As part of the Conditions of Draft Plan Approval for all plans of subdivision, the City establishes a lapsing date. If Final Approval of the plan is not granted by the lapsing date and an extension has not been applied for and approved by City Council, Draft Plan Approval lapses. Typically, the City establishes a three year lapsing date. In August 2000, a three year extension of Draft Plan Approval was granted by City Council. An extension was not requested by the applicant prior to the lapsing of Draft Plan Approval in 2003, and, subsequently, Draft Plan Approval lapsed. The applicant has now re-filed an application for a new Draft Plan Approval.

When the original planning approvals were granted in 1997, the City was still in negotiations with the Township of Otonabee-South Monaghan regarding a boundary adjustment. However, in 2000, when the first extension to Draft Plan Approval was granted, the City and Township had reached an agreement regarding annexation. In recommending Draft Plan of Approval in 1997 and the subsequent extension in 2000, staff attempted to anticipate a logical extension of urban development to the south of the subject property and this is reflected in the road pattern that was approved. With the annexation agreements reached in this area, as well as other areas of the City, the City was committed to plan the annexed lands in a comprehensive manner, complete with a full secondary plan.

When the extension to Draft Plan Approval was granted by City Council in 2000 the City had not yet commenced a Secondary Land Use planning process for the Coldsprings Planning Area. The City did, however, anticipate such a study to be carried out and, therefore when the extension was granted in 2000 a condition of Draft Plan Approval was added which stated:

“If the City has approved a Secondary Plan for the Coldsprings Planning Area, including the subject lands, and the Secondary Plan is not consistent with Draft Plan Approval, and further, if Final Approval has not been given, Draft Plan Approval shall lapse.”

The Coldsprings Functional Planning Study was initiated in 2004 and is presently ongoing. Delays have been experienced with the Study, particularly with the Transportation Component of the Study. It is anticipated that the Functional Planning Study will be completed in 2007.

Although the Planning Study has not been completed, background work related to the natural environment, soils, preliminary servicing and stormwater management, has been submitted. It is staff's position in processing the subject Draft Plan that approval of the application will not compromise any of the recommendations of the Coldsprings Functional Planning Study.

ANALYSIS

a) Provincial Policy Statement

On March 1, 2005, the new Provincial Policy Statement (PPS) came into effect. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for efficient, cost effective development and land use patterns, protection of resources and public health and safety.

On June 16, 2006, “Growth Plan for the Greater Golden Horseshoe Area”, a companion document to the PPS, came into effect. The Growth Plan identifies the City as an “Urban Growth Centre”. These centres are the primary areas for growth of population and employment.

The proposed development provides residential densities that efficiently use land, infrastructure and public service facilities and avoid unnecessary expansion of infrastructure. The mix of housing types produces a density of persons per hectare which is consistent with the required 50 persons per hectare established in the Proposed Growth Plan.

The densities will also support the use of public transit, particularly as the Coldsprings Planning Area builds out, and are appropriate to full municipal services in this instance and in keeping with the policies of Section 1.1.2 of the PPS. In addition, the proposal provides for uses in an area planned for infrastructure expansion and will provide for cost effective development standards.

The proposal also has regard for the housing policies of the PPS through the provision of a range of housing types and densities that will contribute to the 10 year supply of land designated and available for new residential development in accordance with Policy 1.2.1. The provisions of various forms and densities of development, as proposed, will provide opportunities for more affordable units.

b) Official Plan

The planning approvals granted by City Council in 1997 included the necessary Official Plan Amendment to permit the proposed development. Official Plan Amendment No. 101 provided the following changes to implement the proposed Plan of Subdivision:

Schedule 'A' – Land Use –

- Re-designated the subject lands from Agriculture to Residential;

Schedule 'B' – Roadway Networks –

- Added a collector street south of Guthrie Drive;

Schedule 'E' – Residential Density –

- Added "Medium Density Residential designations for Blocks A, B and C on the draft Plan;

The proposed Draft Plan maintains Street "A" as the main collector street intersecting with Guthrie Drive. Street "C" is illustrated with a collector street road allowance at 26 metres, however, it is not anticipated that this street will be required as a collector street. If it is determined that the collector street location should be shifted from Street "A" to Street "C", the necessary right-of-way will have been secured. This shifting of the collector street can be accommodated without an amendment to the Official Plan by Section 5.3.1, which states that locations of streets and intersections are approximate on Schedule "B" and alterations shall not require an amendment to the Official Plan.

The proposed Draft Plan is very similar to the plan approved in 1997 with respect to the road layout and proposed housing forms and, therefore, complies with the Official Plan.

The subject property is located at the north limit of the Coldsprings Secondary Planning Area for which the City is in the process of completing a functional planning study. Although the Coldsprings Functional Planning Study is not yet completed, it is Staff's opinion that the subject plan can proceed without compromising any outcome of the comprehensive study. Servicing for the subject plan has been considered in context with an overall servicing strategy and the applicant is proceeding on an interim servicing arrangement for this plan.

While there is additional transportation work being completed for the comprehensive study, in particular an analysis of the Bensfort Road/Wallace Point Road/Guthrie Drive intersection, the applicant has submitted a traffic study which concludes that approximately 165 units can be supported by the existing road network. Approval of this plan would, therefore, not jeopardize any future reconfiguration of the roads and intersections in this area of the Planning Area.

c) Draft Plan of Subdivision

As part of the Draft Plan of Subdivision Approval process, the City comprises a list of conditions of Draft Plan Approval (Schedule 1), based on comments from agency circulation, which outlines work that must be completed by the developer to the satisfaction of the commenting agencies. This work must be completed and cleared by the respective agencies before final approval can be granted. Final Approval allows the subdivision plan to be registered and lots to be sold.

i) Drainage

The Otonabee Conservation Authority and the Utility Services Department require that a detailed Storm Water Management Report, including erosion and sedimentation control and the completion of the necessary work be Conditions of Draft Plan Approval. The drainage plan and necessary works must also be approved by the Utility Services Department. The Utility Services Department must also review and approve a soils/hydrogeological report to determine soil types and ground water levels.

Stormwater is to be accommodated by a temporary pond located at Block J. A preliminary drainage plan proposes that flows would be conveyed by storm sewers to the pond and then by open ditch along Guthrie Drive before outletting in the Otonabee River. Upon review of the final drainage report, if it is determined that the open ditch along Guthrie Drive cannot support stormwater flows, the applicant will be required to install a storm sewer along the Guthrie Drive road allowance.

ii) Servicing

Water:

Based on the topography of the area, the east half of the plan can be serviced by gravity with sewer and water extensions, while the west half will be serviced by a temporary pumping station located at the west limit of the property. Presently, there is a watermain on Neal Drive which terminates just east of Bensfort Road and another watermain on Southpark Drive north of Highway No. 7. It is proposed that the watermain on Neal Drive will be extended westerly to Bensfort

Road, north to Guthrie Drive and westerly along Guthrie Drive along the frontage of the development. The Peterborough Utilities Commission has commented that if the Neal Drive watermain is extended along Guthrie Drive, a connection across Highway No. 7 to Southpark Drive will be required to “loop” the water system and improve service to the area.

Sanitary:

Sanitary servicing will be provided by extending a gravity sewer from the subject property, across Highway No. 7 to the existing sewer on Southpark Drive. The eastern half of the property will be serviced by gravity, while the western half of the plan will be serviced by a temporary pumping station which will eventually be decommissioned once the permanent servicing arrangement is in place.

As part of the development of the subject property, the applicant will also be responsible for the reconstruction of Guthrie Drive, including a left turn lane at Bensfort Road, and the construction of a sidewalk on the south side of Guthrie Drive and west side of Bensfort Road to the existing sidewalk south of Collison Avenue.

iii) Noise Attenuation

Due to the proximity of the proposed plan of subdivision to Highway No. 115/7, noise attenuation measures must be implemented as part of the development to ensure that noise levels do not exceed the Ministry of the Environment guidelines.

As part of the application made in 1997, a noise study was prepared by the applicant and submitted to the City and the Ministry of the Environment. The study states that noise barriers and certain housing forms can be located in areas of the plan which will provide the required noise attenuation for outdoor living areas. These measures, in addition to alternative ventilation systems and noise warning clauses, will meet the M.O.E. requirements for indoor noise levels.

The M.O.E. commented that the report adequately demonstrates that noise levels can be reduced to acceptable levels, however, the Ministry requested more detailed information related to the specific number and location of the medium density units. The M.O.E. recommended draft plan approval with the condition that more detailed information, including a plan of implementation, be provided prior to Final Approval.

When the Draft Plan of Subdivision was extended in 2000, the Conditions were amended to remove the reference to the M.O.E. as being responsible for reviewing and approving a noise impact assessment report. The intent of the condition remains intact, however, the responsibility for reviewing and approving the report is the City's.

iv) Traffic

The City has recently engaged Earth Tech Canada Inc. to undertake a Functional Transportation Needs Assessment which will focus on the functional needs of the existing study area intersections and the Highway 115/7 interchange. Road and intersection realignments will be necessary, particularly in the Guthrie Drive/Bensfort Road/Wallace Point Road area to support development in the Coldsprings Planning Area. As part of the Coldsprings Functional Planning Study a review of transportation impacts of development in the Planning Area was being carried out, however, it became apparent that a more detailed study focussing on the existing intersections was required. It was the Ministry of Transportation's (MTO) position that this detailed review must be completed as part of the overall Functional Planning Study and agreed to fund 50% of the Study.

Although the Earth Tech study is in its preliminary stages, MTO was agreeable to considering a first phase of development that could rely on the existing road network and area intersections. The applicant has submitted a Phase 1 Traffic Impact Study, completed by Tranplan Associates, which states that Guthrie Drive, in its existing configuration, can support an additional 165 peak hour residential trips from the Planning Area. Based on trip generation rates, this translates into approximately 165 single-family dwelling units.

The proposed Draft Plan illustrates a total of 314 units which exceeds the limit identified by the applicant's traffic consultant. The applicant, however, has indicated that the single detached, semi-detached and row-housing units are the first construction priority. The unit types total 92 units, which equates to approximately 85 peak hour trips. This then leaves an additional 80 trips that could result from the development of Blocks A, B or C on the Draft Plan or a second phase on other lands. Traffic generated by retirement and long term care facilities is typically less than single detached homes. The applicant is prepared to have an "H"-Holding Symbol placed on the zoning of Blocks A, B and C which would not be removed until there is adequate intersection capacity.

v) Parkland Dedication

The Community Services Department has requested that cash-in-lieu of parkland be provided. Larger parkland and open space areas can be identified for the planning area through the Coldsprings Functional Planning Study.

d) Zoning By-law

Although Draft Plan of Subdivision Approval lapsed in 2003, the zoning that was approved in 1997 with the original application remains in place. The following tables present the existing zoning and the proposed zoning.

EXISTING ZONING				
Lots/Blocks	Zoning	Building Type	Minimum Frontage	Number Of Units
1-15	R.1-“H”	Single Detached	40 feet	15
A	R.4-“H”	3-Storey Apartments	80 feet	55
B	R.31-3x-“H”	Row Dwellings	70 feet	29
C	R.31-3x-“H”	Row Dwellings	70 feet	49
			TOTAL	148

PROPOSED ZONING				
Lots/Blocks	Zoning	Building Type	Minimum Lot Width	Number Of Units
1 – 63	R.1 - “H”	Single Detached	12 m (40 ft)	63
A	Special District 325, 11j	Apartments/Suites With central dining and nursing care	81 m (80 ft)	55
B	Special District 325, 11j	Apartments/Suites With central dining and nursing care	93 m (70 ft)	62
C	Special District 325	Retirement Residential /Long Term Care	21 m (70 ft)	105
D	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	8
E	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	8
F	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	7
G	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	6
			TOTAL	314

The Special District 325 (SP.325) zoning has been developed to accommodate typical residential retirement facilities that the applicant has been providing in the City. The SP.325 Zoning District permits self-contained residential apartments and residential suites with common dining facilities. Detailed regulations of the SP. 325 District are as follows:

a)	minimum lot area per dwelling unit	190square metres
b)	minimum lot area	1 hectare
c)	maximum building coverage	35%
d)	maximum lot coverage by surface parking lots and driveways	25%
e)	minimum landscaped open space	40%
f)	minimum building setback	9 metres or 3 metres per storey, whichever is greater
g)	maximum building height	4 storeys
h)	a minimum width of landscaped open space required to be established and maintained along all lot lines, except where interrupted by driveways	3 metres
j)	notwithstanding the provisions of Section 4.2, motor vehicle spaces shall be provided and maintained as follows: i) 1 space per dwelling unit ii) 0.75 spaces per residential suite	
k)	for the purposes of establishing maximum number of units, two (2) residential suites are the equivalent of one (1) dwelling unit.	

While the SP.325 District permits a maximum building height of four (4) storeys, Blocks A and B will be limited to 3 storeys due to the proximity of existing single detached buildings. The existing zoning of Block A (R.4) permits a three (3) storey building.

SP.325 provides the opportunity for mixed developments comprised of units and suites. For zoning purposes, to determine the maximum number of dwelling units, two (2) residential suites are determined to be the equivalent of one (1) dwelling unit. This is the same ratio used in the calculation of development charges. Therefore, Block C, which permits a total of 105 dwelling units, could be comprised of 100 residential suites (equivalent of 50 dwelling units) and 55 dwelling units.

RESPONSES TO NOTICE

a) **Significant Agency Responses**

Notice of Application was sent to commenting agencies on several occasions. The proposed Draft Plan addresses agency comments received from the 1997 and 2000 circulations as well as the current application. The Conditions of Draft Plan approval includes conditions requested from certain agencies.

Utility Services Department:

Due to the extension of services into an undeveloped tract of land, the Utility Services Department commented that certain works, external to the Draft Plan, must be completed by the owner in the development of the subdivision. These works include:

- ❑ The reconstruction of Guthrie Drive to a full urban cross-section across the frontage of the Draft Plan and to a rural cross-section from the east boundary of the plan to Bensfort Drive;
- ❑ The construction of a left turn lane on Guthrie Drive at Bensfort Road or the financial contribution to the City for its construction;
- ❑ The construction of a concrete sidewalk along the Guthrie Drive frontage of the Plan, and an asphalt sidewalk to Bensfort Road and along the west side of Bensfort Road to the existing sidewalk south of Collison Avenue;

Additional Utility Services Department comments include:

- ❑ Any noise control features are to be constructed on private property and are the responsibility of the private property owners;
- ❑ A clause shall be inserted in all offers of purchase or sale or lease warning prospective residents of the City's Sewage Treatment Plant;
- ❑ Soils/hydrogeological report must be reviewed and approved by the City;
- ❑ Streets shall be named to the City's satisfaction;
- ❑ Any dead ends and open sides of road allowances shall be terminated in one-foot reserves, and;

- Warning of the possible future closing of Guthrie Drive at the Highway 115/7 ramp.

Community Services Department

- Requests cash-in-lieu of parkland

Peterborough Utilities Commission

- Commented that the watermain extension from Neal Drive must be looped under the Highway to connect to the watermain on Southpark Drive. The P.U.C. may also require the developer to install pressure boosting facilities due to possible low water pressure;

Ministry of the Environment (previous comments)

- Required a detailed Noise Impact Assessment Report recommending specific noise control features, and that the approved recommendations are implemented through the executed subdivision agreement. The Ministry no longer carries out this function so this responsibility for ensuring this condition is satisfied is the City's.

Ministry of Transportation

- Requested a detailed Traffic Impact Study addressing projected traffic impacts on the Bensfort Road interchange. The Ministry also requested that a copy of the stormwater management plan be submitted for their review;

Otonabee Region Conservation Authority

- Requires a stormwater management, erosion and sedimentation control report to be approved prior to Final Approval.

Fire Department

- Street 'B' should be shown as extending to the west and not as a long dead end street. An emergency access to the end of Street 'B' will have to be provided and maintained year round, until such time that the street is extended.

b) Public Responses

Notice of Public Meeting was mailed to property owners within 120 metres of the subject property and the applicant's land holdings to the south. Notice was also published in the Peterborough Examiner on July 28, 2006.

One response has been received requesting Notice of Decision regarding the Draft Plan of Subdivision.

SUMMARY

Approval of the applications for Draft Plan of Subdivision Approval and Zoning By-law Amendment is recommended for the following reasons:

- The proposed plan complies with the Official Plan;
- The eastern portion of the Draft Plan does have multi-unit residential zoning;
- Notwithstanding that the Coldsprings Functional Planning Study is not yet completed, the plan does not jeopardize a comprehensive plan for the area as the plan can be supported by the area roads and intersections and the servicing is an interim arrangement which will be decommissioned once the permanent solution is in place.
- The Plan of Subdivision will provide a much-needed residential land base for the City. An adequate supply of residential land is necessary to ensure a competitive and affordable housing market, which was the major principle behind the City's annexation negotiations with the Township of Otonabee-South Monaghan.
- All of the matters, which must be considered, according to Section 51(24) of the Planning Act, have been addressed or will be addressed, through the conditions of Draft Plan of Subdivision Approval.

- The Conditions of Draft Plan of Approval will ensure that all of the concerns of the commenting agencies will be addressed and work completed prior to Final Approval.

All of which is respectfully submitted,

Ken Hetherington,
Acting Manager of Planning

Malcolm Hunt, Director
Planning & Development Services

Attachments: Schedule 1 - Conditions of Draft Plan of Approval

- Exhibit A - Notice of Public Meeting
- Exhibit B - Land Use Map
- Exhibit C - Draft Plan of Subdivision
- Exhibit D- Draft Zoning By-law Amendment

Contact Name:

Ken Hetherington,
Acting Manager of Planning,
Phone – 742-7777 Ext. 1781
Fax – 742-5218
E-Mail – khetherington@city.peterborough.on.ca



City of
Peterborough

Schedule 1
AON Inc.
Guthrie Drive
Z0524SB/15T-05503

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this subdivision File No. 15T-05503 are as follows:

1. That this approval applies to the Draft Plan 15T-05503 prepared by D.M. Wills Associates Ltd. dated August 3, 2005, to show a total of 63 residential lots (*Lots 1 to 63*), three multiple unit blocks (*Blocks A, B and C*), one block for road widening (*Block D*), two blocks for 0.3 metre reserves (*Blocks E and F*), and two blocks for turning circle purposes (*Blocks K and L*).
2. That if Final Approval is not given to the Plan within three (3) years of the Draft Approval date, and no extensions have been granted, Draft Approval shall lapse.
3. That if the City has approved a Secondary Plan for the Coldsprings Planning Area, including the subject lands, prior to the granting of Final Approval for this Plan and the Secondary Plan is not consistent with the approved Draft Plan, Draft Approval shall lapse.
4. That prior to Final Approval, the City Engineer will confirm the servicing allocation for this Plan as services are allocated on a “first-come-first-served” basis.

Public Roads and Walkways

5. That the road allowances included in the Draft Plan shall be shown on the Plan and dedicated as public highways.
6. That any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.
7. That the owner agree in writing to reconstruct Guthrie Drive across the frontage of the subdivision to a full urban cross-section and from the easterly boundary of the subdivision to Bensfort Road to a rural cross-section at the discretion of the City.
8. That the owner agree in writing to construct a sidewalk along the south side of Guthrie Drive from the west limit of the Plan to Bensfort Road and along the west side of Bensfort Road to the existing sidewalk located approximately 107 metres

south of Collison Avenue at the discretion of the City and the Kawartha Pine Ridge District School Board.

9. The owners acknowledge that the City is undertaking the Coldsprings Functional Planning Study, which will determine the long-term, permanent servicing strategy for the Planning Area. The servicing strategy for the Planning Area will influence the Area Specific Development Charge for the Coldsprings Planning Area and the owner will agree to pay any increase of this Area Specific Charge for any lot registered prior to an amendment to the Development Charge By-law. The agreement will specify the timing for the payment to be made to the City.
10. That the streets shall be named to the satisfaction of the City of Peterborough.
11. That prior to Final Approval, the owner shall agree, in the Subdivision Agreement, to insert a clause in all Agreements of Purchase and Sale or Lease, advising prospective purchasers or tenants of the possible closure of Guthrie Drive at the Highway 115/7 ramp, and the extension of Street 'B' to the west.
12. That, prior to Final Approval, the owner shall agree, in writing, that if it is determined that Guthrie Drive is to be closed, prior to an alternative access being provided through a future phase of development, the owner will be responsible for providing an alternate access to Wallace Point Road.
13. That prior to Final Approval, the owner will agree in the Subdivision Agreement, to provide an emergency access to the west end of Street 'B' until such time as the street is extended to the property to the west.

Other Municipal Conditions

14. That such easements, internal and external to the Plan, as may be required for temporary access, utility or drainage purposes, including snow storage and temporary turning facilities at the end of all stub streets, shall be granted to the appropriate authority, prior to registration of the Subdivision Agreement and Final Plan.
15. That the owner shall agree in the Subdivision Agreement to satisfy all the requirements, financial and otherwise, of the City of Peterborough concerning the provision of roads, installation of services and drainage works within the Plan and any off-site requirements necessary to implement the Plan, which will include an agreement whereby the owner is responsible for all matters related to the construction, maintenance and decommissioning of the temporary pumping station.
16. That prior to Final Approval, driveway locations for all corner lots will be approved by the City Engineer.

17. That prior to Final Approval, the City Engineer must have reviewed and approved a soils/hydrogeological report to assess soil types and ground water levels relative to establishing elevations for houses and the need for foundation drain discharge system.
18. That the owner shall agree in the Subdivision Agreement to convey cash-in-lieu to the City of Peterborough for parkland purposes, in accordance with the Planning Act requirements.
19. That the owner erect a sign to the satisfaction of the City, depicting the approved Draft Plan of Subdivision and Zoning, within 90 days of Draft Plan Approval.
20. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to insert a clause in all agreements of purchase or sale or lease, to be registered on title, warning prospective purchasers or tenants of the of the City of Peterborough's Sewage Treatment Plant and associated open lagoons located on the north side of Highway No. 7 and operated 24 hours a day, 365 days a year and that the City of Peterborough will not be responsible for complaints or claims arising from the operation of the facility.
21. That prior to Final Approval, the owner/developer shall submit, for the review and approval by the City of Peterborough, a detailed Noise Impact Assessment Report. The Report shall evaluate the noise impacts due to road traffic and "stationary" sources within 500 metres of the site and it shall propose a plan of noise impact management including physical indoor/outdoor noise control measures, warning clauses and a plan of implementation to ensure that the control measures shall be properly implemented.
22. That prior to Final Approval, the owner shall agree, in the Subdivision Agreement, to carry out the works approved in the Noise Impact Assessment Report.
23. That the owner agrees to include covenants in the property deed, satisfactory to the City Solicitor, stating that any noise control features are to be constructed on private property and are the responsibility of the individual property owners in perpetuity.
24. That the Plan shall be phased to the satisfaction of the City of Peterborough.
25. Lots 1 and 2 or, alternatively 62 and 63 will be will be withheld from development until such time that Street "B" is extended to the west.
26. That prior to Final Approval, the City Engineer must have reviewed and approved a soils/hydrogeological report assess soil types and ground water levels relative

to establishing elevations for houses and the need for a foundation drain discharge system.

27. That the owner shall enter into an agreement with the Peterborough Utilities Services Inc. for electrical and water servicing, which will include required watermain extensions.
28. That prior to Final Approval, the owner shall carry out a Phase 2 Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

Other Agency Conditions

29. That prior to final registration of the Plan of Subdivision and any on-site grading or construction, the Otonabee Region Conservation Authority and the City Engineer must have reviewed and approved reports describing:
 - 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 year storm;
 - b) the intended means of conveying stormwater flow from the site, including use of stormwater 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;
 - 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 provincial “Guidelines on Erosion and Sediment Control for Urban Construction”. Supporting technical documentation should also be submitted which meets or exceeds standards in the “Technical Guidelines - Erosion and Sediment Control”, February 1989, published by the Ministry of Natural Resources, and/or the “Erosion and Sediment Control Training Manual”, MOE, 1997;

Please Note: Temporary ponds for sediment control should be capable of accommodating 125 cubic metres/hectare of contributing drainage area for a period of not less than 12 hours or removing particle sizes down to 40 microns.

- d) site soil conditions, including grain size distribution profiles,
and
 - e) site grading plans.
30. The Subdivision Agreement between the owner and the municipality shall contain the following provisions in wording acceptable to the Otonabee Region Conservation Authority:
- a) That the owner agrees to implement the works referred to in Condition #29. The approved reports are to be referenced in the Subdivision Agreement.
 - b) That the owner agrees to maintain all stormwater management, erosion and sedimentation control structures operating in good repair during the construction period, in a manner satisfactory to the Otonabee Region Conservation Authority.
 - c) That the owner agrees to notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.

In order to expedite the clearance of these conditions, a copy of the signed Subdivision Agreement should be sent to the Otonabee Region Conservation Authority.

- 31.
- a) Bell Canada shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Bell Canada for the installation of Bell Canada facilities to serve this Draft Plan of Subdivision.
 - b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.
 - c) If there are any conflicts with existing Bell Canada facilities or easements, the owner shall be responsible for re-arrangements or relocation.
- 32.
- a) Cogeco Cable Solutions shall confirm that satisfactory arrangements, financial and otherwise have been made with Cogeco Cable Solutions for any Cogeco Cable Systems facility serving this Draft Plan of Subdivision which are required to be installed underground, a copy of such confirmation shall be forwarded to the City of Peterborough.

b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Cogeco Cable Solutions, to grant to Cogeco Cable Solutions any easements that may be required for telecommunications services.

c) If there are any conflicts with existing Cogeco Cable Solutions' facilities or easements, the owner shall be responsible for re-arrangements or relocation.

33. The owner shall agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:

a) Inform all prospective purchasers, through a clause in all Agreements of Purchase and Sale, as to those lots identified for potential Community Mailbox and/or mini-park locations.

b) Provide at the owner's expense, curb depressions at the Community Mailbox location 2 metres in width and no higher than 25 mm.

c) Provide at the owner's expense, a paved lay-by at the Community Mailbox location, when required by the municipality.

d) If a grassed boulevard is planned between the curb and the sidewalk where the Community Mailbox is located, install at the owner's expense, a walkway across the boulevard. The walkway is to be 1.0 metres 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 24mm.

34. The Owner is to coordinate the preparation of an overall utility distribution plan to the satisfaction of all effected authorities.

35. The Owner shall grade all streets to final elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Consumers Gas.

36. Prior to final approval, the owner shall submit a Traffic Impact Study to the MTO addressing the projected traffic impacts from this development on the Highway 115/7 Bensfort Road interchange and if necessary, provide recommendations to mitigate any adverse effects. Any improvements to the highway facility required as a result of the development will be the responsibility, financial and otherwise, of the owner. Depending on the scope of improvements required (if necessary), MTO will determine whether the works within the highway corridor and associated highway improvements will be covered by permit and/or an agreement between the owner and the ministry.

37. Prior to final approval, the owner shall submit a Stormwater Management Report to the MTO that indicates the intended treatment of the calculated runoff.

Notes to Draft Approval

1. It is the owner's responsibility to fulfil 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 the 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 the Title Act*.

Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

3. Clearances are required from the following agencies:

Otonabee Conservation
250 Milroy Drive
PETERBOROUGH, ON K9H 7M9

Manager, Access Network
Bell Canada
364 Water Street North
PETERBOROUGH, ON K9J 7B4

System Planner
COGECO Cable Solutions
P.O. Box 2290
PETERBOROUGH, ON K9J 7Y8

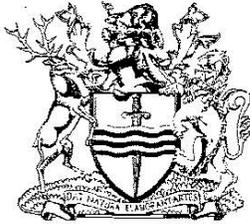
Kawartha Pine Ridge District School Board
1994 Fisher Drive
P.O. Box 719
PETERBOROUGH, ON K9J 7A1

Delivery Planner
Canada Post Corporation
1424 Caledon Place
Box 25
OTTAWA, ON K1A 0C1

Regional Development Review
Coordinator
Ministry of Transportation
Eastern Region
Planning and Design Section
Corridor Control Unit
1355 John Counter Blvd.
Postal Bag 4000
Kingston, ON K7L 5A3

Manager, Network Analysis
Distribution Planning
Enbridge Gas Distribution Inc.
P.O. Box 650
Scarborough, ON M1K 5E3

4. 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.
5. 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 citywide. Draft Approval does not assign a servicing allocation to this Plan of Subdivision. Services will be allocated on a “first-come-first served” basis in response to bonafide development pressure.



City of
Peterborough

NOTICE OF PUBLIC MEETING

DRAFT PLAN OF SUBDIVISION
APPROVAL AND ZONING
BY-LAW AMENDMENT

FILE No. 15T-05503/Z0524SB

TAKE NOTICE that pursuant to the *The Planning Act*, the **Planning Committee** will hold a public meeting in the **General Committee Room**, City Hall at **6:30 p.m. Monday, August 28th, 2006**, to consider applications for Draft Plan of Subdivision Approval and Zoning By-law Amendment under Sections 51 and 34 of the Act.

Applicant: Aon Inc.

Property Location: 4051 Guthrie Drive

Existing Official Plan Designation(s):

SCHEDULE 'A'

Land Use: Residential

SCHEDULE 'B'

Transportation: Bensfort Road is a Medium Capacity Arterial Street
Guthrie Drive is a High Capacity Collector Street

SCHEDULE 'E'

Residential Density: Parts of the subject property are designated
"Medium Density Residential"

Existing Zoning: R.1-"H"; R.31, 3x-"H"; R.4-"H"- Residential Districts
D.2-Development District

The subject Draft Plan was first approved by the City on May 26, 1997, subject to the approval of an Official Plan Amendment by the Ministry of Municipal Affairs and Housing. Official Plan Amendment No. 101 was approved by the Minister on September 17, 1997, which was the effective date of Draft Plan of Subdivision Approval. On August 8, 2000, City Council approved a 3 year extension to the Draft Plan Approval, to lapse on September 17, 2003.

Final Approval, however, was not granted and the owner did not apply for an extension to Draft Plan Approval and, therefore, Draft Plan Approval for the subdivision has lapsed. The owner has now re-filed an application for Draft Plan of Subdivision Approval for the subject property.

At the time Draft Plan Approval was first granted to the subject lands, the property was situated at the south edge of the city. In 1998, the City secured a substantial boundary adjustment to the south, including many more acres of the applicant's land holdings. In granting Draft Plan Approval in 1997, the plan tried to anticipate a logical extension of urban development to the south and this is reflected in the road pattern that was approved.

The City, however, is committed to plan the annexed lands in a comprehensive manner, complete with a full secondary plan. The City is presently in the midst of the Coldsprings Functional Planning Study, which will serve as the basis for a Secondary Plan for the lands which were subject to the boundary adjustment agreement between the City and the Township of Otonabee South-Monaghan.

The Proposed Development Details are as follows:

Lots/ Blocks	Zoning	Building Type	Minimum Lot Width	No. of Units
1 – 63	R.1 - "H"	Single Detached	12 m (40 ft)	63
A	Special District	Apartments/Suites With central dining and nursing care	81 m (80 ft)	55
B	Special District	Apartments/Suites With central dining and nursing care	93 m (70 ft)	62
C	Special District	Retirement Residential /Long Term Care	21 m (70 ft)	155
D	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	8
E	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	8
F	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	7
G	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	6
			TOTAL	364

Part of the above zoning was approved with the original Draft Plan of Subdivision and remains in place notwithstanding the lapsing of the Draft Plan Approval.

This project is being planned as a Schedule "A" undertaking following the requirements of the Class Environmental Assessment for Municipal Roads Projects and Municipal Water and Waste Matter Projects and, therefore, the applicant is concurrently seeking Class Environmental Assessment approval.

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

BE ADVISED if a person or public body that files an appeal of a decision of the City of Peterborough as the approval authority, in respect of the proposed Draft Plan of Subdivision and Zoning By-Law Amendment, does not make oral submissions at the Public Meeting, or make written submissions to the City of Peterborough before the proposed Draft Plan of Subdivision and Zoning By-Law Amendment is approved or refused, the Ontario Municipal Board may dismiss the appeal.

IF YOU WISH TO BE NOTIFIED of the decision of the City of Peterborough in respect of this Draft Plan of Subdivision, you must make a written request to:

Nancy Wright-Laking, City Clerk
City of Peterborough
500 George Street North
Peterborough, Ontario
K9H 3R9

ADDITIONAL INFORMATION relating to the application may be obtained from the Planning Division, City Hall (8:30 am – 4:30 pm Monday to Friday), or by contacting **Ken Hetherington, Acting Manager**, of the Planning Division at 742-7777 Ext.1781. Email: khetherington@city.peterborough.on.ca . A Staff Report will be available by 2:00 pm, on the Friday before the Planning Committee meeting.

Dated at the City of Peterborough this 28th day of July, 2006.

Part of the above zoning was approved with the original Draft Plan of Subdivision and remains in place notwithstanding the lapsing of the Draft Plan Approval.

This project is being planned as a Schedule "A" undertaking following the requirements of the Class Environmental Assessment for Municipal Roads Projects and Municipal Water and Waste Matter Projects and, therefore, the applicant is concurrently seeking Class Environmental Assessment approval.

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

BE ADVISED if a person or public body that files an appeal of a decision of the City of Peterborough as the approval authority, in respect of the proposed Draft Plan of Subdivision and Zoning By-Law Amendment, does not make oral submissions at the Public Meeting, or make written submissions to the City of Peterborough before the proposed Draft Plan of Subdivision and Zoning By-Law Amendment is approved or refused, the Ontario Municipal Board may dismiss the appeal.

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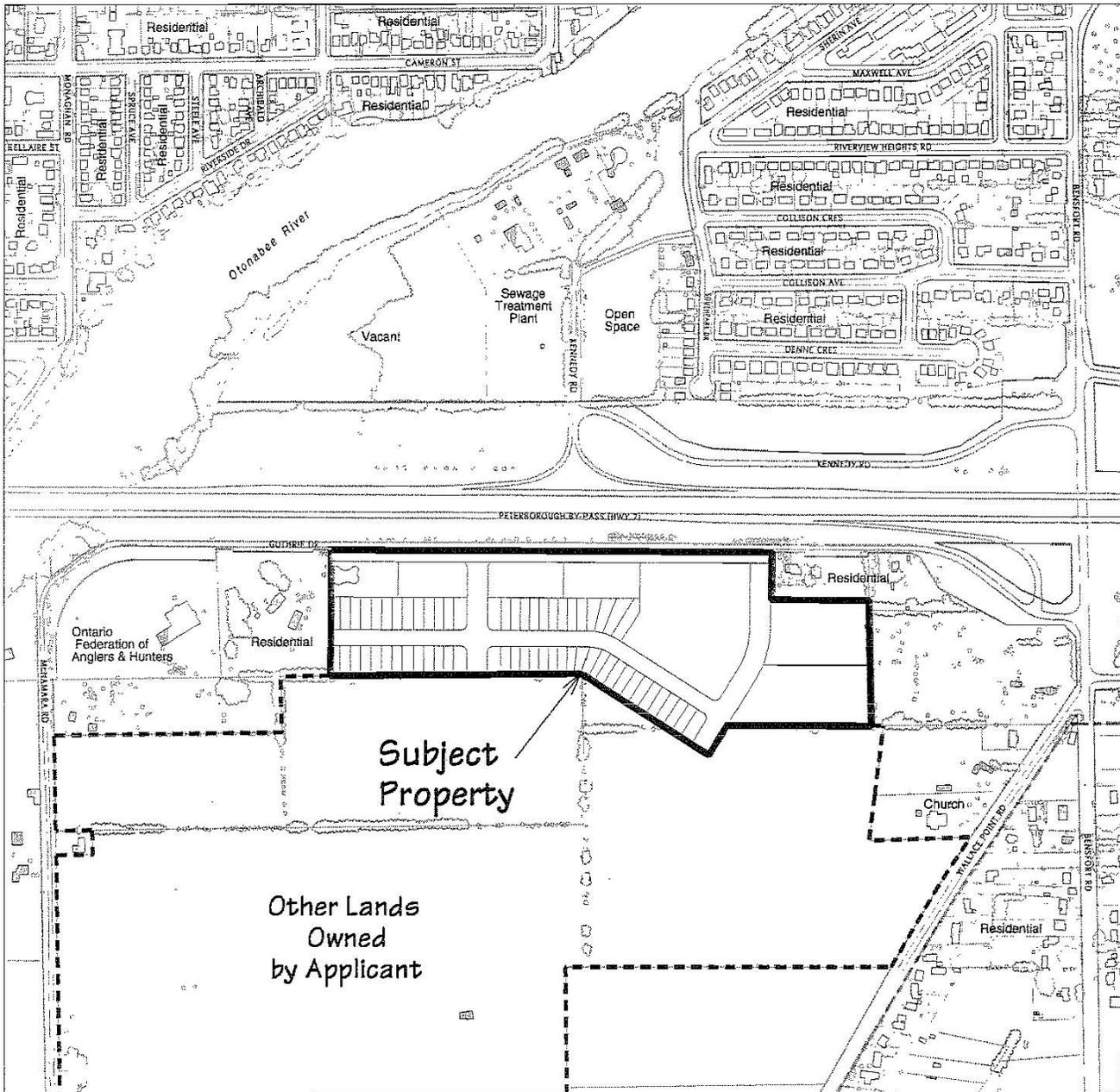
Dated at the City of Peterborough this 28th day of July, 2006.

Land Use Map

EXHIBIT
SHEET OF

File # z0524sb

Property Location: South of Guthrie Dr and East of McNamara Rd



LAND USES DERIVED FROM 1998 ASSESSMENT

The City of Peterborough Planning Division



Date - September 2005

Dwg. by - CBerry

Scale - 1:7200

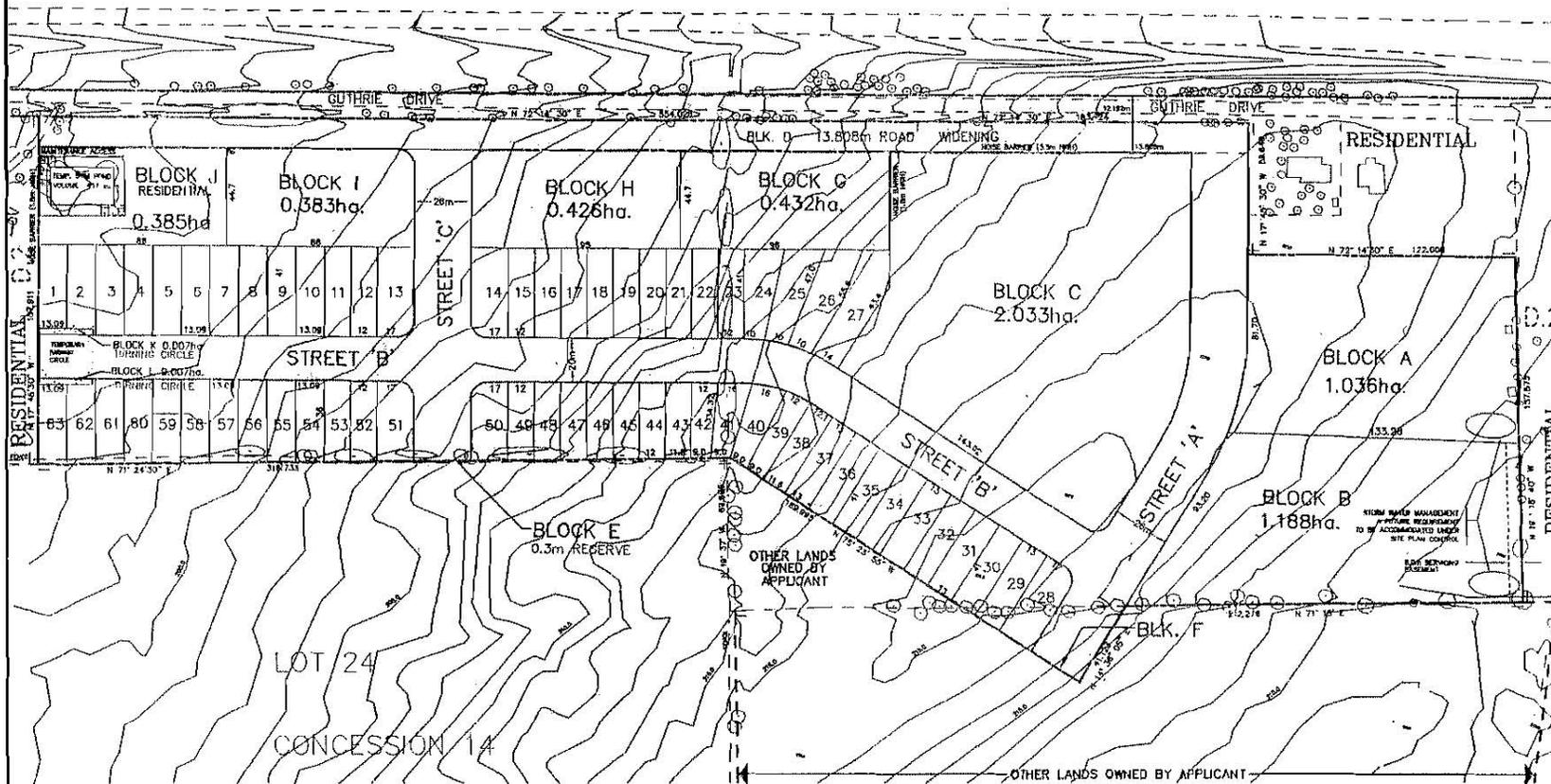
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METRIC

Dimensions are in METRES and/or MILLIMETRES unless otherwise shown



KINGS' HIGHWAY NO. 7

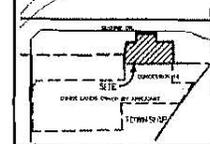


4	AUG 2008	REVISED DRAFT PLAN
3	DEC 1999	PROVISIONAL TO THE CITY
2	SEP	DRAFT APPROVED
1	1990	PLAN # 28-0000181-0000
1	1990	SUBMISSION FOR DRAFT
1	DATE	BY

DRAFT PLAN OF SUBDIVISION
OF PART OF NORTH HALF OF LOT 24
CONCESSION 14 FORMERLY IN THE
TOWNSHIP OF CUMBER HILL IN THE
CITY OF PETERBOROUGH

WLS
WILLIS & ASSOCIATES
1000 SHEPPARD AVENUE EAST
SUITE 100
SCARBOROUGH, ONTARIO M1B 3Y9
TEL: (416) 291-1111
FAX: (416) 291-1112

CITY OF PETERBOROUGH



Client:	GRANDVIEW ESTATES
Drawn by:	M.C.
Scale:	1:1000
Checked:	D.A.K.
Author:	D.A.K.
Project Name:	09-1073
Drawn by Date:	AUG 3/08

GRANDVIEW ESTATES
DRAFT PLAN

Information Required Under Section 51(17) of the Planning Act As Amended

(a) As indicated on plan
 (b) As indicated on plan
 (c) Key plan illustration
 (d) Proposed Uses: Residential, Stormwater Management
 (e) Adjacent Uses: Residential and Village

(f) As indicated on plan
 (g) As indicated on plan
 (h) Water Supply Is Municipal
 (i) Clay Till Soil
 (j) As indicated on plan
 (k) Municipal Services Available include Sanitary, Storm Sewers and Hydro Electric.
 (l) None

Proposed Land Use Location	Area	Intended Use	Estimated # Units
LOT 1-23	3.230ha 796m		83
Block A	1.036ha 258m	Apartments, with central dining	35
Block B	1.188ha 298m	Apartments, and nursing	82
Block C	2.033ha 500m	Retirement/Long Term Care	153
Block D	0.782ha 194m	13.60m Guthrie Drive Road Widening	
Block E	0.001ha 0.000m	0.3m Reserve	
Block F	0.001ha 0.000m	0.3m Reserve	
Block G	0.432ha 107m	Residential (Town/Semi)	8
Block H	0.426ha 105m	Residential (Town/Semi)	8
Block I	0.383ha 94m	Residential (Town/Semi)	7
Block J	0.385ha 94m	Residential	8
Block K-L	0.014ha 0.000m	Turning Circle	
Streets	1.082ha 271m		384 Units

Surveyor's Certificate

I hereby certify that the boundary of the land to be subdivided and their relationship to the adjacent lands are accurately and correctly shown on this plan.

Dated: _____

Owner's Authorization

I hereby authorize D.M. WLS Associates, Consulting Engineers, to submit this Draft Plan of Subdivision to the City of Peterborough for approval.

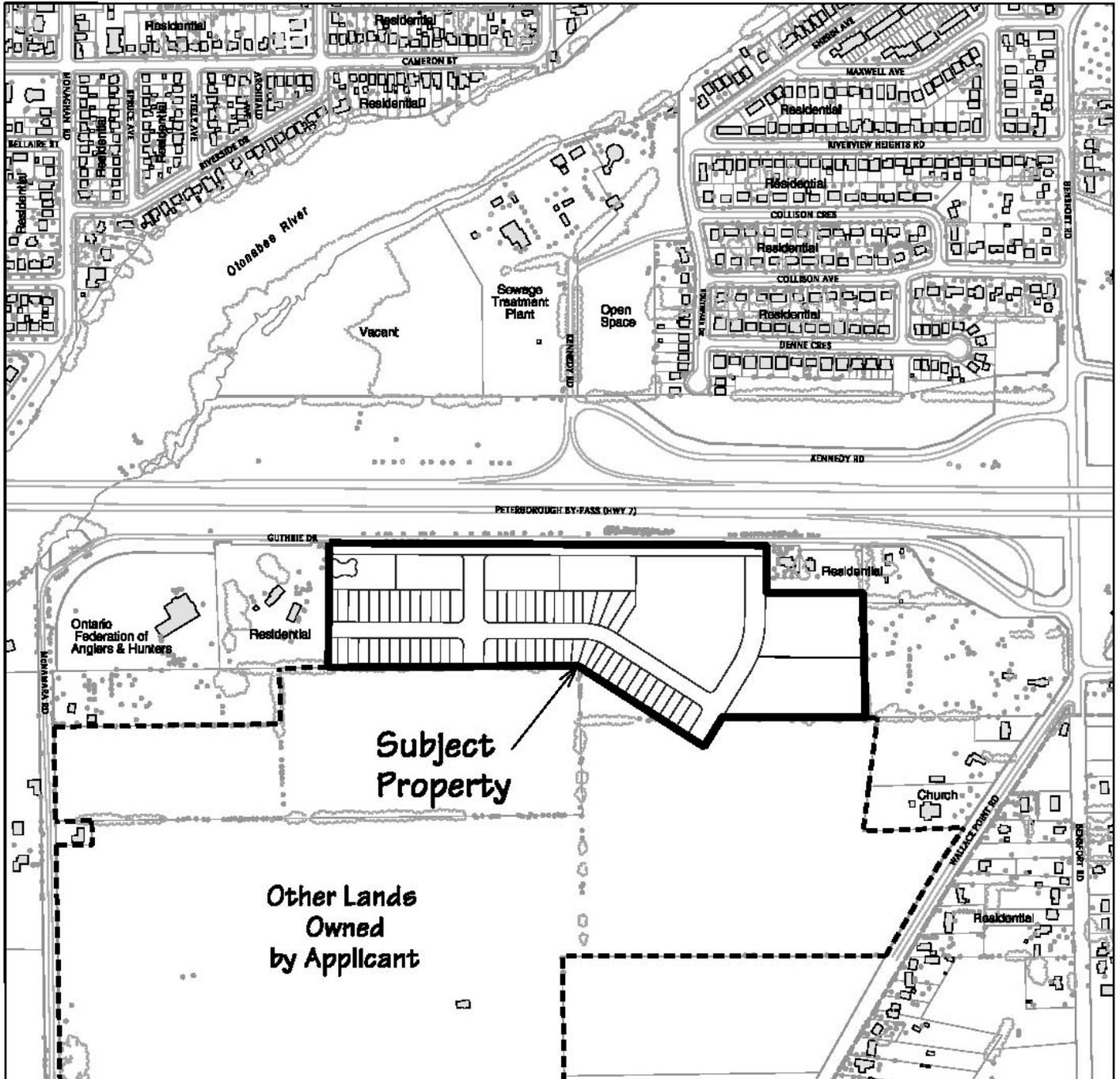
Dated: _____

Land Use Map

File # z0524sb

Property Location: South of Guthrie Dr and East of McNamara Rd

EXHIBIT
SHEET OF



LAND USES DERIVED FROM 1998 ASSESSMENT

The City of Peterborough Planning Division



Date - September 2005
Dwg. by - CBerry
Scale - 1:7200

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City of
Peterborough

NOTICE OF PUBLIC MEETING

DRAFT PLAN OF SUBDIVISION
APPROVAL AND ZONING
BY-LAW AMENDMENT

FILE No. 15T-05503/Z0524SB

TAKE NOTICE that pursuant to the *The Planning Act*, the **Planning Committee** will hold a public meeting in the **General Committee Room**, City Hall at **6:30 p.m. Monday, August 28th, 2006**, to consider applications for Draft Plan of Subdivision Approval and Zoning By-law Amendment under Sections 51 and 34 of the Act.

Applicant: Aon Inc.

Property Location: 4051 Guthrie Drive

Existing Official Plan Designation(s):

SCHEDULE 'A'

Land Use: Residential

SCHEDULE 'B'

Transportation: Bensfort Road is a Medium Capacity Arterial Street
Guthrie Drive is a High Capacity Collector Street

SCHEDULE 'E'

Residential Density: Parts of the subject property are designated
"Medium Density Residential"

Existing Zoning:

R.1-"H"; R.31, 3x-"H"; R.4-"H"- Residential Districts
D.2-Development District

The subject Draft Plan was first approved by the City on May 26, 1997, subject to the approval of an Official Plan Amendment by the Ministry of Municipal Affairs and Housing. Official Plan Amendment No. 101 was approved by the Minister on September 17, 1997, which was the effective date of Draft Plan of Subdivision Approval. On August 8, 2000, City Council approved a 3 year extension to the Draft Plan Approval, to lapse on September 17, 2003.

Final Approval, however, was not granted and the owner did not apply for an extension to Draft Plan Approval and, therefore, Draft Plan Approval for the subdivision has lapsed. The owner has now re-filed an application for Draft Plan of Subdivision Approval for the subject property.

At the time Draft Plan Approval was first granted to the subject lands, the property was situated at the south edge of the city. In 1998, the City secured a substantial boundary adjustment to the south, including many more acres of the applicant's land holdings. In granting Draft Plan Approval in 1997, the plan tried to anticipate a logical extension of urban development to the south and this is reflected in the road pattern that was approved.

The City, however, is committed to plan the annexed lands in a comprehensive manner, complete with a full secondary plan. The City is presently in the midst of the Coldsprings Functional Planning Study, which will serve as the basis for a Secondary Plan for the lands which were subject to the boundary adjustment agreement between the City and the Township of Otonabee South-Monaghan.

The Proposed Development Details are as follows:

Lots/ Blocks	Zoning	Building Type	Minimum Lot Width	No. of Units
1 – 63	R.1 - "H"	Single Detached	12 m (40 ft)	63
A	Special District	Apartments/Suites With central dining and nursing care	81 m (80 ft)	55
B	Special District	Apartments/Suites With central dining and nursing care	93 m (70 ft)	62
C	Special District	Retirement Residential /Long Term Care	21 m (70 ft)	155
D	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	8
E	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	8
F	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	7
G	R.2/R.3	Semi-Detached/Row Housing	6-9 metres/unit	6
			TOTAL	364

Part of the above zoning was approved with the original Draft Plan of Subdivision and remains in place notwithstanding the lapsing of the Draft Plan Approval.

This project is being planned as a Schedule "A" undertaking following the requirements of the Class Environmental Assessment for Municipal Roads Projects and Municipal Water and Waste Matter Projects and, therefore, the applicant is concurrently seeking Class Environmental Assessment approval.

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

BE ADVISED if a person or public body that files an appeal of a decision of the City of Peterborough as the approval authority, in respect of the proposed Draft Plan of Subdivision and Zoning By-Law Amendment, does not make oral submissions at the Public Meeting, or make written submissions to the City of Peterborough before the proposed Draft Plan of Subdivision and Zoning By-Law Amendment is approved or refused, the Ontario Municipal Board may dismiss the appeal.

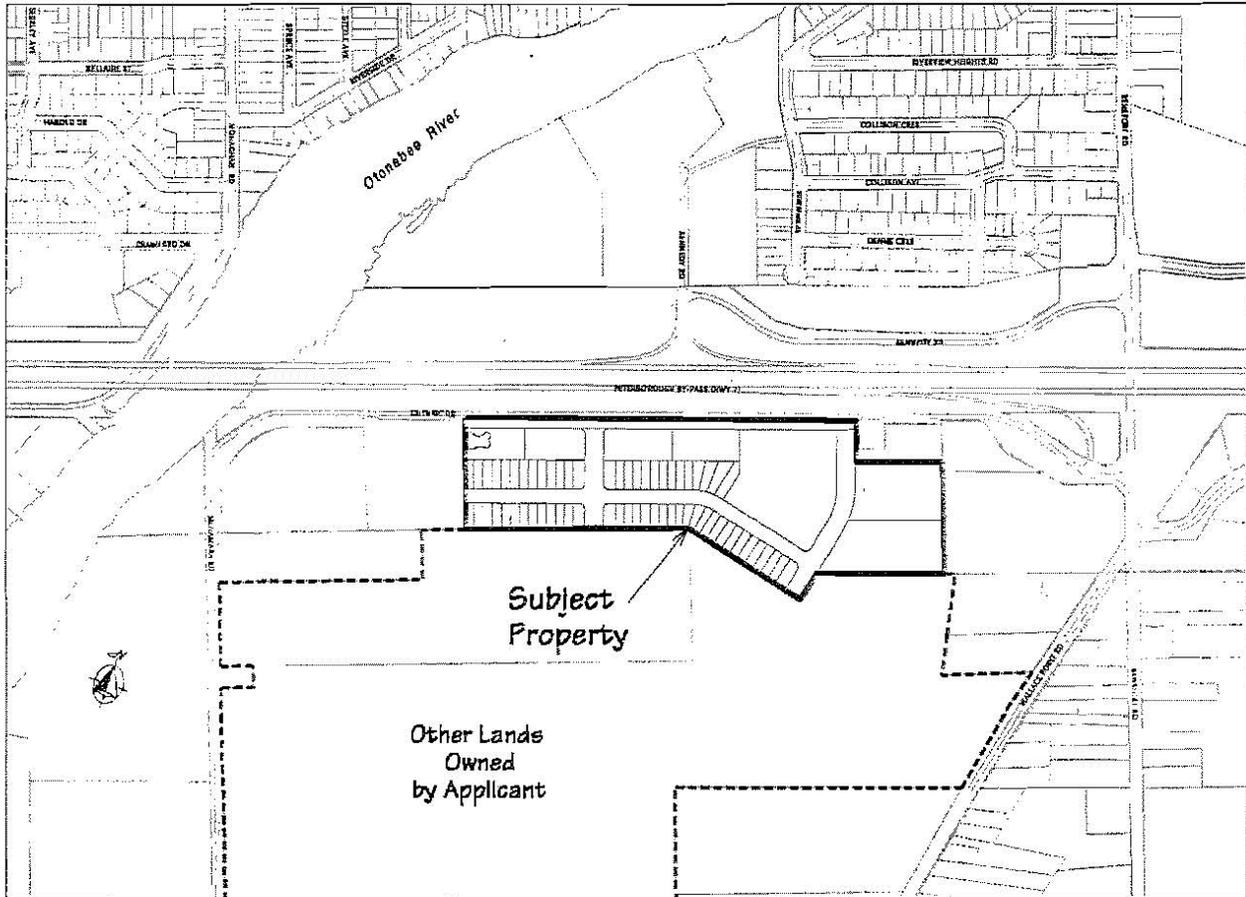
IF YOU WISH TO BE NOTIFIED of the decision of the City of Peterborough in respect of this Draft Plan of Subdivision, you must make a written request to:

Nancy Wright-Laking, City Clerk
City of Peterborough
500 George Street North
Peterborough, Ontario
K9H 3R9

ADDITIONAL INFORMATION relating to the application may be obtained from the Planning Division, City Hall (8:30 am – 4:30 pm Monday to Friday), or by contacting **Ken Hetherington, Acting Manager**, of the Planning Division at 742-7777 Ext.1781. Email: khetherington@city.peterborough.on.ca . A Staff Report will be available by 2:00 pm, on the Friday before the Planning Committee meeting.

Dated at the City of Peterborough this 28th day of July, 2006.

KEY MAP



Nancy Wright-Laking, City Clerk
City of Peterborough, City Hall
500 George Street North
Peterborough, Ontario
K9H 3R9

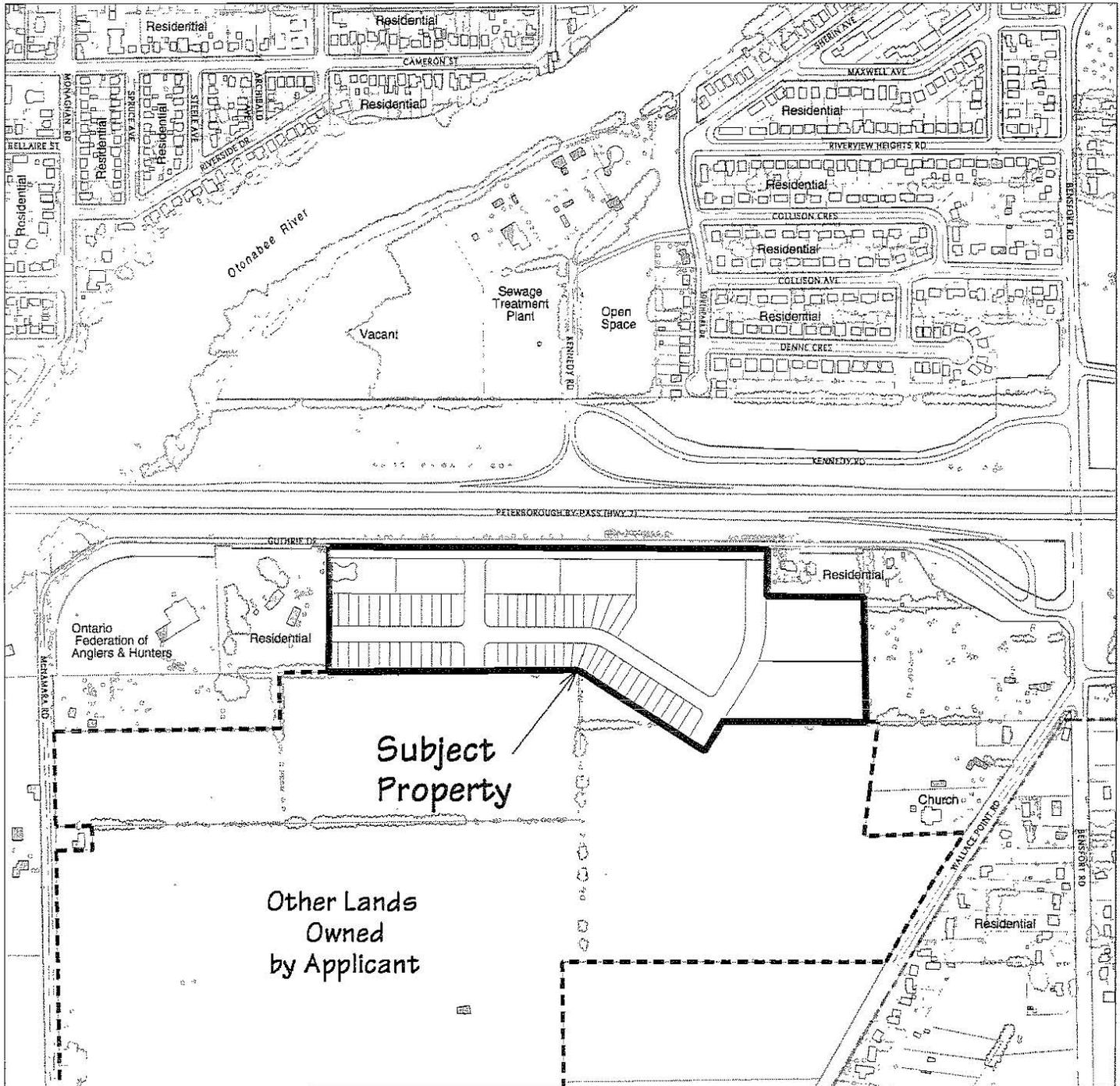
Notification of the passing of the by-law amendment will be provided upon written request to the City Clerk.

Land Use Map

EXHIBIT
SHEET OF

File # z0524sb

Property Location: South of Guthrie Dr and East of Mcnamara Rd



LAND USES DERIVED FROM 1998 ASSESSMENT

The City of Peterborough Planning Division



Date - September 2005

Dwg. by - CBerry

Scale - 1:7200

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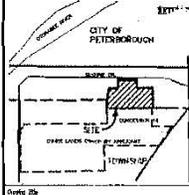
METRIC
Distances are in METRES and/or MILLIMETRES unless otherwise shown



4. MAR. 2005	REVISED DRAFT PLAN
5. DEC. 15/04	PROVISIONAL TO THE CITY
6. 1987	DRAFT APPROVED
7. 1982	FILE # 14-000001-0000
8. 1980	EXEMPTION FOR THE CITY
9. DATE BY	DESCRIPTION

DRAFT PLAN OF SUBDIVISION
OF PART OF NORTH HALF OF LOT 24
CONCESSION 14 FORMERLY IN THE
TOWNSHIP OF OTTAWARIE NOW IN THE
CITY OF PETERBOROUGH

WILLS
PROFESSIONAL SURVEYORS & ENGINEERS



Drawn by: GRANDVIEW ESTATES
DRAFT PLAN

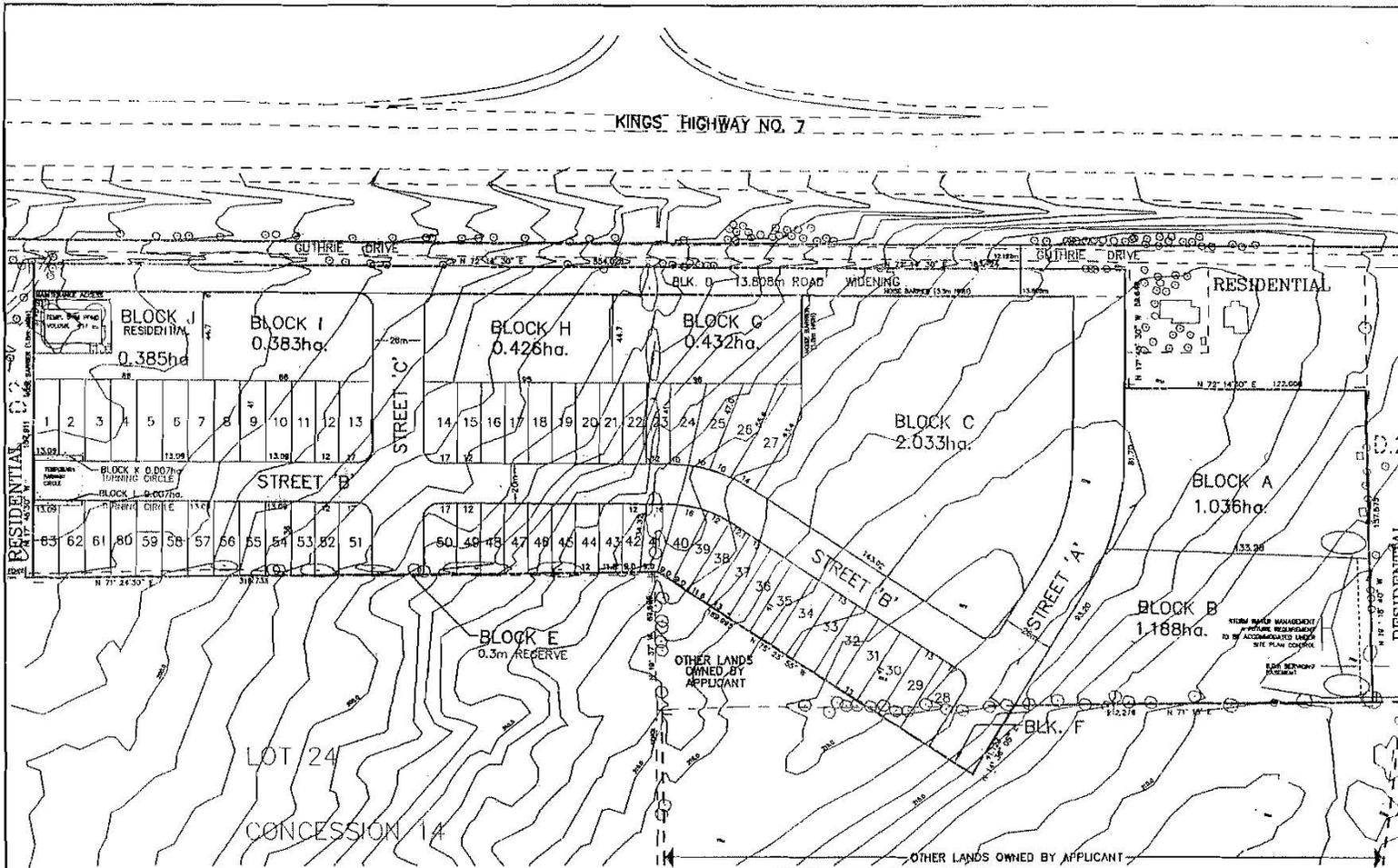
Scale: 1:1000

Author: D.A.K.

Engineer: D.A.K. Date: AUG. 9/06

Project No: 09-0073

GRANDVIEW ESTATES
DRAFT PLAN



Information Required Under Section 51(17) of The Planning Act As Amended

(a) As indicated on plan
(b) As indicated on plan
(c) Key plan illustration
(d) Proposed Uses: Residential, Stormwater Management
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Block J	0.385ha 96m	Residential	6
Block K-L	0.014ha 0.00m	Turning Circle	
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Surveyor's Certificate
I hereby certify that the boundary of the land to be subdivided and the relationship to the adjacent lands are accurately and correctly shown on this plan.

Dated: _____

Owner's Authorization
I hereby authorize D.A.K. WILLS Associates, Consulting Engineers, to submit this Draft Plan of Subdivision to the City of Peterborough for approval.

Dated: _____



City of
Peterborough

MEMORANDUM

File: Z0524SB
15T-05503

TO: Ms. Nancy Wright-Laking, City Clerk
FROM: Ken Hetherington, Acting Manager, Planning Division
DATE: September 6, 2006
RE: **By-law to amend the Zoning By-law at 4051 Guthrie Drive**

Attached is a by-law which is for presentation to City Council on September 11, 2006.

This by-law is prepared in accordance with the Council resolution dated August 28, 2006.

I would suggest the following explanation for circulation of the by-law:

"By-law 06- rezones the property at 4051 Guthrie Drive serves to amend Bylaw 1997-123 by rezoning the vacant lands at 4051 Guthrie Drive from D.2 – Development District and R.31-3x-"H" and R.4-"H" – Residential Districts to R.1-"H", R.2/R.3-"H"; SP.325-"H" and SP.325,11j-"H" – Residential Districts, in accordance with the Draft Plan of Subdivision 15T-05503, dated August 3, 2005.

The "H"-Holding Symbol will be removed from the Zoning By-law, for the single detached, semi-detached and row housing units, upon the registration of the Plan of Subdivision.

The "H"-Holding Symbol will be removed from the Zoning By-law, for the blocks zoned SP.325 and SP.325, 11j when it is determined the area road network is adequate to support traffic from these blocks.

Yours truly,

Ken Hetherington
Acting Manager of Planning
KH/sf

Copies of the Notice of By-law passage and approval to be sent to:

Mr. J. Hart, City Solicitor
Mr. Bob Waldron, Manager, Building Division
Applicant/Owner: AON INC. P.O.Box 296, Peterborough, ON K9J 6Y8
Agent: D.M. WILLS ASSOCIATES, 452 Charlotte Street, Peterborough, ON K9J 2W3

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 06-__

A BY-LAW TO AMEND THE ZONING BY-LAW FOR PROPERTY AT 4051
GUTHRIE DRIVE

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

1. By-law 97-123 is amended by adding the following section:

"SECTION 355

SPECIAL DISTRICT (SP.325)

355.1 For the purpose of this by-law, land use district "Special District " is hereby established and may be referred to as the symbol "SP.325".

PERMITTED USES

355.2 No person shall within an SP.325 district use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a multi-suite residence
- b) a multi-unit building

REGULATIONS

355.3 No person shall within an SP.325 district use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

a)	minimum lot area per dwelling unit	190square metres
b)	minimum lot area	1 hectare
c)	maximum building coverage	35%
d)	maximum lot coverage by surface parking lots and driveways	25%
e)	minimum landscaped open space	40%

f)	minimum building setback	9 metres or 3 metres per storey, whichever is greater
g)	maximum building height	4 storeys
h)	a minimum width of landscaped open space required to be established and maintained along all lot lines, except where interrupted by driveways	3 metres
j)	notwithstanding the provisions of Section 4.2, motor vehicle spaces shall be provided and maintained as follows: i) 1 space per dwelling unit ii) 0.75 spaces per residential suite	
k)	for the purposes of establishing maximum number of units, two (2) residential suites are the equivalent of one (1) dwelling unit.	

355.4 SP.325 is hereby designated as a residential district."

2. **Map 26** forming part of Schedule 'A' to By-law 97-123 is amended by changing the area shown on the sketch attached hereto as Schedule 'A' **from D.2 – Development District, R.31-3x – 'H' and R.4 – "H" to R.1 – "H", R.2/R.3–"H"; SP. 325 - "H" and SP. 325, 11j- "H" for those areas zoned R.1 and R.2/R.3.**

3. The "H"-Holding Symbol shall be removed from the Zoning By-law upon the registration of the Plan of Subdivision.

4. The "H" –Holding Symbol shall be removed from the Zoning By-law for those blocks zoned SP.325 and SP.325, 11j once it has been determined that the area road network is adequate to support traffic from these blocks.

By-law read a first and second time this ____ day of _____, 2006.

By-law read a third time and finally passed this ____ day of _____, 2006.

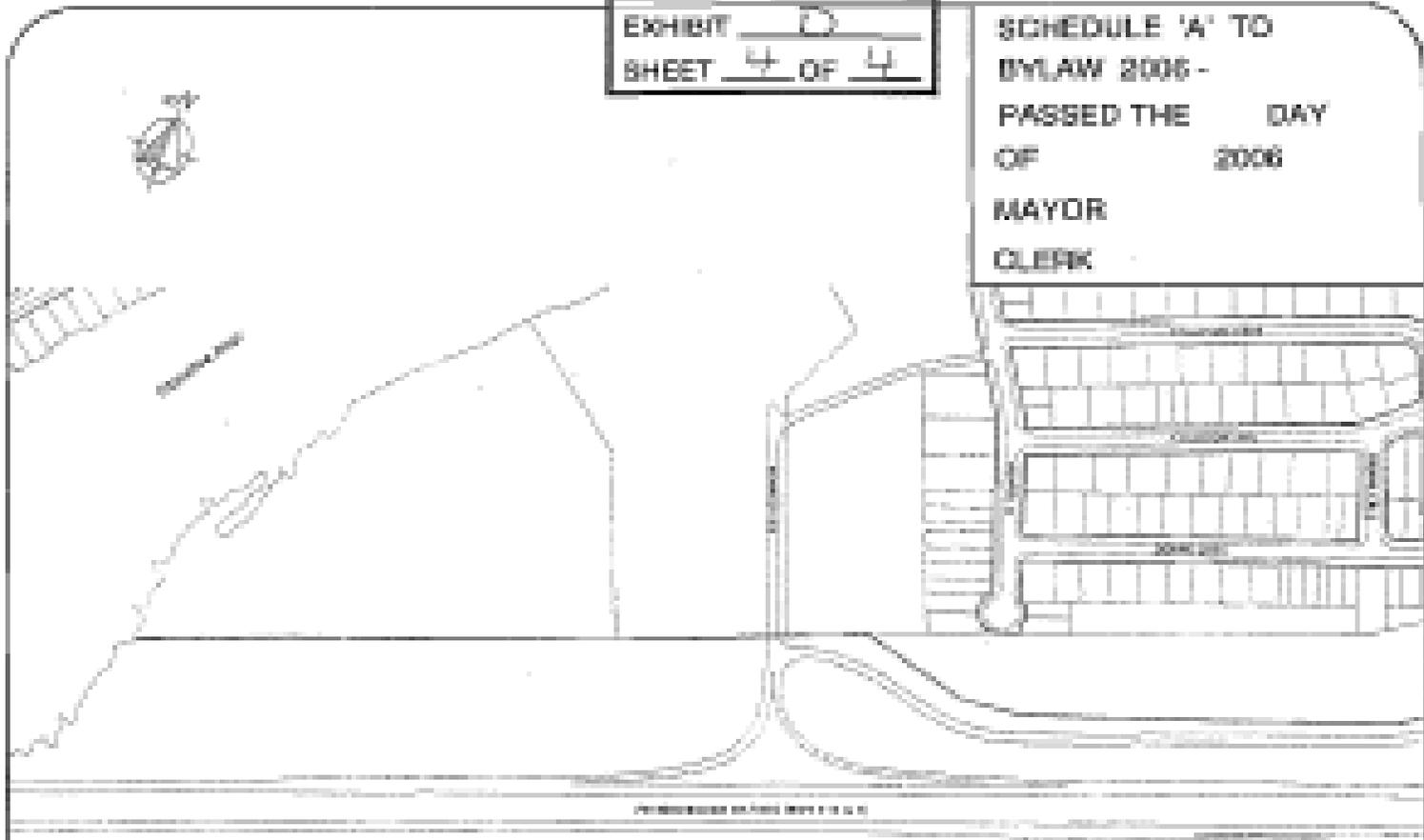
Sylvia Sutherland (Mayor)

(Seal)

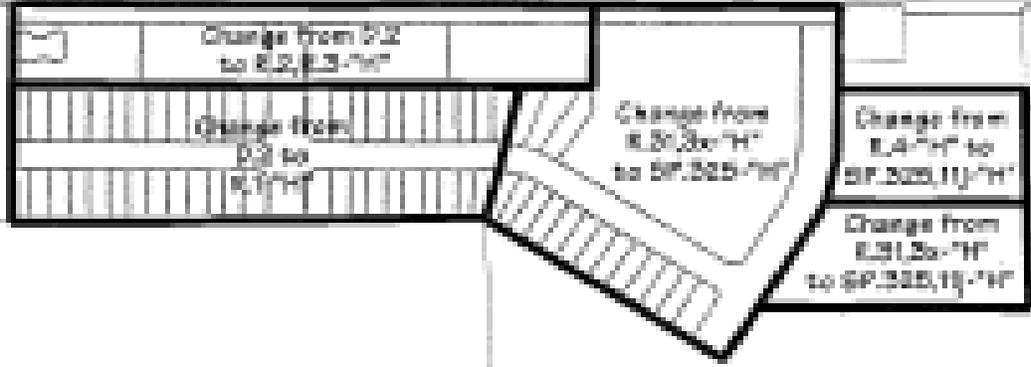
Nancy Wright-Laking (Clerk)

EXHIBIT D
SHEET 4 OF 4

SCHEDULE 'A' TO
BYLAW 2006 -
PASSED THE DAY
OF 2006
MAYOR
CLERK



PETERBOROUGH PLANNING DEPT. 1111 1111



Peterborough City of

The "City of Peterborough" is not responsible for any errors or omissions in this plan. The user of this plan is advised to verify all dimensions and locations of any structures, utilities, and other features shown on this plan. The user is also advised to verify the accuracy of any data used in this plan. The user is also advised to verify the accuracy of any data used in this plan.

File: z0524

Scale: 1:5000



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: July 26, 2010

SUBJECT: Report PLPD10-058
Official Plan Amendment O1004
Zoning By-law Amendment Z1006SB
Draft Plan of Subdivision 15T-10504
AON Inc.
4571 Guthrie Drive, 2006 and 2011 McNamara Road

PURPOSE

A report to evaluate the planning merits of the Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment applications for the properties at 4571 Guthrie Drive, 2006 and 2011 McNamara Road.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD10-058 dated July 26, 2010, of the Manager of the Planning Division, as follows:

- a) That the Official Plan be amended by adding Schedule 'P' – Coldsprings Secondary Land Use Plan, attached to Report PLPD10-058 as Schedule 'A' of Exhibit D.
- b) That Schedules "A" – Land Use, "B"- Roadway Network, "D" – Development Areas, "E" – Residential Density, and "F" – Key Map to Secondary Land Use Plans of the Official Plan be amended in accordance with Exhibit D of Report PLPD10-058 in order to reflect the land use planning objectives of the Coldsprings Secondary Land Use Plan.

- c) That Section 10 - Secondary Plans of the Official Plan be amended in accordance with Exhibit D of Planning Report PLPD10-058.
- d) That Draft Plan of Subdivision Approval for Plan 15T-10504, Drawing No. 04690 dated July 22, 2010 by Walker, Nott, Dragicevic Associates Limited, be granted, subject to the Conditions of Draft Plan Approval attached to Report PLPD10-058, as Schedule 1.
- e) That the subject property be rezoned from A1 – Restricted Agricultural Zone (Otonabee), HL – Hazard Lands Zone (Otonabee), and D.2 – Development District 2 to R.1-“H”; SP.325-“H” – Residential Districts, OS.1; OS.2 – Open Space Districts, and D.2-96 – Development District in accordance with the Draft Plan of Subdivision and Exhibit E of Report PLPD10-058.
- f) That the 2011 Capital Budget include a \$2.5 million project to be funded from the Coldsprings Area Specific Development Charge for the construction of a sanitary pumping station and forcemain in the Coldsprings Development Area, which is necessary to allow development to proceed in the Coldsprings Development Area.
- g) That the City negotiate a separate financing agreement with AON Inc. to be presented to Council for final approval, whereby the City agrees to construct the the sanitary pumping station and forcemain, and that AON Inc. agrees to pay to the City, within a ten-year period from the date that Final Subdivision Approval is granted, any balance of the cost, including accrued interest charges, that has not been paid from the Coldsprings Area Specific Development Charge collected on units registered by AON within the Plan of Subdivision.

OTHER PERTINENT CONSIDERATIONS

The ‘H’ – Holding Symbol will be removed from the residential zones upon registration of the plan at the Land Registry Office.

BUDGET AND FINANCIAL IMPLICATIONS

Approval of the recommendations commits the City to upfront the cost for the required sanitary pumping station and forcemain which combined are estimated to cost \$2.5 million dollars.

AON anticipates to construct 580 – 670 dwelling units within the first 10 years of the development. During that time, the City will recover a portion of its front-end costs through the collection of area-specific development charges (\$1,861/single detached unit - 2010 rate) at the time of subdivision plan registration. Notwithstanding this, the Coldsprings Area Specific Development Charge Reserve Fund will be overdrawn during this period. To ensure AON Inc. pays the balance of the funds owing to the Development Charge Reserve Fund, including accrued interest charges, within 10 years of Final Approval, staff are recommending that AON Inc. be required to enter a separate financing agreement with the City to be approved by Council. Upon receipt of the final payment AON Inc., the upfront cost expended by the City from the Coldsprings Area Specific Development Charge Reserve Fund will be completely repaid and AON Inc. will have established a substantial credit with respect to the payment of area-specific development charges.

External road improvements along Wallace Point Road and Bensfort Road are required to accommodate full build-out of the proposed draft plan of subdivision. These improvements, which are subject to Class Environmental Assessment requirements, are not identified in the 2002 Major Transportation Plan and therefore are not referenced in the City-wide Development Charge Background Study (Hemson Consulting, November, 2009) or included in the City-wide engineering services development charge. Notwithstanding this, staff anticipate that funds will be included in the 2011 budget to finance the required Environmental Assessment and Preliminary Design in conjunction with the Ministry of Transportation.

Presently, the City is preparing an update to the 2002 Major Transportation Plan. Following completion of the update, staff will review the transportation component of the current City-wide Development Charge By-law to ensure that projects identified in the Major Transportation Plan are reflected in the Development Charge calculation. Though that process, it is expected that road improvements required for the development of the Coldsprings Area will be included as Development Charge fundable items. Once these projects are identified as Development Charge items, their design and construction will be included in future Capital Budgets.

BACKGROUND

The subject lands are approximately 40.52 hectares (100 acres) in size and represent approximately 15% of the 280 hectare (692 acre) Coldsprings Planning Area. The lands are part of an area annexed from Otonabee Township on January 1, 1998. The subject property has historically been used for agricultural purposes and is located at 4571 Guthrie Drive, 2006 and 2011 McNamara Road. The site is bounded by Wallace

Point Road to the east, existing agricultural/rural uses to the south, the Otonabee River to the west, and the applicant's existing Draft Approved residential Plan of Subdivision 15T-05503 to the north. McNamara Road bisects the western portion of the plan.

The applicant is proposing a residential plan of subdivision as shown in Exhibit C consisting of 409 single-detached dwellings with lot widths ranging from 12.1m (40 Feet) to 13.7m (45 feet), a 135-unit retirement complex, a block for open space purposes, a block for a local parkette, a block for a stormwater management facility/sewage pumping station, a block for future development purposes at the intersection of Street A and Wallace Point Road and another block for future development/temporary sales centre purposes at the western limit of Street A. Additionally, the plan provides for a 6-metre widening of the McNamara Road allowance and a 2-metre widening of the Wallace Point Road allowance. Street A is proposed as a 26 metre wide collector street traveling east-west to link Wallace Point Road and McNamara Road. Streets B and C are also proposed as 26 metre wide collector streets traveling north-south to link Street A to Guthrie Drive. Local Streets D, E and F are proposed as 18.5 metre wide allowances with a 25 metre wide allowance where they intersect with Street A.

When considered together with adjacent Draft Approved Plan of Subdivision 15T-05503, the two plans propose a total of 472 single detached dwellings, 29 semi-detached or row dwellings, and 357 medium density (e.g. retirement) residential suites.

Although development of the adjacent lands encompassed by Draft Plan Subdivision 15T-05503 has been approved subject to conditions since the late 1990s, development of the area has yet to proceed due to servicing and transportation issues that have restricted the applicant's ability to develop the adjacent plan in full. The subject application addresses those issues by increasing the overall development yield potential for the area, by providing a permanent servicing solution for the area, and by providing new elements to the transportation network that will serve the entire area rather than relying on the network that existed when Draft Plan Subdivision 15T-05503 was originally approved.

The subject lands are encompassed within the area subject to the Coldsprings Functional Planning Study (FPS). As described in Report PLPD10-057 dated July 26, 2010, the Coldsprings FPS was commenced in 2003 to comprehensively review the major planning issues affecting the area bound by Highway 7/115, Bensfort Road/Wallace Point Road, Driscoll Road, Matchett Line and the Otonabee River. The results of the Coldsprings FPS are intended to serve as the rationale and basis for a City-initiated Secondary Plan for the Coldsprings Planning Area. Throughout the review of the subject applications, Planning staff have been working with the consulting team

undertaking the Coldsprings FPS to ensure the study's completion prior to or concurrent with the approval of any further development in the area and that the subject applications are consistent with the recommendations of the FPS. Report PLPD10-057, which is being considered concurrent with this report notes that the Coldsprings FPS is now complete and recommends that it be received by Council and endorsed to form the basis of a Coldsprings Secondary Plan.

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, Official Plan designation, 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. 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

a) Provincial Policy

Provincial Policy Statement, 2005

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS promotes efficient, cost effective development and land use patterns, protection of resources and public health and safety. In keeping with Section 1.1.3.2 of the PPS, the proposed plan provides for the efficient use of available land, proposed infrastructure and resources by providing the infrastructure required to allow the larger Coldsprings area to develop over time as complete community with an efficient mix of densities and land uses.

In accordance with Section 1.1.1 of the PPS, the draft plan of subdivision will be municipally serviced, provides the initial infrastructure that will be required to meet the projected needs for the developing Coldsprings community, and helps to establish the framework for a community that will accommodate a range and mix of land uses in an efficient manner to accommodate long-term needs.

Collector roads within the draft plan will be designed to accommodate the future expansion of transit service as it becomes warranted in accordance with the City's Public Transit Business Plan and sidewalks will be provided along both sides of all new streets, including cul-de-sacs with 30 or more dwelling units, in accordance with City policy.

The proposal is also consistent with the housing policies of the Section 1.4 of the PPS by providing a range of housing types and densities that will contribute to the 10 year supply of land designated and available for new residential development, by providing opportunities for housing that meets the social, health and well-being of current and future residents, and by directing new housing towards locations where appropriate levels of infrastructure and public services facilities will be available to support projected needs.

Consistent with Section 2.1.5 of the PPS, the proposed development has incorporated setbacks from the Otonabee River as recommended by the Natural Environment Component of the Coldsprings FPS prepared by Ecoplans Limited. These setbacks will be confirmed prior to Final Approval through the preparation of a subdivision-specific Environmental Study as a condition of draft plan approval.

In accordance with Section 2.6 of the PPS, York North Archaeological Services Inc. undertook a Stage I, II, III and IV archaeological investigation of the subject lands. In correspondence dated June 27, 2007, March 11, 2009 and September 21, 2009, the Ministry of Culture advised that provincial concerns for archaeological resources within the proposed development have been met.

Growth Plan for the Greater Golden Horseshoe

The subject lands are located in the "Designated Greenfield Area" as identified in the *Growth Plan for the Greater Golden Horseshoe, 2006*. These areas are intended to accommodate a portion of the City's long-term growth with the remainder being accommodated through intensification and redevelopment in existing built-up areas of the city. For the city's Designated Greenfield Areas as a whole, the City is required to plan for a minimum density target of 50 persons and jobs per hectare. Without considering any employment opportunities for the proposed retirement complex or home-based employment, the proposed plan of subdivision provides for a density that is lower than that which is prescribed by the Growth Plan (approximately 37 persons per hectare). When the plan is considered together with the adjacent draft approved plan of subdivision, that pre-employment density increases to approximately 40 persons per hectare.

Based on information provided by the applicant regarding staffing levels at retirement facilities and information contained in the 2006 Census for home-based employment in Peterborough, staff estimate that subject plan and the adjacent plan will achieve a combined density of approximately 48 persons and jobs per hectare. As the City prepares a secondary plan for the remainder of the Coldsprings Area, staff will ensure that achievement of the Places to Grow density target is planned for on average across the entire Planning Area (including the subject lands).

Overall, the proposed plan of subdivision is consistent with the direction of the PPS and the policies of the Growth Plan for the Greater Golden Horseshoe. It is anticipated that secondary planning throughout the remainder of the Coldsprings Planning Area will strengthen this compliance particularly as it relates to average density and land use mix across the area as a whole.

b) Official Plan

The subject lands are currently designated as follows:

Schedule 'A' Land Use	Rural (Otonabee Township) Village (Otonabee Township) Major Open Space
Schedule 'A1' City Structure	Designated Greenfield Area
Schedule 'B' Roadway Network	Guthrie Dr./McNamara Rd. – High Capacity Collector
Schedule 'C' Natural Areas & Flood Plain	Areas alongside Otonabee River are designated as 'Natural Areas and Corridors', 'Flood Plain', and 'Lands Adjacent to Fish Habitat'

As described above, the lands are subject to designations in the City of Peterborough Official Plan and designations in the Township of Otonabee Official Plan that have remained on the lands since being annexed in 1998. Accordingly, an Official Plan Amendment is required to change the "Rural" and "Village" designations from the former Township Official Plan to "Residential" to bring the lands' designations into compliance with the City Official Plan. Additionally, staff are recommending that the Official Plan be amended to reflect both the proposed Draft Plan of Subdivision and adjacent Draft Plan of Subdivision 15T-05503 as the first stage of a Coldsprings Secondary Plan and to adopt policies for the Secondary Plan that reflect this stage of urban development in the Planning Area.

The proposed Official Plan Amendment, as detailed in Exhibit D, attached to Report PLPD10-058, would amend the Official Plan as follows:

- Amend Schedule A – Land Use to change the 'Rural (Otonabee)' and 'Village (Otonabee)' designations on the lands to a 'Residential' designation for all areas to be developed;
- Amend Schedule B – Roadway Network to add Streets 'A', 'B', and 'C' as Collector Streets;
- Amend Schedule D – Development Areas to add the lands to Area 2;
- Amend Schedule E – Residential Density to designate Block D (Retirement Complex) for Medium Density purposes;
- Amend Schedule F – Key Map to Secondary Land Use Plans to remove a portion of the subject property from area 23 – Otonabee and establish a new area entitled 26 – Coldsprings;
- Add Schedule P – Coldsprings Secondary Land Use Plan; and,
- Add Section 10.7 – Coldsprings Secondary 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. Each of these factors will be considered in turn.

i. Proposed Housing Types

The proposed subdivision provides for the development of 415 single detached residential units and 130 medium density (retirement complex) units. The lots and dwellings proposed are comparable in nature and size to those that have been developed in many new subdivisions however, when considered in conjunction with the adjacent draft approved plan of subdivision, the proposed development includes a significantly higher concentration of medium density retirement facilities than is typically seen in new subdivisions. Generally, the proposed development is situated in an

area formerly used for agricultural purposes. Consequently, many of the proposed single detached dwellings have little proximity to existing dwellings. Where existing rural residential properties do exist, the plan generally sites larger development blocks, such as the retirement block, adjacent to such uses. Development of such blocks will be subject to site plan approval and therefore will be subject to an analysis of development compatibility and, if necessary, approval conditions to ensure compatibility with adjacent uses.

Additionally, through the provision of retirement development, the plan of subdivision is responding to Peterborough's aging demographic. Integrating such development within a new neighbourhood will allow future residents the opportunity to age within the neighbourhood rather than move elsewhere if they require a retirement living facility. As the remainder of the Coldsprings community is planned, additional medium and high density uses and affordable units will be accommodated in order to ensure the a full spectrum of residential opportunities will be available in the community.

ii. Surrounding Land Uses

The majority of the lands to the south and southwest are owned by the applicant and are currently designated and zoned for rural/agricultural uses in accordance with the former Township of Otonabee Official Plan and Zoning By-law. To the north the plan abuts draft approved residential Plan of Subdivision 15T-05503 as well as an agricultural property located at 2015 McNamara Road, an open space/development district property with a dwelling at 2034 McNamara Road, and a rural residential property at 4567 Guthrie Drive. To the east, the plan abuts the St. Matthews United Church, a rural residential property at 4016 Wallace Point Road, and a vacant agricultural lot at 3978 Wallace Point Road. Development along the east side of Wallace Point Road consists of privately-serviced residences associated with the Coldsprings Rural Settlement Area which is located in the Township of Otonabee-South Monaghan.

Planning for the development of the adjacent lands within the City will occur as part of the secondary plan for the Coldsprings Planning Area. The proposed plan of subdivision provides opportunities for the extension of streets and services onto adjacent lands to ensure a logical and orderly progression of development.

The subject lands are located within 500 metres of both Highway 7/115 and industrial facilities located along Neal Drive. Similar to the requirement imposed upon Draft Plan of Subdivision 15T-05503, the proposed conditions

of Draft Plan Approval require the developer to complete a detailed Noise Impact Assessment to evaluate the noise impacts due to road traffic and “stationary” sources within 500 metres of the site and recommend, as necessary, measures for the mitigation noise impacts on the proposed development, warning clauses and a plan of implementation to ensure that the control measures are properly implemented.

Additionally, the lands are located approximately 350 metres south of the property that houses the City of Peterborough Wastewater Treatment Plant. In order to minimize any potential land use conflicts between the plant and the proposed residential development, the proposed conditions of Draft Plan Approval require the developer to insert a clause in all agreements of purchase or sale or lease, to be registered on title, advising prospective purchasers or tenants of the proximity and operation of the City of Peterborough’s Wastewater Treatment Plant and associated open lagoons.

iii. Adequacy of Municipal Services

Water Service

The development is planned for full municipal water service.

Based on work undertaken as part of the Coldsprings Functional Planning Study and work undertaken by D.M. Wills on the applicant’s behalf in support of the proposed development, it is understood that the existing 300mm ductile iron distribution main at the intersection of Neal Drive and Bensfort Road will need to be extended to the south along Wallace Point Road approximately 400m to the subdivision limit. The watermain will be designed to provide service to development and is proposed to extend north along Street C, passing under Highway 7/115, and connecting to the existing 150mm watermain on Southpark Drive, north of Highway 7/115.

Presently, Peterborough Utilities Services Inc. (PUSI) advises that up to 63 single detached dwellings may be constructed prior to connecting the 300mm watermain to the Southpark Drive watermain. As a condition of approval, the developer will be required to undertake a detailed hydraulic analysis to determine the amount of development that can be accommodated when the watermain is looped with the Southpark Drive watermain.

Full build out of the site and development of the larger secondary plan area will require the extension of a 600mm trunk watermain from Johnston Drive, west of the Otonabee River, to the existing 600mm trunk watermain on Neal Drive. Presently, PUSI is completing an Class Environmental Assessment for this watermain extension. Although construction of the extension is currently

scheduled for 2015, PUSI is contemplating moving that work up to 2012-2013 to respond to development needs. As a condition of Draft Plan Approval, the developer will be required to receive confirmation from PUSI prior to each stage of Final Approval that sufficient infrastructure and capacity exists to provide water service to the plan.

Additionally, as a condition of Draft Plan Approval, the developer will be required to enter into a subdivision agreement with PUSI for the provision of water works.

Sanitary Service

The development is planned for full municipal wastewater collection and treatment.

Through completion of the Coldsprings Functional Planning Study, it is known that sanitary waste from the subject lands will flow westerly to a low point adjacent to the Otonabee River (Block C). The Planning Study recommends that a permanent pumping station be constructed within this area and that the sewage flows be pumped to the wastewater treatment plant via a forcemain crossing under Highway 7/115 either adjacent to the Otonabee River or further west, along Street C (in conjunction with the proposed water main crossing under the highway) where it would then connect to the Southpark Drive sanitary sewer and flow by gravity to the Sherin Avenue trunk and into the treatment plant. Under either scenario, the Southpark Drive sanitary sewer will need to be replaced with a larger sewer between the forcemain connection and the Sherin Avenue connection.

As a condition of Draft Plan Approval, the developer will be required to secure all necessary approvals for the required sanitary servicing infrastructure and to have the necessary infrastructure constructed prior to the registration of any dwelling units within the Coldsprings Planning Area.

The City's Environmental Protection Division has confirmed that sufficient capacity exists within the Wastewater Treatment Plant to accommodate this development. 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.

Stormwater Management

The topography of the site splits the development into two stormwater drainage sheds. As described in the Coldsprings Functional Planning Study, the west half of the development and most of existing Draft Approved Plan of

Subdivision 15T-05503 drains west toward the Otonabee River. The east portion of the site, and lands along the west side of Wallace Point Road drain southwesterly toward a large woodlot and swamp area located west of McNamara Road, approximately 560 metres south of the subject lands.

In accordance with the Functional Planning Study recommendations, the developer proposes to develop a stormwater management pond within Block C that will outlet to the Otonabee River. Additionally, the developer proposes to construct a temporary stormwater management pond on lands they currently own east of McNamara Road, near the large woodlot. The temporary pond will be used until such time as the permanent stormwater management facility for the drainage area, as recommended in the Functional Planning Study, is constructed adjacent to the woodlot.

Prior to Final Approval, the owner will be required to submit a final stormwater management report to the satisfaction of Otonabee Region Conservation Authority (ORCA), the City Engineer, the Trent-Severn Waterway and the Ministry of Transportation. Additionally, the developer will be required to conduct a water balance for lands draining to the woodlot as well as a hydrogeological and geotechnical investigation to recommend opportunities for maintaining groundwater flow to the woodlot, enhancing water infiltration, and protecting surrounding well users from adverse groundwater quality and quantity impacts. As recommended in the Hydrogeological and Geotechnical Assessment undertaken by Peto MacCallum Ltd. for the Coldsprings Functional Planning Study, the owner will also be required to monitor area wells throughout construction and post-construction to help ensure they are not negatively impacted by development.

Electrical Service

Electrical service to the site will be provided by Peterborough Distribution Inc (PDI). Prior to final approval, the developer will be required to enter into a subdivision agreement with PUSI for electrical servicing.

iv. Traffic Impacts

Generally, the collector street pattern proposed as part of the subject application is consistent with that identified in the Coldsprings Functional Planning Study.

As part of the Coldsprings Functional Planning Study, Earth Tech completed the Coldsprings Transportation Study in 2008 which assessed the impact that

growth in the Coldsprings area would have on the external transportation network. The results of the study, which are outlined in Reports PLPD08-035 (May 12, 2008) and PLPD08-035A (September 22, 2008), were received by Council on October 6, 2008. The study identifies improvements necessary to support full build out of the Planning Area and an implementation phasing plan that is tied to development of the Planning Area.

Cumulatively, the proposed Draft Plan of Subdivision and adjacent Draft Plan of Subdivision 15T-05503 propose to create 859 dwelling units/suites. Based on the recommendations of the Coldsprings Transportation Study, build out of the two plans would trigger the need for a number of transportation network improvements as follows (assuming a development mix of 60% single detached, 22% medium density and 18% high density units):

- i) At 92 units of residential development, all-way stop sign controls would be required at the intersection of Guthrie Drive and the Highway 7/115 ramp, and at the intersection of Guthrie Drive and Bensfort Road.
- ii) At 350 units of residential development, a second permanent roadway from the development to Wallace Point Road would be required.
- iii) At 500 units of residential development:
 - a. Guthrie Drive would need to be closed between Bensfort Road and the Highway 7/115 ramp;
 - b. The east bound Highway 7/115 exit ramp to Bensfort Road would need to be reconstructed and Neal Drive may need to be realigned to meet the reconstructed ramp as a signalized intersection at Bensfort Road;
 - c. Wallace Point Road or Bensfort Road would need to be established as the thoroughfare between the development area and areas north of Highway 7/115 and the remaining road would need to be realigned to meet Street A as a signalized intersection;
 - d. Kennedy Road and/or Otonabee Drive would need to be realigned to form a mutual signalized intersection; and,
 - e. A northbound left turn lane would be required on Bensfort Road, under Highway 7/115, approaching Kennedy Road.

Beyond 500 units of residential development, the next external transportation improvements would be triggered when 1300 residential dwelling units have been developed. Those improvements would include:

- a new bridge crossing of the Otonabee River; or,
- widening of Wallace Point Road/Bensfort Road between Street A and Kennedy Road, reconstruction of the Highway 7/115 bridges over Bensfort Road, and additional left turn lanes on Street A at Wallace Point Road and on Bensfort Road, at Kennedy Road.

Alternatively, should a secondary access be constructed that connects Guthrie Drive to Kennedy Road under Highway 7/117 at the Otonabee River, the need for either of the above options would be delayed to a later development threshold.

As conditions of Draft Plan Approval, staff are proposing to restrict the granting of Final Approval until the traffic improvements noted at the various development milestones are constructed and operational. Although the proposed development and the existing draft approved development will not cumulatively achieve beyond 900 residential units, staff are recommending that the conditions of Draft Plan Approval include conditions regarding the remaining development thresholds identified in the Coldsprings Transportation Study in order to account for additional plans of subdivision that may seek approval during the course of the subject plan's development. Implementation of the Coldsprings Transportation Study must consider all development within the Coldsprings Planning Area, and not just the subject application.

Additional transportation network improvements recommended by the Coldsprings Transportation Study that are wider in scope than the subject application will be addressed in policy for the full Coldsprings Secondary Plan when it is prepared following Council acceptance of the Coldsprings Functional Planning Study.

The implementation of the transportation network improvements triggered by 500 units of residential development will require the completion of one or more Class Environmental Assessments. The City is currently working with the Ministry of Transportation (MTO) and in consultation with the County of Peterborough to undertake the studies necessary to obtain approval for the construction of the required works. Additional details regarding the Environmental Assessment and construction of the required transportation network improvements will be provided in a report to Council at a later date.

In order to allow for future refinements to the alignment of Street A as it approaches Wallace Point Road to reflect the results of the above-noted Environmental Assessment, staff propose that Block H and Lots 320 to 323 and 336 to 340 not be eligible for Final Approval until the Environmental Assessment is complete and the final alignment of Street A is determined.

As part of the development of adjacent Plan of Subdivision 15T-05503, the applicant is required to reconstruct Guthrie Drive across the frontage of the AON Inc. lands. Similarly, as a condition of Draft Plan Approval for the subject application, the applicant will be required to reconstruct McNamara Road across the frontage of the subject lands. Additionally, the applicant will be required to explore the feasibility of constructing a pedestrian facility at the discretion of the City Engineer along the west side of Wallace Point Road and Bensfort Road, from Street A to Collison Avenue.

v. Adequacy of Amenities, Parks and Recreation Opportunities

The original draft plan submitted with the subject application illustrated a neighbourhood park together with a school site approximately at the southwest corner of proposed Streets A and B. Based on a request from the City's Public Works and Recreation Divisions and from the Kawartha Pine Ridge District School Board that any school and neighbourhood park be more centrally located relative to the remainder of the Coldsprings Planning Area, the applicant revised the application to remove the proposed park and school. A location for neighbourhood park and school to serve the subject lands will be determined through the planning for the remainder of the Coldsprings Secondary Plan Area.

In order to provide a more localized opportunity for parkland and recreation space, staff have worked with the applicant to provide Block N, a small parkette that connects Streets C and F, in the eastern portion of the development. Located in what is anticipated to be the earlier stages of the development, the site is approximately 0.33 ha (0.81 acres) in size and would be large enough to accommodate a play structure. The parkette will address a need for open space opportunities in the early stages of the development where no alternative is anticipated to exist within a 600 metre service radius for the northeasterly portions of the development.

Under Section 51.1 of the Planning Act, the City can require up to 5% of the land devoted to residential development for parkland dedication or alternatively may collect cash-in-lieu of the said parkland dedication. For the subject plan, the City is entitled to collect approximately 1.62 ha of parkland dedication above and beyond the 0.33 ha to be collected as described above.

In order to bank land for a future neighbourhood park, staff propose to require the developer to agree as a condition of Draft Plan Approval to dedicate the outstanding parkland dedication requirement for the subject lands as part of a future subdivision phase on additional lands owned by the developer in the Coldsprings Area.

vi. Parking, Buffering and Landscaping

Parking, building setback, and building/driveway coverage standards are implemented as regulations in the Zoning By-law. The proposed development provides for the creation of lots that will accommodate the standard R.1 (Residential District 1) zone without the need for reducing any of the standards regulated in that zone. The R.1 zone will ensure uniformity in both the availability of off-street parking and on-lot landscaping opportunities.

Block H (Retirement Complex) is proposed to be zoned Special District 325 (SP.325). The SP.325 zone requires that 40% of the block be landscaped open space and a minimum building setback of 9 metres (29 feet) or 3 metres per storey, whichever is greater. Under the SP.325 zone, the maximum building height permitted is 4 storeys. Development of Block H will be subject to Site Plan Approval. Through that process, issues related to building siting, property landscaping/screening, and compatibility with adjacent properties will be addressed.

In accordance with City Policy, the owner will be required to make a cash payment to the City for the planting of a street tree in front of each unit within the municipal boulevard.

vii. Significant Natural/Environmental Features

The subject lands are located adjacent to the Otonabee River and encompass a portion of its associated floodplain. In accordance with Section 3.1.2 of the Provincial Policy Statement, the proposed development has been located outside the defined floodplain.

The Natural Environmental Assessment completed by Ecoplans Limited as part of the Coldsprings Functional Planning Study notes that additional environmental studies will be required prior to development in order to refine natural area limits, confirm setbacks, determine opportunities to enhance setback areas, assess road-crossing locations (where applicable), identify tree retention opportunities, and identify mitigation requirements associated with vegetation resources.

In order to confirm whether Block A appropriately encompasses the natural area features alongside the Otonabee River, identify the presence of any species-at-risk or associated habitats, and recommend (if necessary) measures to protect and/or enhance the natural area features on-site, an Environmental Study will be required as a condition of Draft Plan Approval. The terms of reference and scope of work for the study will need to be confirmed with staff in consultation with the Otonabee Region Conservation Authority and any refinements to the limit of Block A resulting from the study would need to be reflected on the Draft Plan prior to Final Approval. Implementation of any mitigation requirements arising from the study would be secured in the City subdivision agreement.

c) Draft Plan of Subdivision

As noted previously, the proposed Draft Plan of Subdivision provides for the development of 409 single detached lots with typical lot frontages ranging from 12.1m (40 feet) to 13.7m (45 feet) and a 135-unit retirement complex. Additionally, the plan proposes to construct a new east-west collector street, Street A, from Wallace Point Road to just west of McNamara Road, two north-south collector streets, Streets B and C, that integrate with streets planned in adjacent Plan of Subdivision 15T-05503, and three local streets, Streets D, E and F. Each collector street is planned with a 26 metre right-of-way while each local street is planned with an 18.5 metre right-of-way except at their intersection with Street A, where the right-of-way is widened to 25 metres. Additionally, the plan also provides for the widening of the Wallace Point Road and McNamara Road allowances.

At the intersection of Wallace Point Road and Street A, Block H is being set aside for future development purposes. At the time of draft plan submission, the applicant was seeking permission for the block to be used for local commercial purposes however, without a conceptual site plan for the block and the potential need to refine the alignment of Street A pending the outcome of future Class Environmental Assessments for transportation network improvements in the Wallace Point Road / Bensfort Road area, it was decided leave Block H for future development purposes at this time.

Between Streets C and F, Block N is proposed as a small parkette.

Adjacent to the Otonabee River, Block A encompasses the river shoreline and floodplain and is to be dedicated to the City for open space purposes. Immediately west of this open space area, Block C is proposed to accommodate both the stormwater

management facility that is required to serve the northwest portion of the Coldsprings Planning Area and a sewage pumping station that will eventually serve the entire Coldsprings Planning Area as identified in the Coldsprings Functional Planning Study.

At the western limit of Street A, Block B is proposed as a block for future residential development / temporary home sales office.

d) Zoning By-law

The subject property is currently zoned A1 (Otonabee) – Restricted Agricultural Zone, HL (Otonabee) – Hazard Lands Zone, and D.2 – Development District. The applicant is proposing to rezone the lands as follows:

- ◆ Lots 1 to 211, 218 to 269, 271 to 409, Part of Lots 212, 215, 216, 217 and 270, and the southerly portion of Block B from A1 (Otonabee) to R.1 – Residential District;
- Part of Lots 212 to 217 and 270 from D.2 to R.1 – Residential District;
- Block G from A1 (Otonabee) to SP.325 – Special District 325;
- Blocks A, C, and the northerly part of Block B from HL (Otonabee) and A1 (Otonabee) to OS.1 – Open Space District;
- Block N from A1 (Otonabee) to OS.2 – Open Space District; and,
- Block H from A1 (Otonabee) to D.2-96 – Development District with a site specific exception to only allow the block to be used for its existing purpose and to reduce minimum lot area and width.

Establishing a Development District zone on Block H will limit the use of the block to those uses that are legally established on-site today. As noted previously, once the final alignment of Street A at Wallace Point Road is determined, Block H will be eligible for Final Approval and available for future development. However, any development of Block H will require, at a minimum, a zoning amendment and potentially site plan approval.

The Special District 325 (SP.325) zoning has been developed to accommodate typical residential retirement facilities that the applicant has been providing elsewhere in the City. The SP.325 Zoning District permits self-contained residential apartments and residential suites with common dining facilities. Detailed regulations of the SP.325 District are as follows:

a)	minimum lot area per dwelling unit	190 square metres
b)	minimum lot area	1 hectare
c)	maximum building coverage	35%
d)	maximum lot coverage by surface parking lots and driveways	25%
e)	minimum landscaped open space	40%
f)	minimum building setback	9 metres or 3 metres per storey, whichever is greater
g)	maximum building height	4 storeys
h)	a minimum width of landscaped open space required to be established and maintained along all lot lines, except where interrupted by driveways	3 metres
j)	notwithstanding the provisions of Section 4.2, motor vehicle spaces shall be provided and maintained as follows: i) 1 space per dwelling unit ii) 0.75 spaces per residential suite	
k)	for the purposes of establishing maximum number of units, two (2) residential suites are the equivalent of one (1) dwelling unit.	

SP.325 provides the opportunity for mixed developments comprised of units and suites. For zoning purposes, to determine the maximum number of dwelling units, two (2) residential suites are determined to be the equivalent of one (1) dwelling unit. This is the same ratio used in the calculation of development charges. Therefore, Block G, which permits a total of 135 dwelling units, could be comprised of up to 270 residential suites (equivalent of 135 dwelling units).

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

RESPONSES TO NOTICE

a) Agency Responses

As part of staff's review of the applications, and pursuant to the Planning Act, staff provided notice of the applications to, and sought comments from, the prescribed commenting agencies. Agency comments were generally in support of the development with some agencies requiring conditions of Draft Plan Approval. These conditions have been included in Schedule 1, attached to this report.

Otonabee Region Conservation Authority

ORCA has requested that a number of items be required as conditions of Draft Plan Approval:

- An assessment of the potential impacts that the proposed stormwater management facilities could have on nearby aquatic habitat;
- A vegetation assessment of the hedgerows on site including field surveys for species at risk and their associated habitats and recommendations to protect and/or enhance natural features;
- An Environmental Study of Blocks B and C which assesses the presence of any species at risk and their associated habitats (especially grassland and aerial insectivore avian species) and recommend measures to protect and/or enhance natural features;
- That a minimum 50 metre wide open space corridor be established along the Otonabee River;
- A detailed landscape and planting plan using native shrubs and trees to naturalize the corridor adjacent to the Otonabee River;
- A plan to monitor implementation of the landscape and planting plan requiring a minimum survival rate of 70% for plantings and replanting to original specifications if mortality rates are higher;

- Zoning all Otonabee River floodplain and/or the 50 metre open space corridor, whichever is greater, as OS.1; and,
- A detailed stormwater management report, including measures to minimize the effect of erosion and sedimentation both during and after construction.

ORCA's comments have either been addressed in the proposed Zoning By-law and draft plan of subdivision design or are reflected as proposed conditions of Draft Plan Approval.

Peterborough Utilities Services Inc.

PUSI requires the owner to enter into a standard servicing agreement for water and electrical service. As noted previously, PUSI has advised that only up to 63 single detached dwellings may be constructed prior to connecting the local water distribution main to be extended from Neal Drive to the Southpark Drive watermain. As a condition of approval, the developer will be required to undertake a detailed hydraulic analysis to determine the amount of development that can be accommodated when the watermain is looped with the Southpark Drive watermain. Final approval for the development of residential units beyond the capacity determined in that analysis will not be granted until the 600mm trunk watermain is extended from Johnston Drive, west of the Otonabee River, to the existing 600mm trunk watermain on Neal Drive.

Bell Canada

Bell Canada requires the owner to make satisfactory arrangements for the provision of telecommunication services to the plan. These requirements have been reflected in the proposed conditions of approval.

Canada Post

Canada Post requires the owner to make satisfactory arrangements for the provision of mail delivery services to the plan and to inform all prospective purchasers, through a clause in all Agreements of Purchase and Sale, those lots identified for potential Community Mailbox and/or mini-park locations. Canada Post's requirements have been included in the proposed conditions of approval. Community Mailboxes are proposed to be located as follows: rear of Lots 1, 19, 42, 114, 126, 189 (mini-park), 229 (mini-park), 284, 319, 351 and 370.

Enbridge Gas Distribution Inc.

Enbridge Gas Distribution Inc. advised they have no objection to the proposed plan and requested that the applicant contact them at the earliest convenience to discuss installation and clearance requirements for service and metering facilities. As per typical Enbridge requirements, the proposed conditions of Draft Plan Approval require the completion of a composite utility plan allowing for the safe installation of all utilities, including required separation between utilities, that the streets be constructed in accordance with the said utility plan, that the streets be graded to final elevation prior to the installation of gas lines and that Enbridge be provided with the necessary field survey information for the installation of the gas lines.

Any easements required for the installation of utilities will be provided at no cost to the said utility.

County of Peterborough

The County of Peterborough advised that although the roads and intersections affected by this development are entirely within the City limits, the County Boundary is immediately south of the Bensfort Road / Wallace Point Road intersection and that the function of that particular intersection will affect the operation of Bensfort Road within the County. The County is currently designing for the reconstruction of Bensfort Road from the City Limit to County Road 2 and has therefore requested to be kept informed of the status of this application and, in particular, any planned roadway improvements in the Coldsprings area, so that they can ensure their road design is consistent with the anticipated growth in the area. Staff will ensure that County staff receive all notices pertaining to the subject application and that the County has an opportunity to participate in the Class Environmental Assessment to be undertaken as part of implementing the recommendations of the Coldsprings Transportation Study.

Kawartha Pineridge District School Board

Kawartha Pineridge District School Board (KPRDSB) has advised that students generated within this plan will attend North Shore Public School in Keene and Thomas A. Stewart Secondary School. The School Board has requested that sidewalks be constructed along all public streets within the draft plan to facilitate safe pedestrian movement within the plan of subdivision. In accordance with City policy, sidewalks will be required on both sides of all streets within the development.

Trent Severn Waterway

Trent Severn Waterway/Parks Canada (TSW) advised that they support the retention of lands next to the Otonabee River/waterway as open space and have requested the City to acquire these lands as part of the subdivision approval process. TSW supports the location of the proposed stormwater management Block C as a means of providing a visual buffer to help retain the rural character of the viewscape from the waterway. TSW advised that they support matching post-development stormwater flows to pre-development levels and have requested the opportunity to review and comment on any additional stormwater management reporting completed in support of this development. TSW has also requested assurance that appropriate natural environment evaluations have been undertaken to ascertain the presence of species-at-risk and associated habitat, and that appropriate mitigation measures are in place should any species or habitat potential exist. The proposed conditions of Draft Plan Approval require the completion and implementation an additional Environmental Study as well as a detailed stormwater management report. TSW will be provided an opportunity to review the detailed stormwater management report.

Ministry of Transportation

Since 2005, staff have been working closely with the MTO to address the Ministry's concerns with respect to traffic operations in the vicinity of the eastbound Highway 7/115 exit ramp to Guthrie Drive / Bensfort Road. Presently, the Draft Approved Plan of Subdivision relies solely on Guthrie Drive for access to the surrounding area. As part of their review of adjacent Plan of Subdivision 15T-05503 and the Coldsprings Transportation Study, MTO identified a desire to eliminate any conflict between subdivision-generated traffic and Highway 7/115 traffic by closing Guthrie Drive between Bensfort Road and the Highway 7/115 ramp and to realign the ramp to Bensfort Road directly.

Based on more recent discussions with MTO in light of the current proposed plan, MTO has indicated that they are willing to support a phased approach to development in the Coldsprings Area provided that the transportation network improvements and corresponding construction timelines identified in the Coldsprings Transportation Study are implemented. The proposed conditions of Draft Plan Approval reflect this phased development approach. To ensure these proposed conditions are equally applied to adjacent Draft Approved Plan of Subdivision 15T-05503, staff will proceed to amend the conditions of approval for that plan under a separate report to Council in the near future. As noted previously, City and MTO are currently working with each other to commence an Environmental Assessment for transportation improvements in the Wallace Point Road / Bensfort Road / Guthrie Drive / Highway 7/115 area, the details of which will be provided in a report to Council at a later date.

As MTO had requested through their review of adjacent Draft Approved Plan of Subdivision 15T-05503, the proposed conditions of Draft Plan Approval require that all construction traffic use an alternate route (e.g. Street A) to access the lands rather than using Guthrie Drive from Bensfort Road and that the MTO receive and approve a detailed stormwater management report.

b) Public Responses

Notice of a Complete Application was published in the Peterborough Examiner on March 31, 2010. Three written requests to be notified of any decisions pertaining to the subject applications were received in response to this notice.

On July 14, 2010 the applicant hosted a neighbourhood open house at St. Matthews United Church (4014 Wallace Point Road). The applicant mailed a notice of the meeting to all persons that own property within 120 metres of the subject property on June 30, 2010. This meeting was held in conjunction with an open house hosted by the City to present the findings of the Coldsprings Functional Planning Study. The City provided notice of its open house, and referenced the applicant's open house, in its Notice of Public Meeting as described below. The meeting was attended by approximately 40 people and generated a healthy discussion and three written comment submissions.

Notice of the Public Meeting was mailed to the prescribed agencies, all property owners within 120 metres of the Coldsprings Planning Area, all persons who requested to receive notice of the Public Meeting during the review of the subject applications and all persons who, during the completion of the Coldsprings Transportation Study in 2008, requested to receive notice of any planning matters affecting implementation of the Coldsprings Transportation Study. The Notice of Public Meeting was published in the Peterborough Examiner on July 2, 2010. No written submissions were received in response to the Public Meeting notice.

Comments raised during the Public Open House and in the written submissions generally focussed on property and lifestyle impacts resulting from any alterations that may be made to the existing road network and from the proposed street network, the potential for adverse groundwater quality and quantity impacts on nearby well users, the impact of development on the Otonabee River ecosystem, and the potential for existing residents using private services to receive municipal services.

Transportation

Development of the Coldsprings Planning Area will change the area's character from rural to urban and will generate potential impacts on existing residents and ecosystems.

Through the detailed planning application review process, it is the municipality's responsibility as the Plan of Subdivision Approval Authority to take all reasonable steps to minimize any potential adverse impacts from new development.

Full development of the subject plan will trigger the need for significant change to the area road network. Before any of those significant changes can be made, a Class Environmental Assessment must be completed that will evaluate the environmental, social, economic and cultural impacts of a range of road improvement options in order to recommend an option that best addresses the traffic needs while minimizing overall adverse impact. Through that process, the specific configuration of and land needs for any road improvements will be determined, with opportunity for the public to participate in formal Public Information Centres.

Groundwater Impacts

As part of the Coldsprings Functional Planning Study, a geotechnical and hydrogeological assessment of the area was undertaken. Generally, the study found that groundwater flows from northeast to southwest in the area except where local topography (e.g. drumlins) may influence groundwater flow direction. Most wells in the area are developed in deep overburden (over 15 metres/50 feet deep) or bedrock aquifers and are therefore not anticipated to be impacted by development. However, to ensure extra vigilance is taken to protect existing well users from adverse impacts, the study recommends that area wells be surveyed prior to development and monitored pre, during and post development. As a condition of Draft Plan Approval, it is proposed that the developer be required to conduct further hydrogeological investigation to assess the potential for adverse groundwater quality and quantity impacts on area well users and to develop and implement a monitoring program for area wells to the satisfaction of the City Engineer.

Otonabee River Ecosystem

Section 4.5.2.7 of the Official Plan recognizes the significance of the Otonabee River in the City and seeks to maintain the river's environmental integrity. The river supports a diverse warmwater sport fishery and some coolwater species, provides the City with drinking water, and connects both upstream and downstream natural areas. In order to provide the river with enhanced protection from potential development impacts, areas along the river are to be acquired by the City as open space and enhanced with additional plantings. In addition, in order to protect river water quality, the proposed conditions of Draft Plan Approval require the developer to prepare a stormwater management report to the satisfaction of the City, ORCA and Trent-Severn Waterway as well as to prepare an Environmental Study that assesses the potential impacts of the proposed stormwater management facilities on nearby aquatic habitat and recommends measures to mitigate any impacts.

Servicing of Existing Residents

Existing residents within the Coldsprings Planning Area rely on private wells and septic systems. In order for subdivision development to proceed, full municipal services must be extended into the area. In accordance with the *Development Charges Act, 1997* and City's Development Charge By-laws, developers are financially responsible for the provision of local services. For the subject development, the developer must provide the local services such as water distribution mains and sanitary sewers that are required to serve the proposed development. Similarly, if existing residents on private services wish to gain access to municipal services, they are financially responsible for extending services to their property (if services are not already available to the property line) and for connecting to the services.

Generally, staff are satisfied that all matters raised by the public during Public Open House and in their written submissions have either been addressed through the design of the proposed Draft Plan of Subdivision or will be addressed through the Conditions of Draft Plan Approval prior to the issuance of Final Approval.

PROPOSED FINANCIAL ARRANGEMENT

In order for this subdivision to proceed or for any development to proceed in the Coldsprings Planning Area, a significant \$2.5 million financial investment is required to construct a sanitary pumping station and forcemain that are to be 100% funded from the Coldsprings Area Specific Development Charge. As proposed, Recommendation (f) effectively pre-commits the 2011 Capital Budget to ensure the \$2.5 million is approved.

When the Area Specific Development Charge By-law was introduced in 2004, it was recognized that capital works required to enable growth within each area would have to be constructed before any development charge revenue could be collected.

Recommendation (g) proposes the City enter into a financing agreement with AON Inc. whereby the City would construct the required sanitary pumping station and forcemain at an estimated cost of \$2.5 million which would be charged to the Coldsprings Area Specific Development Charge Reserve Fund. As Plans of Subdivision register within the area, Area Specific Development Charges will be paid and credited to the Reserve. Interest on the reserve overdrawn balance would be added at prescribed rates (the same rate of interest that is credited to other DC reserve fund balances with positive balances). Within a maximum ten-year period from the date that Final Subdivision Approval is granted, any balance of the initial \$2.5 million initial outlay, plus any accrued interest charges, that remains owing to the Coldsprings Area Specific Development Charge Reserve Fund would be paid by AON Inc. to the City.

Specific details of the agreement need to be negotiated and would come back to Council for final approval. In addition, the detailed engineering design stage may provide opportunities for a more efficient cost recovery for the City and AON Inc. and this would be reflected in the agreement.

SUMMARY

Approval of the applications for Official Plan Amendment, Draft Plan of Subdivision Approval and Zoning By-law Amendment is recommended for the following reasons:

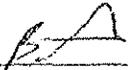
- i. The Plan of Subdivision will provide additional residential land for the City thus helping to ensure that the City has an appropriate lot inventory pursuant to the Provincial Policy Statement;
- ii. The proposed Draft Plan of Subdivision facilitates the planned extension of services to, and commencement of the development of the Coldsprings Planning Area, which was annexed into the City in 1998 to accommodate long-term residential growth;
- iii. The proposed Draft Plan of Subdivision, together with adjacent Draft Plan of Subdivision 15T-05503, complies with the conclusions of the Coldsprings Functional Planning Study and the Coldsprings Transportation Study and is being implemented through an Official Plan Amendment to adopt part of a Coldsprings Secondary Plan;
- iv. The proposed Draft Plan of Subdivision, Zoning By-law Amendment and Official Plan Amendment are consistent with the matters of Provincial Interest as established under the Planning Act, do not conflict with any Provincial Plan, and, if approved, will comply with the City Official Plan; and,
- v. All matters considered during the review pursuant to Section 51(24) of the Planning Act have either been addressed or will be addressed through the Conditions of Draft Plan Approval prior to the issuance of Final Approval.

Submitted by,



Ken Hetherington,
Manager, Planning Division

Prepared by,



Brad Appleby,
Planner, Subdivision Control
& Special Projects

Concurred with,



Malcolm Hunt, Director,
Planning and Development Services

Contact Name:

Brad Appleby
Planner, Subdivision Control and Special Projects
Planning & Development Services
Phone – (705)742-7777 Ext. 1886
Fax – (705)742-5218
E-Mail – bappleby@peterborough.ca

Attachments:

- Schedule 1 - Conditions of Draft Plan of Subdivision Approval
- Exhibit A - Notice of Public Meeting
- Exhibit B - Land Use Map
- Exhibit C - Draft Plan of Subdivision
- Exhibit D - Draft Official Plan Amendment
- Exhibit E - Draft Zoning By-law Amendment



AON Inc.
 4571 Guthrie Drive, 2006 & 2011 McNamara Road
 15T-10504 / O1004 / Z1006SB

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this Subdivision File No. 15T-10504 are as follows:

Identification

1. That this approval applies to the Draft Plan 15T-10504, prepared by Walker, Nott, Dragicevic Associates Limited dated July 22, 2010 (Drawing No. 04690), which shows the following:

<ul style="list-style-type: none"> - Lots 1-409 - Block A - Block B - Block C - Blocks D, E, F - Block G - Block H - Blocks I, J, K, L - Block M - Block N 	<ul style="list-style-type: none"> - 409 Single Detached lots - Open Space - Future Development/Temporary Sales Office - Stormwater Management & Pumping Station - 3.0m Road Widening (McNamara Rd.) - Retirement Residential (130 units/suites) - Future Development - 0.3m Road Reserve - 2.0m Road Widening (Wallace Point Rd.) - Parkette
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2. That if Final Approval is not given to this Plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse.

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.

Public Roads and Walkways

4. That the road allowances included in this Draft Plan shall be shown on the Plan and dedicated as public highways.

5. That the streets shall be named to the satisfaction of the City of Peterborough.

6. That any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.

7. That temporary turning circles be established at the termination of road allowances to the satisfaction of the City of Peterborough.
8. That daylight triangles be established at all intersections to the satisfaction of the City Engineer.
9. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct sidewalks in accordance with the City's Sidewalk Policy.

Other Municipal Conditions

10. That Block A be conveyed to the City of Peterborough for Open Space purposes.
11. That Block C be conveyed to the City of Peterborough for stormwater management and wastewater pumping station purposes.
12. That Blocks D, E and F be conveyed to the City of Peterborough as a 3.0 metre road widening for McNamara Road.
13. That the owner agree in writing to reconstruct McNamara Road across the frontage of the subdivision to a full urban cross-section at the discretion of the City Engineer.
14. That Block M be conveyed to the City of Peterborough as a 2.0 metre road widening for Wallace Point Road.
15. That the owner agree to investigate the feasibility of constructing a pedestrian facility along the west side of Wallace Point Road and Bensfort Road from Street A to Collison Avenue at the discretion of the City Engineer and to construct the said facility if deemed appropriate by the City Engineer.
16. That prior to Final Approval, a Sanitary Wastewater Pumping Station be constructed on Block C and forcemain be constructed from Block C to the Southpark Drive sanitary sewer to the satisfaction of the City Engineer subject to the following:
 - a) That the existing Southpark Drive sanitary sewer, south of the Sherin Avenue Trunk, be upgraded to accommodate flows from the entire Coldsprings area;
 - b) That the Sanitary Pumping Station be designed to allow for expansion to service full build-out of the Coldsprings Secondary Plan Area;
 - c) That the sanitary forcemain design consider the needs for full build-out of the Coldsprings Secondary Plan Area;

- d) That a study be undertaken and implemented that assesses the potential environmental and cultural heritage impacts of the required sanitary services be and recommends measures to mitigate the potential for adverse impacts; and,
 - e) That the detailed engineering and design of the sanitary forcemain crossing under Highway 7/115 receive approval from the Ministry of Transportation.
17. The Coldsprings Transportation Study identifies the need for transportation network improvements to accommodate development of the Coldsprings Secondary Plan Area. In accordance with the recommendations therein, the Developer acknowledges that development of the subject plan of subdivision will be phased as follows (assuming a development mix of 60% single detached, 22% medium density and 18% high density units):
- a) Prior to Final Approval for the cumulative creation of more than 92 residential dwelling units within the Coldsprings Secondary Plan Area, the Developer shall install an all-way stop sign control at the intersection of Guthrie Drive and the Highway 7/115 ramp, and at the intersection of Guthrie Drive and Bensfort Road, to the satisfaction of the City Engineer and the Ministry of Transportation;
 - b) Prior to Final Approval for the cumulative creation of more than 350 residential dwelling units within the Coldsprings Secondary Plan Area, the Developer shall establish a second permanent roadway from the Plan Area to Wallace Point Road to the satisfaction of the City Engineer and the Ministry of Transportation;
 - c) Prior to Final Approval for the cumulative creation of more than 500 residential dwelling units within the Coldsprings Secondary Plan Area, the following improvements must be constructed to the satisfaction of the City Engineer and the Ministry of Transportation:
 - a. Guthrie Drive shall be closed between Bensfort Road and the Highway 7/115 ramp;
 - b. The east bound Highway 7/115 exit ramp to Bensfort Road shall be reconstructed and Neal Drive shall realigned, if necessary, to meet the reconstructed ramp as a signalized intersection at Bensfort Road;
 - c. Wallace Point Road or Bensfort Road (the "Thoroughfare") shall be established as the thoroughfare between the Plan Area and areas

- north of Highway 7/115 and the remaining roadway shall be realigned in the vicinity of Street A as a signalized intersection;
- d. Kennedy Road and/or Otonabee Drive shall be realigned to form a mutual signalized intersection; and,
 - e. A northbound left turn lane shall be established on Bensfort Road, under Highway 7/115, approaching Kennedy Road;
- d) Prior to Final Approval for the cumulative creation of more than 1300 residential dwelling units/suites within the Coldsprings Secondary Plan Area:
- a. a secondary access road shall be constructed under Highway 115 at the Otonabee River to connect Guthrie Drive to Kennedy Road;
or,
 - b. a new bridge crossing of the Otonabee River shall be constructed;
or,
 - c. the Thoroughfare shall be widened between Street A and Kennedy Road, the Highway 7/115 bridges over Bensfort Road shall be reconstructed, and additional left turn lanes shall be provided on Street A at the Thoroughfare and on Bensfort Road, at Kennedy Road, all to the satisfaction of the City Engineer and the Ministry of Transportation;
- e) Should option a. in Condition 17 d) be implemented, prior to Final Approval for the cumulative creation of more than 2000 residential dwelling units within the Coldsprings Secondary Plan Area, the Thoroughfare shall be widened between Street A and Kennedy Road, the Highway 7/115 bridges over Bensfort Road shall be reconstructed, and additional left turn lanes shall be provided on Street A at the Thoroughfare and on Bensfort Road, at Kennedy Road, all to the satisfaction of the City Engineer and the Ministry of Transportation;
- f) Should options a. or c. in Condition 17 d) be implemented, prior to Final Approval for the cumulative creation of more than 2400 residential dwelling units within the Coldsprings Secondary Plan Area:
- a. Bensfort Road / River Road shall be widened to Lansdowne Street;
and,

- b. The Throughfare shall be widened from Street A southerly to the second collector street entrance to the Coldsprings Secondary Plan Area;
 - g) Beyond the cumulative approval of 2400 in the Coldsprings Secondary Plan Area, should option a. in Condition 17 d) be implemented without implementation of option b. in that same Condition, no additional development approvals will be granted beyond 3300 units without the approval of an updated traffic study, complete with observed trip generation statistics from the Planning Area, showing that the road network can accommodate additional development or the provision of additional road network capacity; and,
 - h) Beyond the cumulative approval of 2400 in the Coldsprings Secondary Plan Area, should option c. in Condition 17 d) be implemented without implementation of option a. or b. in that same Condition, no additional development approvals will be granted beyond 2700 units without the approval of an updated traffic study, complete with observed trip generation statistics from the Planning Area, showing that the road network can accommodate additional development or the provision of additional road network capacity.
18. The owner acknowledges that several of the transportation network improvements identified in Condition 17 will require the completion of a Class Environmental Assessment. To preserve options for adjusting the location of the intersection of Street A and Wallace Point Road, the owner agrees that Final Approval will not be granted for Block H or for Lots 320 to 323 and 336 to 340 pending confirmation of the intersection location upon completion of a Class Environmental Assessment for transportation network improvements in the Highway 7/115 / Guthrie Drive / Bensfort Road / Wallace Point Road area. Furthermore, the owner agrees to modify the Draft Approved Plan of Subdivision to reflect any necessary changes to the alignment of Street A near Wallace Point Road as determined through a Class Environmental Assessment.
19. 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. Additionally, prior to Final Approval, the owner shall enter into a separate agreement with the City of Peterborough, the terms of which are to be approved by Council, concerning the construction and financing of sanitary infrastructure from the Coldsprings Area Specific Development Charge Reserve Fund.
20. That such easements as may be required for temporary access, utility, or drainage purposes, including snow storage at the end of all "stub" streets, shall

be granted to the appropriate authority, prior to the registration of the Subdivision Agreement and Final Plan.

21. 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 and driveways, to the satisfaction of the City Engineer and all affected utility authorities. The owner shall agree in the Subdivision Agreement to construct all streets and services in accordance with the approved composite utility plan.
22. That prior to Final Approval, the owner shall submit and receive approval of a soils/hydrogeological report to the satisfaction of the City Engineer which assesses:
 - a) soil types and ground water levels relative to establishing elevations for houses and recommendations for road bed, asphalt, pipe bedding, and foundation design, and the need for a foundation drain discharge system;
 - b) the groundwater recharge function of the subject lands relative to providing baseflow to the Otonabee River and the woodlot/swamp located at 1856 McNamara Rd., 1954 McNamara Rd. and 1714 Driscoll Road to the satisfaction of the City Engineer and the Otonabee Region Conservation Authority; and,
 - c) the potential for adverse impacts on groundwater quality and quantity for well users in the area and recommends a program for monitoring area wells.
23. That the owner agree in the Subdivision Agreement to implement any recommendations approved in the soils/hydrogeological report.
24. That in conjunction with the stormwater management report required pursuant to Condition No. 37, the owner shall conduct a water balance analysis of the Draft Plan's drainage contribution to the woodlot/swamp located at 1856 McNamara Rd., 1954 McNamara Rd. and 1714 Driscoll Road to the satisfaction of the City Engineer.
25. That prior to Final Approval the owner submit to the satisfaction of the City of Peterborough and the Otonabee Region Conservation Authority an Environmental Study consisting of:
 - a) An assessment of the potential impacts of the proposed stormwater management facilities on nearby aquatic habitat;

- b) A vegetation assessment of the hedgerows on the site, particularly those identified as No. 25 and No. 27 in the Coldsprings Functional Planning Study Natural Heritage Component Report (Ecoplans Limited, 2005), including field surveys for species at risk and associated habitats and recommendations to protect and/or enhance natural features; and,
 - c) A vegetation assessment of the natural features within Blocks B and C including field surveys for species at risk and associated habitats and recommendations to protect and/or enhance natural features.
26. That the agree to implement any recommendations approved in the Environmental Study on the draft plan of subdivision to be prepared for Final Approval and/or in the Subdivision Agreement.
 27. That the owner shall agree in the Subdivision Agreement to design and construct suitable permanent fencing as required along the rear of Lots 11 to 19, adjacent to Block C, and along the mutual property line between Block N and Lots 283, 284, 285, 286, 293 and 294 to the satisfaction of the City of Peterborough.
 28. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to insert a clause in all agreements of purchase or sale or lease, to be registered on title, warning prospective purchasers or tenants of the of the City of Peterborough's Sewage Treatment Plant and associated open lagoons located on the north side of Highway No. 7 and operated 24 hours a day, 365 days a year and that the City of Peterborough will not be responsible for complaints or claims arising from the operation of the facility.
 29. That prior to Final Approval, the owner/developer shall submit, for the review and approval by the City of Peterborough, a detailed Noise Impact Assessment Report. The Report shall evaluate the noise impacts due to road traffic and "stationary" sources within 500 metres of the site and it shall propose a plan of noise impact management including physical indoor/outdoor noise control measures, warning clauses and a plan of implementation to ensure that the control measures shall be properly implemented.
 30. That prior to Final Approval, the owner shall agree, in the Subdivision Agreement, to carry out the works approved in the Noise Impact Assessment Report.
 31. That the owner agrees to include covenants in the property deed, satisfactory to the City Solicitor, stating that any noise control features are to be constructed on private property and are the responsibility of the individual property owners in perpetuity.

32. That the owner shall 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.
33. That the owner shall enter into an agreement with the Peterborough Utilities Services Inc. for electrical and water servicing.
34. That prior to Final Approval, the owner undertake a hydraulic analysis to the satisfaction of Peterborough Utilities Services Inc. to determine staging of development requirements for the subject plan relative to the provision of water services.
35. That prior to Final Approval, the owner obtain written confirmation from Peterborough Utilities Services Inc. that the appropriate watermain infrastructure has been constructed to service the development.
36. The owner shall agree in writing to convey 5% of the land to the City for parkland dedication. For calculation purposes, lands within the regional floodplain, lands required as an environmental setback, and lands designated for stormwater management purposes shall not constitute any portion of the parkland dedication. Block N will be conveyed to the City for parkland purposes and will be credited as satisfying a portion of the owner's parkland dedication requirement for the subject plan.

Other Agency Conditions

37. That prior to Final Approval of the Plan of Subdivision and any on-site grading or construction, Otonabee Region Conservation Authority, Ministry of Transportation, Trent Severn Waterway and the City Engineer must have reviewed and approved reports describing/containing:
 - a) The intended means of controlling stormwater runoffs in terms of quantity, frequency and duration for all events up to and including the 1:100 year storm;
 - b) the intended means of conveying stormwater flow from the site, including use of stormwater 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;
 - 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 provincial "Guidelines on Erosion and Sediment Control for Urban Construction." Supporting technical documentation should also be submitted which meets or exceeds standards in the "Technical Guidelines – Erosion and Sediment Control", February 1989, published by the Ministry of Natural Resources and/or the "Erosion and sediment Control Training Manual", MOE, 1997;

Please Note: *Temporary ponds for sediment control should be capable of accommodating 125 cubic metres/hectare of contributing drainage area for a period of not less than 12 hours or removing particles sizes down to 40 microns.*

- d) site soil conditions, including grain size distribution profiles; and,
 - e) site grading plans.
38. That prior to Final Approval, the owner shall design and agree to implement a detailed landscape and planting plan for the portion of Block A that is within 50 metres of the Otonabee River Shoreline to the satisfaction of the Otonabee Region Conservation Authority.
39. That prior to Final Approval the owner develop and implement a two-year monitoring program of the landscape and planting plan noted in Condition 38 to the satisfaction of the Otonabee Region Conservation Authority. A minimum 70% survival rate is required, with replanting taking place where mortality exceeds 30% to the original specifications.
40. The Subdivision Agreement between the owner and the City of Peterborough shall contain the following provisions in wording acceptable to the Otonabee Region Conservation Authority and the City Engineer:
- a) That the owner agrees to implement the works referred to in Condition Nos. 37, 38 and 39. The approved reports should be referenced in the Subdivision Agreement.
 - b) That the owner agrees to inspect and maintain all stormwater management, erosion and sedimentation control structures operating in good repair during the construction period in a manner satisfactory to the Otonabee Region Conservation Authority and the City Engineer.
 - c) That the owner agrees to notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.

In order to expedite clearance of these conditions, a copy of the Subdivision Agreement should be sent to Otonabee Region Conservation Authority.

41.
 - a) Bell Canada shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Bell Canada for the installation of Bell Canada facilities to serve this Draft Plan of Subdivision.
 - b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.
 - c) If there are any conflicts with existing Bell Canada facilities or easements, the owner shall be responsible for re-arrangements or relocation.
42.
 - a) Cogeco Cable Solutions shall confirm that satisfactory arrangements, financial and otherwise have been made with Cogeco Cable Solutions for any Cogeco Cable Solutions' facilities serving this Draft Plan of Subdivision which are required to be installed underground, a copy of such confirmation shall be forwarded to the City of Peterborough.
 - b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Cogeco Cable Solutions, to grant to Cogeco Cable Solutions any easements that may be required for telecommunication services.
 - c) If there are any conflicts with existing Cogeco Cable Solutions' facilities or easements, the owner shall be responsible for re-arrangements or relocation.
43. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:
 - a) Inform all prospective purchasers, through a clause in all Agreements of purchase and sale, as to those lots identified for potential Community Mailbox, mini-park and/or locations.
 - b) Provide, at the Owner's expense, curb depressions at the Community Mailbox location 2 metres in width and no higher than 25 mm and a poured concrete pad to City of Peterborough sidewalk specifications.
 - c) Provide, at the Owner's expense, a paved lay-by at the Community Mailbox location when required by the municipality.

- d) If a grassed boulevard is planned between the curb and the sidewalk where the Community Mailbox is located, install at the Owner's expense, a walkway across the boulevard. The walkway is to be 1.0 metre in width and constructed of a material suitable to the municipality (e.g. interlock, asphalt, concrete etc.) in addition, the developer shall ensure, by forming or cutting the curb, that this walkway is handicapped accessible by providing a curb depression between the street and the walkway. This depression should be 1.0 metres wide and no higher than 25mm.
44. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Enbridge Gas Distribution Inc. and the City Engineer:
- a) To grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
 - b) To provide easements at no cost to Enbridge Gas Distribution Inc. in the event that it is not possible to install the natural gas distribution system within the proposed road allowances.

CLEARANCES

1. Prior to final approval, the Director of Planning & Development Services shall be advised by the Otonabee Region Conservation Authority that Conditions 16 d), 22 b), 25, 26, 37, 38, 39 and 40 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 Director of Planning & Development Services shall be advised by Bell Canada that Conditions 21 and 41 have been carried out to their satisfaction. The letter from Bell shall include a brief but complete statement detailing how each condition has been satisfied.
3. Prior to final approval, the Director of Planning & Development Services shall be advised by Cogeco Cable Solutions that Conditions 21 and 42 have been carried out to their satisfaction. The letter from Cogeco shall include a brief but complete statement detailing how each condition has been satisfied.
4. Prior to final approval, the Director of Planning & Development Services shall be advised by Canada Post that Conditions 21 and 43 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.
5. Prior to final approval, the Director of Planning & Development Services shall be advised by the Enbridge Consumers Gas that Conditions 21 and 44 have been

carried out to the their satisfaction. The letter from the Enbridge shall include a brief but complete statement detailing how each condition has been satisfied.

6. Prior to final approval, the Director of Planning & Development Services shall be advised by the Ministry of Transportation that Conditions 16 d) and e), 17 and 37 have been carried out to the their satisfaction. The letter from the Ministry shall include a brief but complete statement detailing how each condition has been satisfied.
7. Prior to final approval, the Director of Planning & Development Services shall be advised by the Trent-Severn Waterway that Condition 37 has been carried out to the their satisfaction. The letter from the Waterway shall include a brief but complete statement detailing how the condition has been satisfied.
8. Prior to final approval, the Director of Planning & Development Services shall be advised by Peterborough Utilities Services Inc. (PUSI) that Conditions 21, 33, 34 and 35 have been carried out to the their satisfaction. The letter from PUSI 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
Peterborough ON K9J 7B4

Delivery Planner
Canada Post Corporation
1424 Caledon Place Box 25
Ottawa ON K1A OC1

Planning Supervisor
Enbridge Consumers Gas
500 Elgin Mills Road East
Richmond Hill ON L4C 5G1

Trent-Severn Waterway
P.O. Box 567
2155 Ashburnham Drive
Peterborough, ON K9J 6Z6

Ministry of Transportation, Eastern Region
Corridor Control Unit
Planning and Design Section
1355 John Counter Blvd.
Postal Bag 4000
Kingston, Ontario K7L 5A3

Peterborough Utilities Services Inc.
1867 Ashburnham Drive
PO Box 4125, Station Main
Peterborough, ON K9J 6Z5

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.

NOTICE OF PUBLIC MEETING

TAKE NOTICE that pursuant to the *Planning Act, R.S.O., 1990, c.P.13*, the Planning Committee will hold a public meeting in the Council Chamber, City Hall, 6:30 p.m. on Monday, July 26, 2010 to consider the following applications under Sections 17, 34 and 51 of the *Act*:

1. **File:** 15T-10506
Address: 1880 and 1900 Technology Drive
Applicant: City of Peterborough

The City of Peterborough has initiated an application for Draft Plan of Subdivision Approval in order to develop an industrial plan of subdivision within Peterborough Industrial Park East. The proposed plan implements the existing zoning on the property to create three parcels for industrial purposes, blocks of land for open space / future trail and drainage channel purposes, and a new cul-de-sac street off of Technology Drive.

2. **File:** O1004 / Z1006SB / 15T-10504
Address: 4571 Guthrie Drive, 2006 & 2011 McNamara Road
Applicant: AON Inc.

The applicant has submitted an application for Draft Plan of Subdivision Approval together with applications to amend the Official Plan and Zoning By-law in order to develop a plan of subdivision consisting of 414 lots for single detached residential purposes, a block for a 130 single retirement complex, blocks of land for open space, servicing easements/corridors and a stormwater management facility/sewage pumping station, and land for future development purposes. The subject lands are part of an area that was annexed from the former Township of Otonabee on January 1, 1998 and have retained the previous Township land use designation and zoning since that time.

To permit this development, the applicant is proposing to designate portions of the property for residential and medium density residential purposes and to add the proposed collector streets to the Official Plan. Additionally, the applicant proposes to zone the property to permit the proposed single detached dwellings, retirement complex, and open space uses as well as to preserve lands for future development purposes as a Development District.

Please note that the applicant, AON Inc. has scheduled an Open House meeting to share information regarding the subject applications for Wednesday July 14, 2010 from 7:00 pm to 9:30 pm at the St. Mathew's - Donwood United Church, 4014 Wallace Point Road. Additionally, at that meeting the City of Peterborough will present the results of the Goldsprings Functional Planning Study which identifies opportunities for development in the Goldsprings Planning Area which includes the subject lands.

3. **File:** Z1007
Address: 21 Barnardo Avenue
Owner/Applicant: Moloney Project Development Corporation
Agent: Howell Fleming LLP

The applicant is proposing to amend the zoning of the above property from UC - University and College District and from OS 2 - Open Space District 2 to the SP 6 - Special Residential District to permit a multi-unit residential building, in keeping with the Medium Density Residential policies of the City's Official Plan. The applicant proposes to develop the property for a 40 unit, 3 storey apartment building and related parking and landscaping.

4. **File:** O1007 and Z1008
Address: 723, 733, 741 George St. N.
Owner/Applicant: Moloney Project Development Corporation
Agent: Howell Fleming LLP

The applicant is proposing to amend the Official Plan designation of the above properties to High Density Residential with a Special Policy to permit a maximum density of 94 units/ha and to amend the zoning of the properties from UC - University and College District to a Special Residential District to permit the conversion of the existing buildings for a total of 59 residential dwelling units, in keeping with the policies of the City's Official Plan. The applicant further proposes to expand the existing on-site parking at a ratio of 1 space per unit.

BE ADVISED that if a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Peterborough before the proposed Official Plan Amendments are adopted, the Zoning By-laws are passed, and the approval authority gives or refuses to give approval to the draft plans of subdivision, the person or public body is not entitled to appeal the decision of City of Peterborough Council to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Peterborough before the proposed Official Plan Amendments are adopted, the Zoning By-laws are passed, and the approval authority gives or refuses to give approval to the draft plans of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

If you wish to be notified of adoption of the proposed Official Plan Amendments, or of the refusal of a request to amend the Official Plan, the passing of the proposed Zoning By-laws, or of the decision of the City of Peterborough Council in respect of the proposed plans of subdivision, you must make a written request to the City Clerk at the address below.

ANY PERSON may attend the above Public Meeting and/or make written or verbal representation, either in support of or in opposition to the application. (Please quote appropriate file number).

ADDITIONAL INFORMATION relating to these applications may be obtained from the Planning Division, City Hall, (8:30 a.m. to 4:30 p.m., Monday to Friday), or by contacting the Planning Department at 742-7777 - Brad Appleby at ext. 1986 (email: bappleby@peterborough.ca).

Staff reports will be available by 2:00 p.m., Friday, the 23rd day of July, 2010.

Dated at the City of Peterborough this 2nd day of July, 2010.

KEY MAP



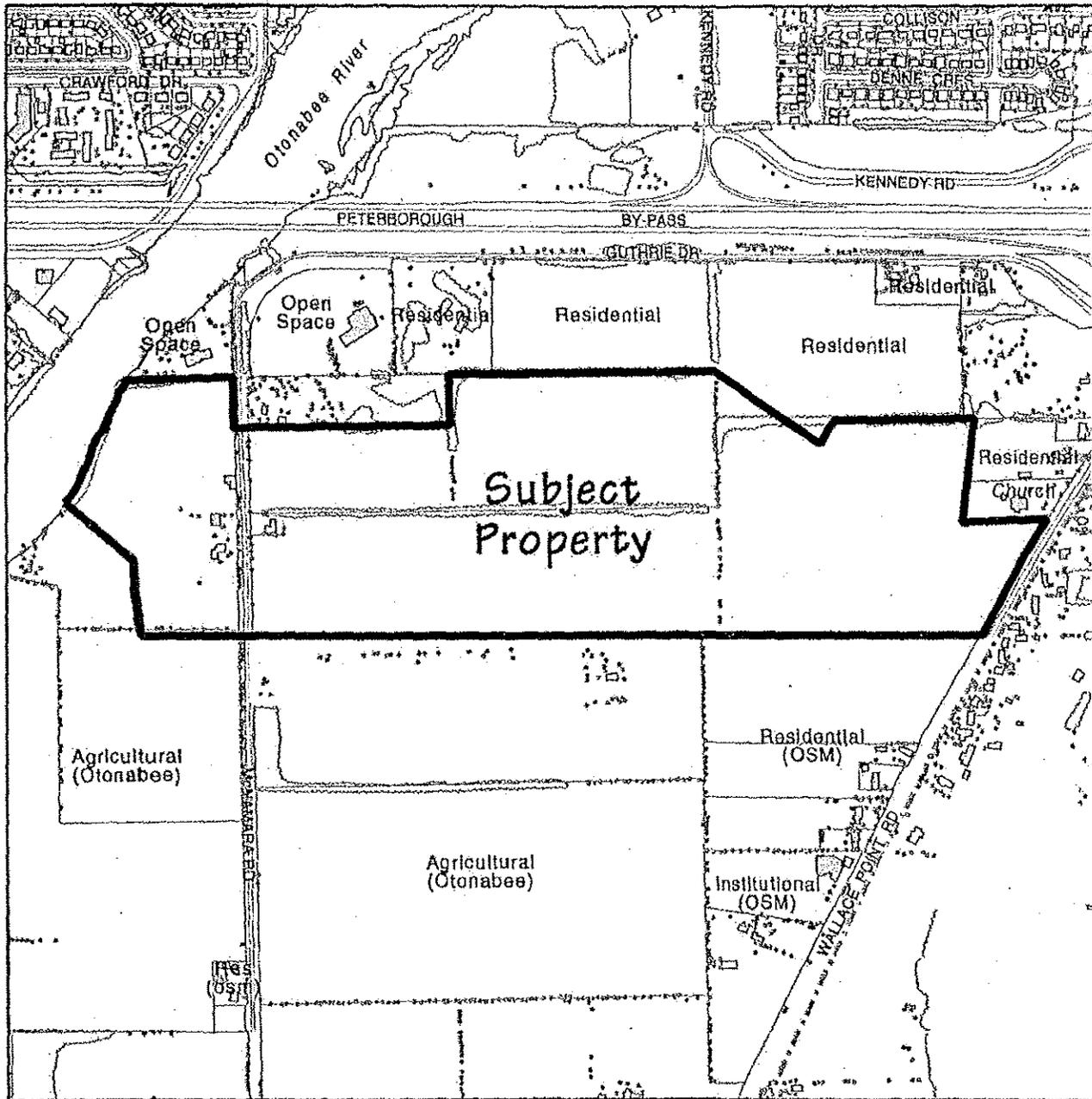
Nancy Wright-Laking, B.A., C.M.O.
City Clerk
City of Peterborough, City Hall
600 George Street North
Peterborough, Ontario
K9H 3R9
nwright-laking@city.peterborough.on.ca

Land Use Map

Exhibit B
Sheet 1 of 1

File # z1006sb, 15T-10504, O1004

Location: South of Guthrie Dr from Otonabee R. to Wallace Point Rd



The City of Peterborough Planning Division

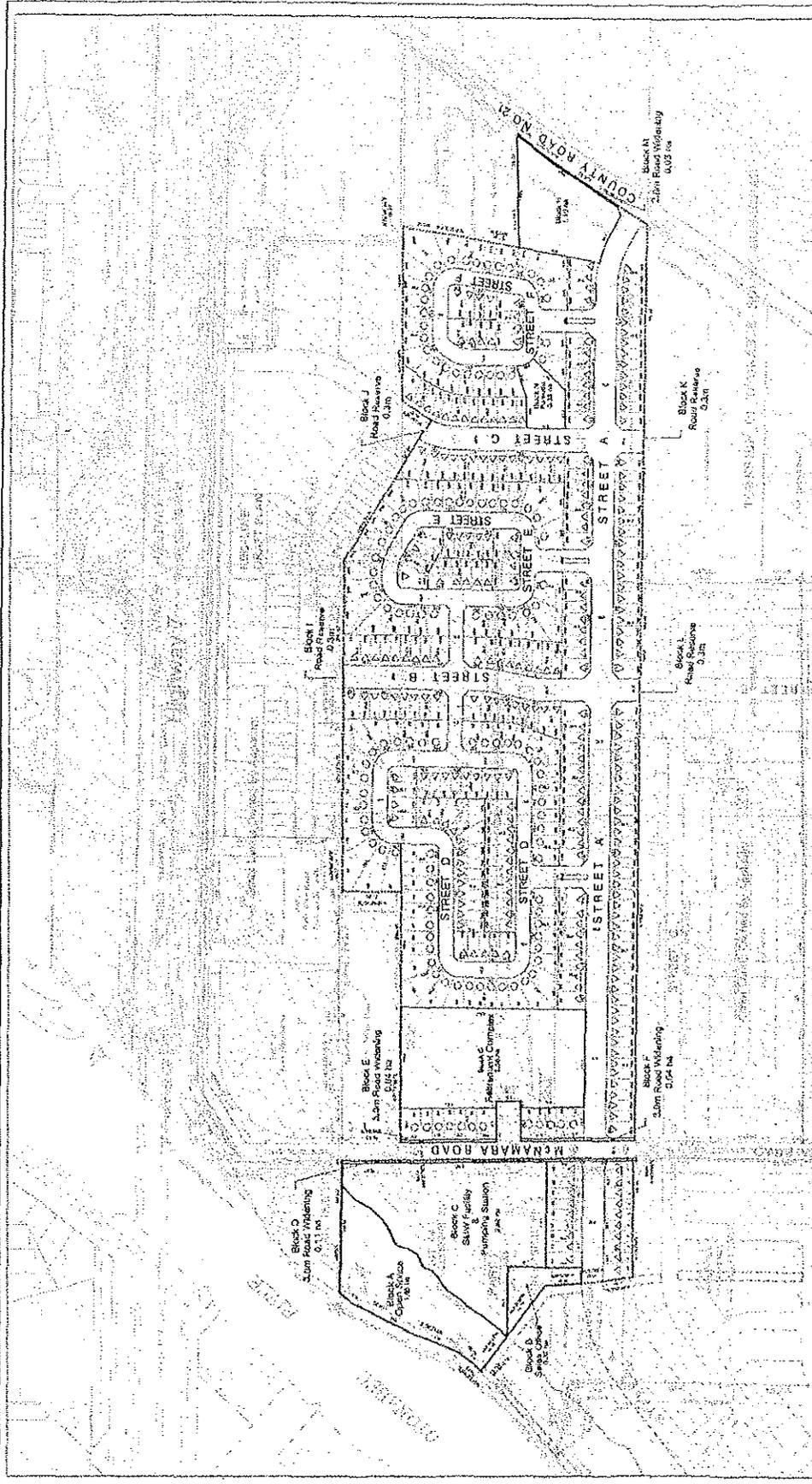
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Date - March 2010

Dwg. by - CBerry

Scale - 1:8000



Owner's Authorization
I, the undersigned, do hereby authorize the recording of this plan and the issuance of the certificates of title thereon, and I hereby warrant that the same are correct and true to the original survey and that the same are not in violation of any law, ordinance or regulation of the City of Peterborough, New Brunswick.

Surveyor's Certificate
I, the undersigned, do hereby certify that I am a duly qualified and licensed Surveyor in the Province of New Brunswick, and that I am the author of the above plan, and that the same are correct and true to the original survey and that the same are not in violation of any law, ordinance or regulation of the City of Peterborough, New Brunswick.

Scale 1:1,000
Date: 14.02.2010
City: Peterborough

Schedule of Land Use

Block	Area (sq. ft.)	Area (sq. m.)	Use
Block A	10,000	929	Residential
Block B	10,000	929	Residential
Block C	10,000	929	Residential
Block D	10,000	929	Residential
Block E	10,000	929	Residential
Block F	10,000	929	Residential
Block G	10,000	929	Residential
Block H	10,000	929	Residential
Block I	10,000	929	Residential
Block J	10,000	929	Residential

Key Map

Key Map

DRAFT PLAN OF SUBDIVISION
PART OF LOTS 22, 23 AND 24
CONCESSION 15
AND PART OF LOTS 23 AND 24
CONCESSION 14

REGISTRAR GENERAL OF
DEEDS AND MORTGAGES
CITY OF PETERBOROUGH
COUNTY OF PETERBOROUGH

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 10-(Clerk's office will assign the number)

BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO
THE OFFICIAL PLAN OF THE CITY OF PETERBOROUGH FOR
CERTAIN LANDS WITHIN THE COLDSPRINGS PLANNING AREA

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:

“10.7 COLDSPRINGS SECONDARY PLAN

10.7.1 The Coldsprings Secondary Plan shall apply to the area generally bounded by Highway 7/115, Bensfort Road/Wallace Point Road, Driscoll Road, Matchett Line and the Otonabee River. The actual limits of the area are as shown on Schedule 'F' – Key Map to Secondary Land Use Plans and as presented on Schedule 'P' of the Official Plan. It is the policy of Council that land within the Coldsprings Secondary Plan shall be developed in accordance with the land use pattern shown on Schedule 'P'. Reference shall also be made to the policies of Section 10.7 in addition to other policies of the Official Plan. The land use categories shall have the same meaning as in the Official Plan and Zoning By-law.

10.7.2 DEVELOPMENT POLICIES

Development of the 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 following policies:

10.7.2.1 The land use designations applied to lands within the Coldsprings 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 this 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.

- 10.7.2.2 It is intended that the land use areas, location of streets and limits of other features or site specific land uses shown on Schedule "P"-Coldsprings 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. The location and alignment of streets will be determined at the time of subdivision approval without amendment to the Secondary Plan.
- 10.7.2.3 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.
- 10.7.2.4 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.
- 10.7.2.5 When reviewing development proposals, the City will have regard for the existing natural features of the Secondary Planning Area, particularly the Otonabee River and its shoreline. 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 within 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.
- 10.7.2.6 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.
- 10.7.2.7 The Coldsprings Transportation Study identifies the need for transportation network improvements both within the Secondary Plan Area and external to the Secondary Plan Area to accommodate development within the Plan Area. Development approvals within the Secondary Plan Area will be conditional upon securing the necessary approvals for, and construction of, the transportation network improvements recommended in the Coldsprings Transportation Study generally in accordance with the development thresholds identified therein and/or as identified through the completion of Municipal Class Environmental Assessments, as required.
- 10.7.2.8 The City will cooperate with the County of Peterborough, the Township of Otonabee-South Monaghan, the Ministry of

Exhibit D
Sheet 3 of 9

Transportation and other affected authorities to ensure that any roadway improvements beyond the City's boundary that are required to serve the Secondary Plan area are done in accordance with any applicable County or Township Transportation Plan."

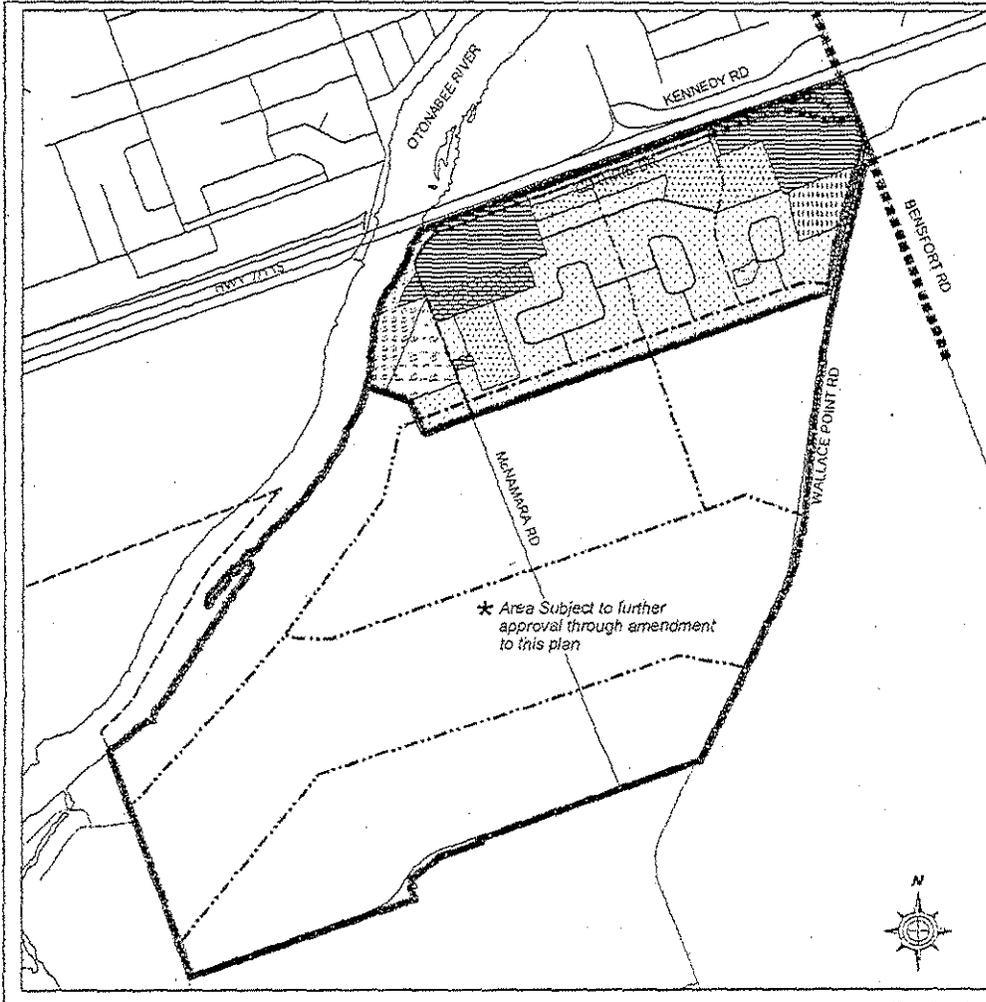
2. The Official Plan of the City of Peterborough is amended by adding Schedule 'P' -- Coldsprings Secondary Land Use Plan in accordance with the Schedule 'A' attached hereto.
3. Schedule 'A' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'B' attached hereto.
4. Schedule 'B' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'C' attached hereto.
5. Schedule 'D' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'D' attached hereto.
6. Schedule 'E' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'E' attached hereto.
7. Schedule 'F' of the Official Plan of the City of Peterborough is amended in accordance with the Schedule 'F' attached hereto.

By-law read a first, second and third time this day of _____, 2010.

D. Paul Ayotte, Mayor

Nancy Wright-Laking, City Clerk

Schedule 'A'

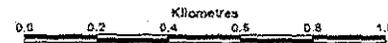


~SCHEDULE P~

Coldsprings Secondary Land Use Plan

Legend

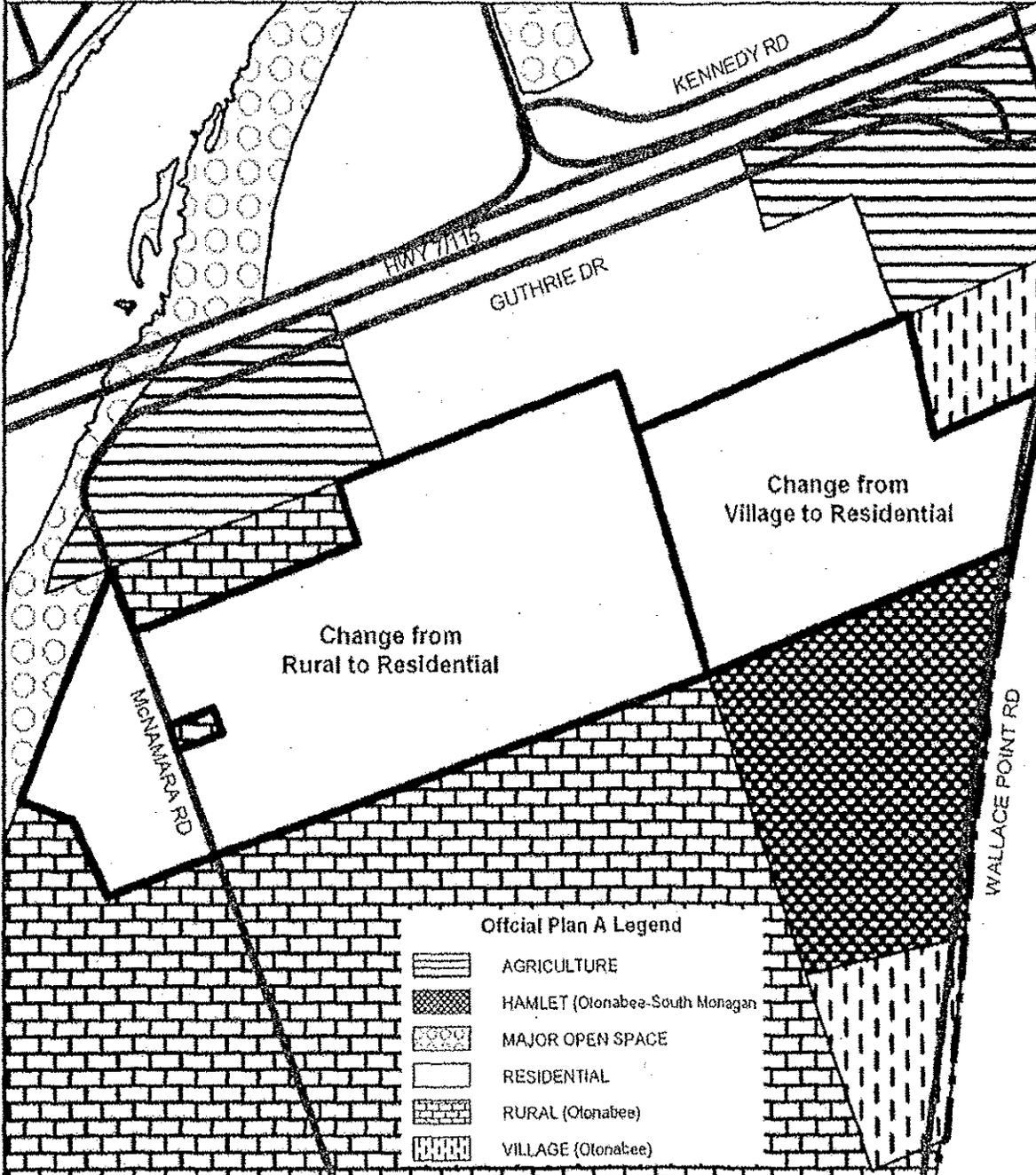
- High Capacity Collector
- Low Capacity Collector
- Local
- Low Density Residential
- Medium Density Residential
- Agriculture
- Major Open Space
- Other Open Space
- Rural
- Village
- Plan Limit
- Subject to Special Policy Section 10.7.2.7
- Conceptual Road



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Schedule B

Official Plan Amendment to Schedule - A Land Use



City of Peterborough

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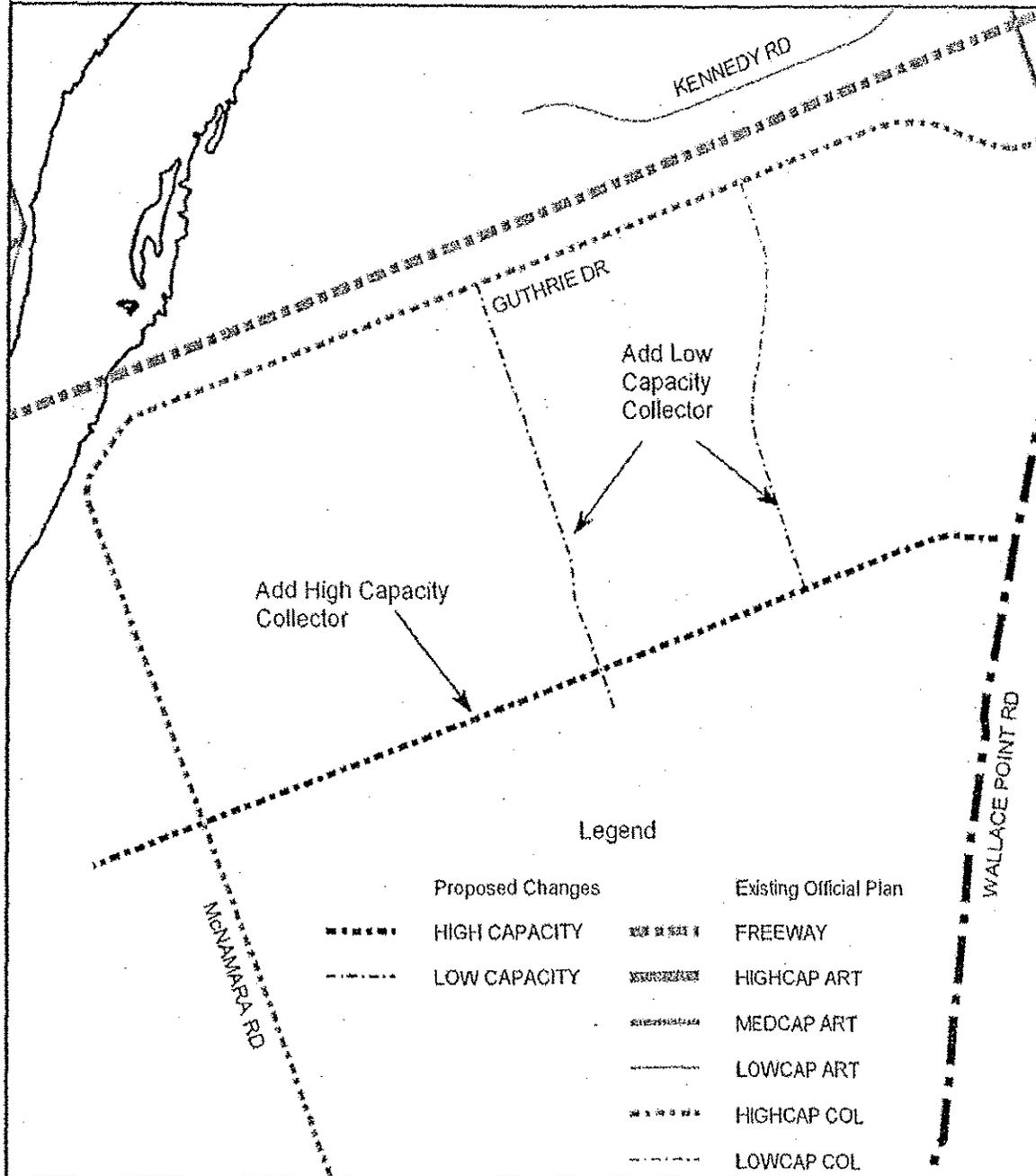
File: O1004/
Z1006SB/
15T-10504



Scale: 7000

Schedule C

Official Plan Amendment to Schedule - B Roadway Network



City of Peterborough

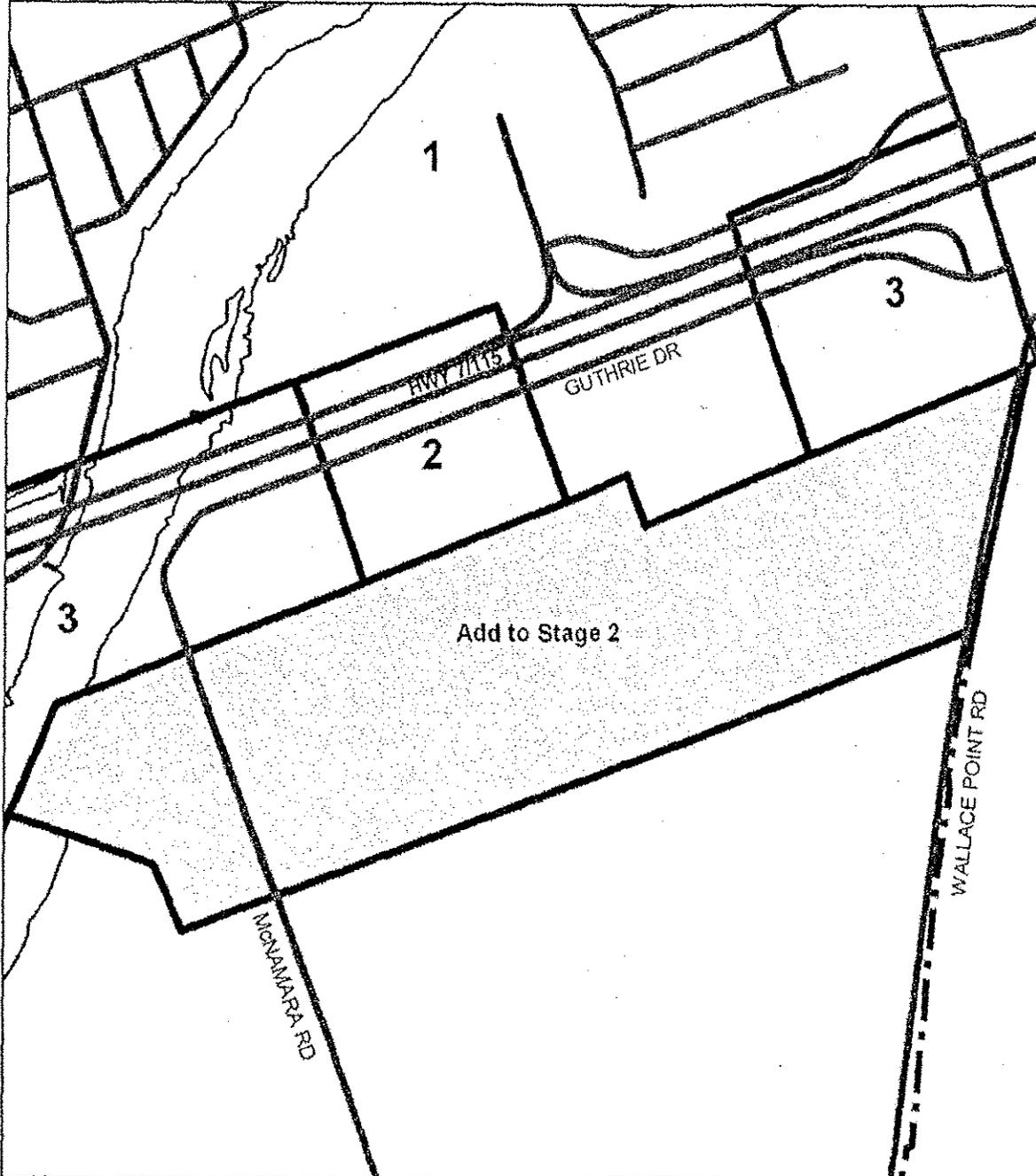
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File: O1004/
Z1006SB/
15T-10504 - Scale: 7000

Schedule D

Official Plan Amendment to Schedule - D Development Areas



City of
Peterborough

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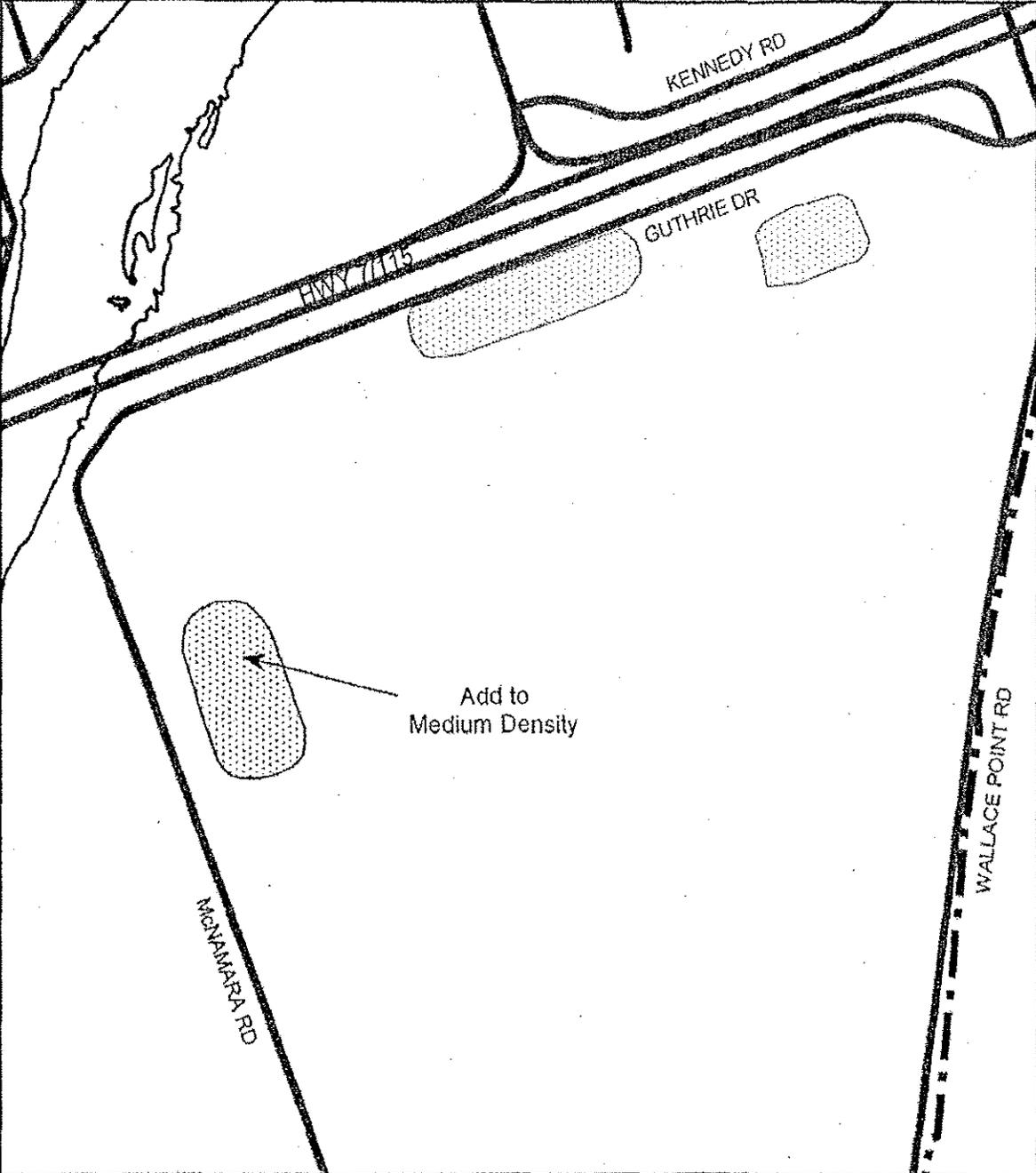


File: O1004/
Z1006SB/
15T-10504

Scale: 8000

Schedule E

Official Plan Amendment to Schedule - E Residential Density



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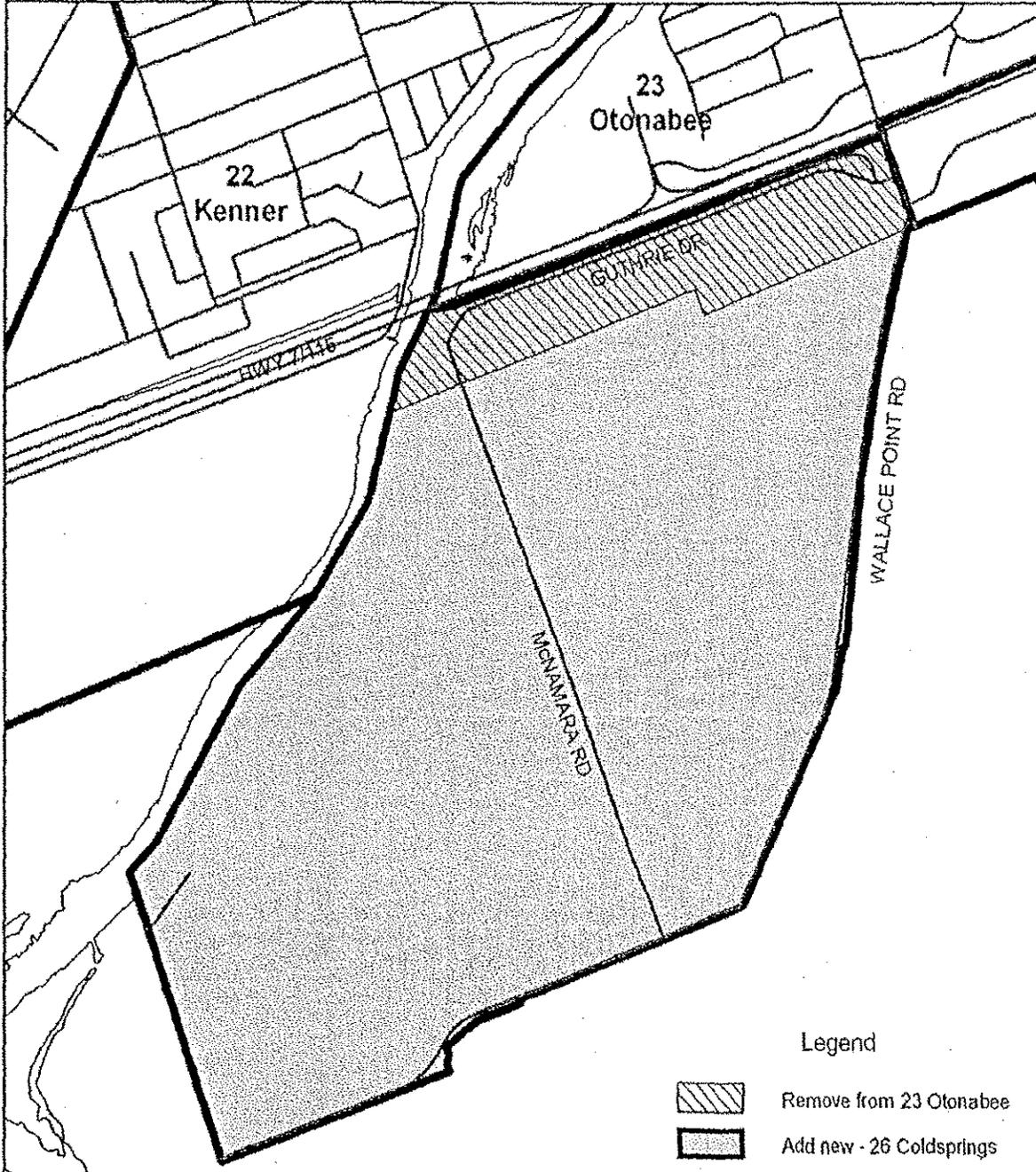
File: O1004/
Z1006SB/
15T-10504

Scale: 7000

Schedule F

Official Plan Amendment to Schedule - F

Key Map to Secondary Land Use Plans



City of
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File: O1004/
Z1006SB/
15T-10504



Scale: 15,000

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 10-(Clerk's office will assign the number)

BEING A BY-LAW TO AMEND THE ZONING BY-LAW FOR PART OF
THE PROPERTIES AT 4571 GUTHRIE DRIVE, 2006 McNAMARA
ROAD AND 2011 McNAMARA ROAD

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

1. **Map 26** forming part of Schedule 'A' to By-law 97-123 is amended by changing the area shown on the sketch attached hereto as Schedule 'A' from A1 (Otonabee) to R.1-"H"; from A1 (Otonabee) to OS.2; from D.2 to R.1-"H"; from A1 (Otonabee) to SP.325-"H"; from HL (Otonabee) and A1 (Otonabee) to OS.1; and from A1 (Otonabee) to D.2-96-"H".
2. The "H" – Holding Symbol will be removed upon registration of the Plan of Subdivision in the Land Registry Office.

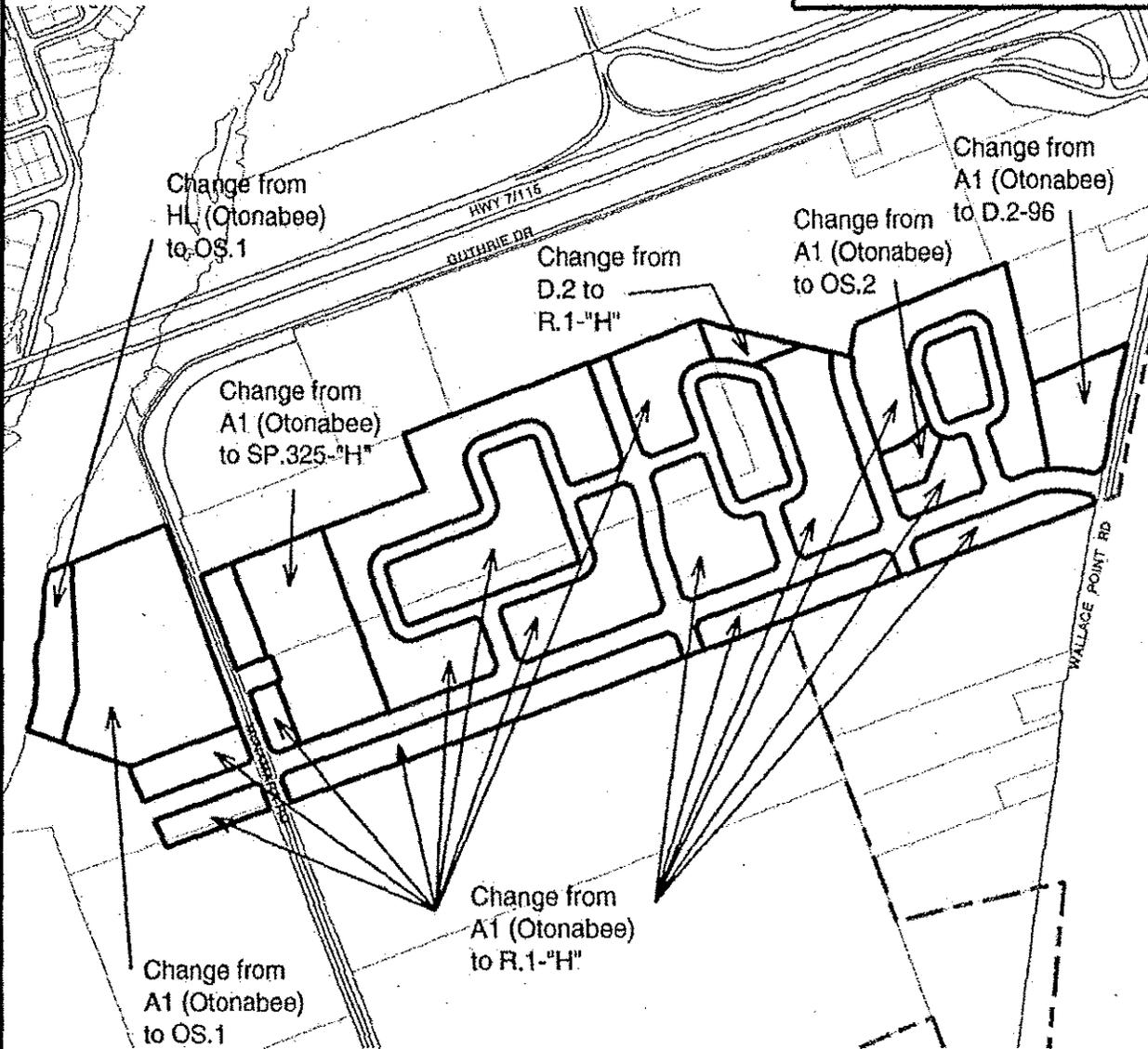
By-law read a first, second and third time this day of _____, 2010.

D. Paul Ayotte, Mayor

Nancy Wright-Laking, City Clerk

Dimensions are in metric

SCHEDULE 'A' TO
BYLAW 2010 -
PASSED THE DAY
OF 2010
MAYOR
CLERK



City of
Peterborough

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File: Z1006SB Scale: 1:7000



City of Peterborough

500 George Street North, Peterborough Ontario, K9H 3R9

**Jeffrey Humble, MCIP RPP,
Director, Planning & Development Services**

Phone - (705) 742-7777 Ext. 1844

Fax - (705) 742-5218

e-mail – jhumble@peterborough.ca

Website - www.peterborough.ca

File:15T-05503

February 23, 2017

Mr. Brad Smith, President
AON Inc.
P.O. Box 296
Peterborough, ON K9J 6Y8

Dear Mr. Smith:

Re: Application for Extension to Draft Plan of Subdivision Approval
Draft Plan of Subdivision 15T-05503
AON Inc.
4571 Guthrie Drive

In accordance with By-Law 11-082 which delegates part of Council's approval authority with respect to plans of subdivision to the Director of Planning & Development Services, please be advised that the conditions of Draft Plan Approval for Draft Plan of Subdivision 15T-05503 are hereby amended to reflect current City practices regarding composite utility plans, implementation of Low Impact Development, stormwater management monitoring, topsoil standards, and capital asset management. Additionally, the conditions are amended to reflect current Otonabee Region Conservation practices and current Ministry of the Environment and Climate Change guidelines related to planning near noise sources.

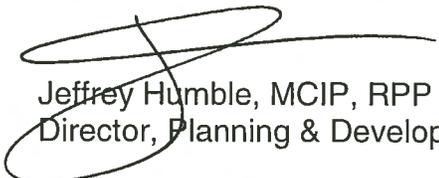
The amendments are reflected as conditions 16, 17, 21, 26, 27, 28, 29, 32 and 33 in Schedule 1 attached hereto.

Furthermore, please be advised that Draft Plan of Subdivision Approval for Plan of Subdivision 15T-05503 is hereby extended in accordance with subsection 51(33) of the Planning Act for a period of three years, to lapse on March 2, 2020.

In accordance with subsection 51(47) of the Planning Act, the amendment to the Conditions of Draft Plan Approval is hereby deemed to be minor in nature and therefore further formal written notice of the amendment will not be provided.

If you have any questions regarding this decision, please contact Brad Appleby, Planner, Subdivision Control & Special Projects at 705-742-7777 ext. 1886.

Yours sincerely,



Jeffrey Humble, MCIP, RPP
Director, Planning & Development Services

Attachments: Schedule 1 (Amended Conditions of Draft Plan Approval)

cc: John Kennedy, City Clerk
Ken Hetherington, Manager, Planning Division
Patricia Lester, City Solicitor
Wayne Jackson, Director, Utility Services
Otonabee Region Conservation Authority
Bell Canada
Cogeco Cable Solutions
Canada Post
Enbridge Gas Distribution Inc.
Peterborough Utilities Services Inc.
Ministry of Transportation (Eastern Region)
Trent Severn Waterway
Robert Dragicevic, Walker Nott Dragicevic Associates Ltd.



City of
Peterborough

Effective to: March 2, 2020

Schedule 1
AON Inc.
Guthrie Drive
Z0524SB/15T-05503

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this subdivision File No. 15T-05503 are as follows:

1. That this approval applies to the Draft Plan 15T-05503 prepared by D.M. Wills Associates Ltd. dated August 3, 2005, to show a total of 63 residential lots (*Lots 1 to 63*), three multiple unit blocks (*Blocks A, B and C*), one block for road widening (*Block D*), two blocks for 0.3 metre reserves (*Blocks E and F*), and two blocks for turning circle purposes (*Blocks K and L*).
2. That if Final Approval is not given to the Plan within three (3) years of the Draft Approval date, and no extensions have been granted, Draft Approval shall lapse.
3. That if the City has approved a Secondary Plan for the Coldsprings Planning Area, including the subject lands, prior to the granting of Final Approval for this Plan and the Secondary Plan is not consistent with the approved Draft Plan, Draft Approval shall lapse.
4. That prior to Final Approval, the City Engineer will confirm the servicing allocation for this Plan as services are allocated on a "first-come-first-served" basis.

Public Roads and Walkways

5. That the road allowances included in the Draft Plan shall be shown on the Plan and dedicated as public highways.
6. That any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.
7. That the owner agree in writing to reconstruct Guthrie Drive across the frontage of the subdivision to a full urban cross-section and from the easterly boundary of the subdivision to Bensfort Road to a rural cross-section at the discretion of the City.

8. That the owner agree in writing to construct a sidewalk along the south side of Guthrie Drive from the west limit of the Plan to Bensfort Road and along the west side of Bensfort Road to the existing sidewalk located approximately 107 metres south of Collison Avenue at the discretion of the City and the Kawartha Pine Ridge District School Board.
- *9. The owners acknowledge that the City has undertaken the Coldsprings Functional Planning Study, which will determine the long-term, permanent servicing strategy for the Planning Area. The servicing strategy for the Planning Area will influence the Area Specific Development Charge for the Coldsprings Planning Area and the owner will agree to pay any increase of this Area Specific Charge for any lot registered prior to an amendment to the Development Charge By-law. The agreement will specify the timing for the payment to be made to the City.
10. That the streets shall be named to the satisfaction of the City of Peterborough.
11. That prior to Final Approval, the owner shall agree, in the Subdivision Agreement, to insert a clause in all Agreements of Purchase and Sale or Lease, advising prospective purchasers or tenants of the possible closure of Guthrie Drive at the Highway 115/7 ramp, and the extension of Street 'B' to the west.
12. That, prior to Final Approval, the owner shall agree, in writing, that if it is determined that Guthrie Drive is to be closed, prior to an alternative access being provided through a future phase of development, the owner will be responsible for providing an alternate access to Wallace Point Road.
13. That prior to Final Approval, the owner will agree in the Subdivision Agreement, to provide an emergency access to the west end of Street 'B' until such time as the street is extended to the property to the west.

Other Municipal Conditions

14. That such easements, internal and external to the Plan, as may be required for temporary access, utility or drainage purposes, including snow storage and temporary turning facilities at the end of all stub streets, shall be granted to the appropriate authority, prior to registration of the Subdivision Agreement and Final Plan.
15. That the owner shall agree in the Subdivision Agreement to satisfy all the requirements, financial and otherwise, of the City of Peterborough concerning the provision of roads, installation of services and drainage works within the Plan and any off-site requirements necessary to implement the Plan, which will include an agreement whereby the owner is

responsible for all matters related to the construction, maintenance and decommissioning of the temporary pumping station.

- *16. 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. 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, including driveway width and location, in writing.
- *17. That the Owner agree in the Subdivision Agreement to prepare a Capital Asset Table prior to the issuance of Interim Acceptance for the infrastructure installed and/or removed and/or impacted by construction of the Draft Plan of Subdivision in a format to the satisfaction of the City Engineer.
18. That the owner shall agree in the Subdivision Agreement to convey cash-in-lieu to the City of Peterborough for parkland purposes, in accordance with the Planning Act requirements.
19. That the owner erect a sign to the satisfaction of the City, depicting the approved Draft Plan of Subdivision and Zoning, within 90 days of Draft Plan Approval.
20. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to insert a clause in all agreements of purchase or sale or lease, to be registered on title, warning prospective purchasers or tenants of the of the City of Peterborough's Sewage Treatment Plant and associated open lagoons located on the north side of Highway No. 7 and operated 24 hours a day, 365 days a year and that the City of Peterborough will not be responsible for complaints or claims arising from the operation of the facility.
- *21. That prior to Final Approval, the owner/developer shall submit, for the review and approval by the City of Peterborough, a detailed Noise Impact Assessment Report. The Report shall evaluate the noise impacts due to road traffic and "stationary" sources within 500 metres of the site and it shall propose a plan of noise impact management including physical indoor/outdoor noise control measures, warning clauses and a plan of implementation to ensure that the control measures shall be properly implemented, as per the last Guidelines of the Ministry of Environment NPC-300.

22. That prior to Final Approval, the owner shall agree, in the Subdivision Agreement, to carry out the works approved in the Noise Impact Assessment Report.
23. That the owner agrees to include covenants in the property deed, satisfactory to the City Solicitor, stating that any noise control features are to be constructed on private property and are the responsibility of the individual property owners in perpetuity.
24. That the Plan shall be phased to the satisfaction of the City of Peterborough.
25. Lots 1 and 2 or, alternatively 62 and 63 will be withheld from development until such time that Street "B" is extended to the west.
- *26. That prior to Final Approval, the City Engineer must have reviewed and approved a soils/hydrogeological report assesses:
 - a) On-site soil and ground water conditions and provides recommendations for pavement, granular and sub-grade road base design, house footings including engineered fill, pipe bedding, proposed slopes, temporary stormwater pond berm and permanent pool impervious liner design, and the need for a residential foundation drain discharge system so the satisfaction of the City Engineer; and,
 - b) A proposed water balance assessment for the proposed subdivision, which may include the implementation of Low Impact Development measures.
- *27. That the Owner agree in the Subdivision Agreement to undertake Quality and Quantity Monitoring of the proposed stormwater management facility to the satisfaction of the City Engineer for the duration of construction and until such time as the facility have been assumed by the City.
- *28. 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).
- *29. That the Owner agree in the Subdivision Agreement to place topsoil throughout the site that meets the City's Engineering Design Standards (March 2016, as amended) to the satisfaction of the City Engineer.
30. That the owner shall enter into an agreement with the Peterborough Utilities Services Inc. for electrical and water servicing, which will include required watermain extensions.

31. That prior to Final Approval, the owner shall carry out a Phase 2 Archaeological Assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

Other Agency Conditions

- *32. That prior to final registration of the Plan of Subdivision and any on-site grading or construction, the Otonabee Region Conservation Authority, the Ministry of Transportation, and the City Engineer must have reviewed and approved reports describing:
- 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 year storm;
 - *b) the intended means of conveying stormwater flow through and from the site, including use of stormwater management 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 and the Credit Valley Conservation (CVC) and Toronto and Region Conservation Authority (TRCA) "Low Impact Development Stormwater Management Planning and Design Guide," 2010;
 - *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 (GGHA) "Erosion and Sediment Control Guidelines for Urban Construction," December 2006. At a minimum, the erosion and sediment control plan shall incorporate the following:
 - 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.
 - iii. detailed construction staging plans, including installation details, inspection, repair and maintenance requirements, a

spill management plan and contingency for additional measures.

- *d) site soil conditions, including grain size distribution profiles, 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.
- *33. The Subdivision Agreement between the owner and the municipality shall contain the following provisions in wording acceptable to the Otonabee Region Conservation Authority and the City Engineer:
- a) That the owner agrees to implement the works referred to in Condition #32. The approved reports are to be referenced in the Subdivision Agreement.
 - *b) That the owner agrees to maintain all stormwater management, erosion and sedimentation control structures operating 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 control measures shall be conducted by a qualified environmental consultant.
 - *c) That the owner agrees to provide the Otonabee Region Conservation Authority and the City Engineer for review, all relevant inspection and testing reports related to the construction of the stormwater management pond.
 - d) That the owner agrees to notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.

In order to expedite the clearance of these conditions, a copy of the signed Subdivision Agreement should be sent to the Otonabee Region Conservation Authority.

34. a) Bell Canada shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Bell Canada for the installation of Bell Canada facilities to serve this Draft Plan of Subdivision.

- b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.
 - c) If there are any conflicts with existing Bell Canada facilities or easements, the owner shall be responsible for re-arrangements or relocation.
- 35.
- a) Cogeco Cable Solutions shall confirm that satisfactory arrangements, financial and otherwise have been made with Cogeco Cable Solutions for any Cogeco Cable Systems facility serving this Draft Plan of Subdivision which are required to be installed underground, a copy of such confirmation shall be forwarded to the City of Peterborough.
 - b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Cogeco Cable Solutions, to grant to Cogeco Cable Solutions any easements that may be required for telecommunications services.
 - c) If there are any conflicts with existing Cogeco Cable Solutions' facilities or easements, the owner shall be responsible for re-arrangements or relocation.
36. The owner shall agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:
- a) Inform all prospective purchasers, through a clause in all Agreements of Purchase and Sale, as to those lots identified for potential Community Mailbox and/or mini-park locations.
 - b) Provide at the owner's expense, curb depressions at the Community Mailbox location 2 metres in width and no higher than 25 mm.
 - c) Provide at the owner's expense, a paved lay-by at the Community Mailbox location, when required by the municipality.
 - d) If a grassed boulevard is planned between the curb and the sidewalk where the Community Mailbox is located, install at the owner's expense, a walkway across the boulevard. The walkway is to be 1.0 metres 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 24mm.

37. The Owner shall grade all streets to final elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Consumers Gas.
38.
 - a) Prior to final approval, the subdivider shall install all-way stop signs at the intersection of Guthrie Drive and the exit ramp from Highway 7/115 to the satisfaction of the City and the Ministry of Transportation;
 - b) That the subdivider agree in the subdivision agreement that the Holding "H" zoning symbol applied to the lands will only be lifted to permit the development of up to approximately 90 units following draft plan registration and that the Holding Symbol will not be lifted from the remainder of the lands until Guthrie Drive is closed between Bensfort Road and the Highway 7/115 ramp and a new temporary or permanent municipal road connection to Wallace Point Road is constructed at the subdivider's expense; and,
 - c) That the subdivider agree in the subdivision agreement that Guthrie Drive, between Bensfort Road and the Highway 7/115 ramp, will not be used as an access route for construction vehicles.
39. Prior to final approval, the owner shall submit a Stormwater Management Report to the MTO that indicates the intended treatment of the calculated runoff.

Notes to Draft Approval

1. It is the owner's responsibility to fulfil 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 the 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 the Title Act*.

Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

3. Clearances are required from the following agencies:

Otonabee Conservation
250 Milroy Drive
PETERBOROUGH, ON K9H 7M9

Manager, Access Network
Bell Canada
364 Water Street North
PETERBOROUGH, ON K9J 7B4

System Planner
COGECO Cable Solutions
P.O. Box 2290
PETERBOROUGH, ON K9J 7Y8

Kawartha Pine Ridge District School
Board
1994 Fisher Drive
P.O. Box 719
PETERBOROUGH, ON K9J 7A1

Delivery Planner
Canada Post Corporation
1424 Caledon Place
Box 25
OTTAWA, ON K1A 0C1

Regional Development Review
Coordinator
Ministry of Transportation
Eastern Region
Planning and Design Section
Corridor Control Unit
1355 John Counter Blvd.
Postal Bag 4000
Kingston, ON K7L 5A3

Manager, Network Analysis
Distribution Planning
Enbridge Gas Distribution Inc.
P.O. Box 650
Scarborough, ON M1K 5E3

4. 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.

5. 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 citywide. Draft Approval does not assign a servicing allocation to this Plan of Subdivision. Services will be allocated on a "first-come-first served" basis in response to bonafide development pressure.

DECISION HISTORY

- Council Approval September 11, 2006
- Dismissal of OMB Appeal - Conditions Effective January 23, 2007
- 2-year Draft Approval Extension and Minor Amendment to conditions of approval by Council – Effective January 23, 2010
- 3-year Draft Approval Extension and Minor Amendment to conditions of approval by Director of Planning & Development Services – Effective January 23, 2012
- 2-year Draft Approval Extension by Director of Planning and Development Services, February 28, 2014 – Effective to March 2, 2017
- 3-year Draft Approval Extension and Minor Amendment to conditions of approval by Director of Planning and Development Services, February 23, 2017 – Effective to March 2, 2020



City of
Peterborough

500 George Street North, Peterborough Ontario, K9H 3R9

**Jeffrey Humble, MCIP RPP,
Director, Planning & Development Services**

Phone - (705) 742-7777 Ext. 1844

Fax - (705) 742-5218

e-mail – jhumble@peterborough.ca

Website - www.peterborough.ca

File: 15T-10504

February 23, 2017

Mr. Brad Smith, President
AON Inc.
P.O. Box 296
Peterborough, ON K9J 6Y8

Dear Mr. Smith:

Re: Application for Extension to Draft Plan of Subdivision Approval
Draft Plan of Subdivision 15T-10504
AON Inc.
4571 Guthrie Drive and 2006 and 2011 McNamara Road

In accordance with By-Law 11-082 which delegates part of Council's approval authority with respect to plans of subdivision to the Director of Planning & Development Services, please be advised that the conditions of Draft Plan Approval for Draft Plan of Subdivision 15T-10504 are hereby amended to reflect current City practices regarding composite utility plans, implementation of Low Impact Development, stormwater management monitoring, and topsoil standards. Additionally, the conditions are amended to reflect current Otonabee Region Conservation practices, current Ministry of the Environment and Climate Change guidelines related to planning near noise sources. Additionally, as requested in your application, the conditions of Draft Plan Approval are amended to provide flexibility for consideration of development on gravity-based services prior to construction of a sanitary wastewater pumping station in the area.

The amended conditions of approval are reflected as conditions 16, 21, 22, 24, 25, 26, 31, 39 and 42 in Schedule 1 attached hereto. Furthermore, please be advised that Draft Plan of Subdivision Approval for Plan of Subdivision 15T-10504 is hereby extended in accordance with subsection 51(33) of the Planning Act for a period of three years, to lapse on March 2, 2020.

In accordance with subsection 51(47) of the Planning Act, the amendments to the Conditions of Draft Plan Approval are hereby deemed to be minor in nature and therefore further formal written notice of the amendment will not be provided.

If you have any questions regarding this decision, please contact Brad Appleby, Planner, Subdivision Control & Special Projects at 705-742-7777 ext. 1886.

Yours sincerely,



Jeffrey Humble, MCIP, RPP
Director, Planning & Development Services

Attachments: Schedule 1 (Amended Conditions of Draft Plan Approval)

cc: John Kennedy, City Clerk
Ken Hetherington, Manager, Planning Division
Patricia Lester, City Solicitor
Wayne Jackson, Director, Utility Services
Otonabee Region Conservation Authority
Bell Canada
Cogeco Cable Solutions
Canada Post
Enbridge Gas Distribution Inc.
Peterborough Utilities Services Inc.
Ministry of Transportation (Eastern Region)
Trent Severn Waterway
Robert Dragiccivic, Walker Nott Dragiccivic Associates Ltd.



AON Inc.
4571 Guthrie Drive, 2006 &
2011 McNamara Road
15T-10504 / O1004 / Z1006SB

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

The City of Peterborough Conditions and Amendments to Final Plan Approval for registration of this Subdivision File No. 15T-10504 are as follows (* indicated revised condition):

Identification

1. That this approval applies to the Draft Plan 15T-10504, prepared by Walker, Nott, Dragicevic Associates Limited dated July 22, 2010 (Drawing No. 04690), which shows the following:
 - Lots 1-409
 - Block A
 - Block B
 - Block C
 - Blocks D, E, F
 - Block G
 - Block H
 - Blocks I, J, K, L
 - Block M
 - Block N
 - 409 Single Detached lots
 - Open Space
 - Future Development/Temporary Sales Office
 - Stormwater Management & Pumping Station
 - 3.0m Road Widening (McNamara Rd.)
 - Retirement Residential (130 units/suites)
 - Future Development
 - 0.3m Road Reserve
 - 2.0m Road Widening (Wallace Point Rd.)
 - Parkette
2. That if Final Approval is not given to this Plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse.
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.

Public Roads and Walkways

4. That the road allowances included in this Draft Plan shall be shown on the Plan and dedicated as public highways.
5. That the streets shall be named to the satisfaction of the City of Peterborough.
6. That any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.

7. That temporary turning circles be established at the termination of road allowances to the satisfaction of the City of Peterborough.
8. That daylight triangles be established at all intersections to the satisfaction of the City Engineer.
9. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to construct sidewalks in accordance with the City's Sidewalk Policy.

Other Municipal Conditions

10. That Block A be conveyed to the City of Peterborough for Open Space purposes.
11. That Block C be conveyed to the City of Peterborough for stormwater management and wastewater pumping station purposes.
12. That Blocks D, E and F be conveyed to the City of Peterborough as a 3.0 metre road widening for McNamara Road.
13. That the owner agree in writing to reconstruct McNamara Road across the frontage of the subdivision to a full urban cross-section at the discretion of the City Engineer.
14. That Block M be conveyed to the City of Peterborough as a 2.0 metre road widening for Wallace Point Road.
15. That the owner agree to investigate the feasibility of constructing a pedestrian facility along the west side of Wallace Point Road and Bensfort Road from Street A to Collison Avenue at the discretion of the City Engineer and to construct the said facility if deemed appropriate by the City Engineer.
- *16. That prior to the Final Approval of any phase of development that can not be serviced by a gravity sanitary sewer, a Sanitary Wastewater Pumping Station be constructed on Block C and a forcemain be constructed from Block C to the Southpark Drive sanitary sewer to the satisfaction of the City Engineer subject to the following:
 - a) That the existing Southpark Drive sanitary sewer, south of the Sherin Avenue Trunk, be upgraded to accommodate flows from the entire Coldsprings area;
 - b) That the Sanitary Pumping Station be designed to allow for expansion to service full build-out of the Coldsprings Secondary Plan Area;
 - c) That the sanitary forcemain design consider the needs for full build-out of the Coldsprings Secondary Plan Area;

- d) That a study be undertaken and implemented that assesses the potential environmental and cultural heritage impacts of the required sanitary services be and recommends measures to mitigate the potential for adverse impacts;
 - e) That the detailed engineering and design of the sanitary forcemain crossing under Highway 7/115 receive approval from the Ministry of Transportation; and,
 - *f) Development of phases utilizing a gravity sanitary sewer system may proceed prior to the construction of a Sanitary Pumping Station provided that the sanitary sewer system meets the City of Peterborough's Engineering Design Standards and that an adequate downstream sanitary servicing capacity analysis is completed to the satisfaction of the City Engineer.
17. The Coldsprings Transportation Study identifies the need for transportation network improvements to accommodate development of the Coldsprings Secondary Plan Area. In accordance with the recommendations therein, the Developer acknowledges that development of the subject plan of subdivision will be phased as follows (assuming a development mix of 60% single detached, 22% medium density and 18% high density units):
- a) Prior to Final Approval for the cumulative creation of more than 92 residential dwelling units within the Coldsprings Secondary Plan Area, the Developer shall agree in the subdivision agreement to install an all-way stop sign control at the intersection of Guthrie Drive and the Highway 7/115 ramp, and at the intersection of Guthrie Drive and Bensfort Road, prior to the issuance of Interim Acceptance of the applicable phase of the subdivision to the satisfaction of the City Engineer and the Ministry of Transportation;
 - b) Prior to Final Approval for the cumulative creation of more than 350 residential dwelling units within the Coldsprings Secondary Plan Area, the Developer shall agree in the subdivision agreement to establish a second permanent roadway from the Plan Area to Wallace Point Road prior to the issuance of Interim Acceptance of the applicable phase of the subdivision to the satisfaction of the City Engineer and the Ministry of Transportation;
 - c) Prior to Final Approval for the cumulative creation of more than 500 residential dwelling units within the Coldsprings Secondary Plan Area, the following improvements are constructed to the satisfaction of the City Engineer and the Ministry of Transportation:
 - i. Guthrie Drive shall be closed between Bensfort Road and the Highway 7/115 ramp;

- ii. The east bound Highway 7/115 exit ramp to Bensfort Road shall be reconstructed and Neal Drive shall be realigned, if necessary, to meet the reconstructed ramp as a signalized intersection at Bensfort Road;
 - iii. Wallace Point Road or Bensfort Road (the "Thoroughfare") shall be established as the thoroughfare between the Plan Area and areas north of Highway 7/115 and the remaining roadway shall be realigned in the vicinity of Street A as a signalized intersection;
 - iv. Kennedy Road and/or Otonabee Drive shall be realigned to form a mutual signalized intersection; and,
 - v. A northbound left turn lane shall be established on Bensfort Road, under Highway 7/115, approaching Kennedy Road;
- d) Prior to Final Approval for the cumulative creation of more than 1300 residential dwelling units/suites within the Coldsprings Secondary Plan Area:
 - i. a secondary access road shall be constructed under Highway 115 at the Otonabee River to connect Guthrie Drive to Kennedy Road;
or,
 - ii. a new bridge crossing of the Otonabee River shall be constructed;
or,
 - iii. the Thoroughfare shall be widened between Street A and Kennedy Road, the Highway 7/115 bridges over Bensfort Road shall be reconstructed, and additional left turn lanes shall be provided on Street A at the Thoroughfare and on Bensfort Road, at Kennedy Road, all to the satisfaction of the City Engineer and the Ministry of Transportation;
- e) Should option i. in Condition 17 d) be implemented, prior to Final Approval for the cumulative creation of more than 2000 residential dwelling units within the Coldsprings Secondary Plan Area, the Thoroughfare shall be widened between Street A and Kennedy Road, the Highway 7/115 bridges over Bensfort Road shall be reconstructed, and additional left turn lanes shall be provided on Street A at the Thoroughfare and on Bensfort Road, at Kennedy Road, all to the satisfaction of the City Engineer and the Ministry of Transportation;
- f) Should options i. or iii. in Condition 17 d) be implemented, prior to Final Approval for the cumulative creation of more than 2400 residential dwelling units within the Coldsprings Secondary Plan Area:

- i. Bensfort Road / River Road shall be widened to Lansdowne Street; and,
 - ii. The Throughfare shall be widened from Street A southerly to the second collector street entrance to the Coldsprings Secondary Plan Area;
 - g) Beyond the cumulative approval of 2400 in the Coldsprings Secondary Plan Area, should option i. in Condition 17 d) be implemented without implementation of option ii. in that same Condition, no additional development approvals will be granted beyond 3300 units without the approval of an updated traffic study, complete with observed trip generation statistics from the Planning Area, showing that the road network can accommodate additional development or the provision of additional road network capacity; and,
 - h) Beyond the cumulative approval of 2400 in the Coldsprings Secondary Plan Area, should option iii. in Condition 17 d) be implemented without implementation of option i. or ii. in that same Condition, no additional development approvals will be granted beyond 2700 units without the approval of an updated traffic study, complete with observed trip generation statistics from the Planning Area, showing that the road network can accommodate additional development or the provision of additional road network capacity.
- 18. The owner acknowledges that several of the transportation network improvements identified in Condition 17 will require the completion of a Class Environmental Assessment. To preserve options for adjusting the location of the intersection of Street A and Wallace Point Road, the owner agrees that Final Approval will not be granted for Block H or for Lots 320 to 323 and 336 to 340 pending confirmation of the intersection location upon completion of a Class Environmental Assessment for transportation network improvements in the Highway 7/115 / Guthrie Drive / Bensfort Road / Wallace Point Road area. Furthermore, the owner agrees to modify the Draft Approved Plan of Subdivision to reflect any necessary changes to the alignment of Street A near Wallace Point Road as determined through a Class Environmental Assessment.
- 19.
 - a) 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. Additionally, prior to Final Approval, the owner shall enter into a separate agreement with the City of Peterborough, the terms of which are to be approved by Council, concerning the construction and financing of sanitary infrastructure from the Coldsprings Area Specific Development Charge Reserve Fund.
 - b) That prior to Final Approval, the owner shall agree in the Subdivision Agreement to prepare a Capital Asset Table for all infrastructure that is (or

will be) installed, removed and/or impacted prior to municipal assumption in a format approved by the City Engineer. The owner shall further agree to provide the required Table prior to the issuance of an Interim Acceptance Certificate pursuant to the Subdivision Agreement and to ensure that the information on infrastructure will be separate into its various components and assigned construction costs for individual items.

20. That such easements as may be required for temporary access, utility, or drainage purposes, including snow storage at the end of all "stub" streets, shall be granted to the appropriate authority, prior to the registration of the Subdivision Agreement and Final Plan.
- *21. 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. 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, including driveway width and location, in writing.
- *22. That prior to Final Approval, the owner shall submit and receive approval of a soils/hydrogeological report to the satisfaction of the City Engineer which assesses:
 - a) soil types and ground water levels relative to establishing elevations for houses and recommendations for road bed, asphalt, pipe bedding, and foundation design, and recommendations in relation to the foundation drain discharge system;
 - b) the groundwater recharge function of the subject lands relative to providing baseflow to the Otonabee River and the woodlot/swamp located at 1856 McNamara Rd., 1954 McNamara Rd. and 1714 Driscoll Road to the satisfaction of the City Engineer and the Otonabee Region Conservation Authority;
 - c) the potential for adverse impacts on groundwater quality and quantity for well users in the area and recommends a program for monitoring area wells; and,
 - *d) A proposed water balance assessment for the overall proposed subdivision, which may include the implementation of Low Impact Development measures.
23. That the owner agree in the Subdivision Agreement to implement any recommendations approved in the soils/hydrogeological report.

- *24. That the Owner agree in the Subdivision Agreement to undertake Quality and Quantity Monitoring of the proposed stormwater management facility(ies) to the satisfaction of the City Engineer for the duration of construction and until such time as the facility(ies) have been assumed by the City.
- *25. 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).
- *26. That the Owner agree in the Subdivision Agreement to place topsoil throughout the site that meets the City's Engineering Design Standards (March 2016, as amended) to the satisfaction of the City Engineer.
27. That prior to Final Approval the owner submit to the satisfaction of the City of Peterborough and the Otonabee Region Conservation Authority an Environmental Study consisting of:
- a) An assessment of the potential impacts of the proposed stormwater management facilities on nearby aquatic habitat;
 - b) A vegetation assessment of the hedgerows on the site, particularly those identified as No. 25 and No. 27 in the Coldsprings Functional Planning Study Natural Heritage Component Report (Ecoplans Limited, 2005), including field surveys for species at risk and associated habitats and recommendations to protect and/or enhance natural features; and,
 - c) A vegetation assessment of the natural features within Blocks B and C including field surveys for species at risk and associated habitats and recommendations to protect and/or enhance natural features.
28. That the agree to implement any recommendations approved in the Environmental Study on the draft plan of subdivision to be prepared for Final Approval and/or in the Subdivision Agreement.
29. That the owner shall agree in the Subdivision Agreement to design and construct suitable permanent fencing as required along the rear of Lots 11 to 19, adjacent to Block C, and along the mutual property line between Block N and Lots 283, 284, 285, 286, 293 and 294 to the satisfaction of the City of Peterborough.
30. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to insert a clause in all agreements of purchase or sale or lease, to be registered on title, warning prospective purchasers or tenants of the of the City of Peterborough's Sewage Treatment Plant and associated open lagoons located on the north side of Highway No. 7 and operated 24 hours a day, 365 days a year and that the City of Peterborough will not be responsible for complaints or claims arising from the operation of the facility.

- *31. That prior to Final Approval, the owner/developer shall submit, for the review and approval by the City of Peterborough, a detailed Noise Impact Assessment Report. The Report shall evaluate the noise impacts due to road traffic and “stationary” sources within 500 metres of the site and it shall propose a plan of noise impact management including physical indoor/outdoor noise control measures, warning clauses and a plan of implementation to ensure that the control measures shall be properly implemented. The Noise Impact Assessment shall be prepared following the Ministry of the Environment’s NPC-300 Guideline.
32. That prior to Final Approval, the owner shall agree, in the Subdivision Agreement, to carry out the works approved in the Noise Impact Assessment Report.
33. That the owner agrees to include covenants in the property deed, satisfactory to the City Solicitor, stating that any noise control features are to be constructed on private property and are the responsibility of the individual property owners in perpetuity.
34. That the owner shall 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.
35. That the owner shall enter into an agreement with the Peterborough Utilities Services Inc. for electrical and water servicing.
36. That prior to Final Approval, the owner undertake a hydraulic analysis to the satisfaction of Peterborough Utilities Services Inc. to determine staging of development requirements for the subject plan relative to the provision of water services.
37. That prior to Final Approval, the owner obtain written confirmation from Peterborough Utilities Services Inc. that the appropriate watermain infrastructure has been constructed to service the development.
38. The owner shall agree in writing to convey 5% of the land to the City for parkland dedication. For calculation purposes, lands within the regional floodplain, lands required as an environmental setback, and lands designated for stormwater management purposes shall not constitute any portion of the parkland dedication. Block N will be conveyed to the City for parkland purposes and will be credited as satisfying a portion of the owner’s parkland dedication requirement for the subject plan.

Other Agency Conditions

- *39. That prior to Final Approval of the Plan of Subdivision and any on-site grading or construction, Otonabee Region Conservation Authority, Ministry of Transportation, Trent Severn Waterway and the City Engineer must have reviewed and approved reports describing/containing:

- a) The intended means of controlling stormwater runoffs in terms of quantity, frequency and duration for all events up to and including the 1:100 year storm;
 - *b) the intended means of conveying stormwater flow through and from the site, including use of stormwater management 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 and the Credit Valley Conservation (CVC) and Toronto and Region Conservation Authority (TRCA) "Low Impact Development Stormwater Management Planning and Design Guide," 2010;
 - *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 (GGHA) "Erosion and Sediment Control Guidelines for Urban Construction," December 2006. At a minimum, the erosion and sediment control plan shall incorporate the following:
 - 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.
 - iii. detailed construction staging plans, including installation details, inspection, repair and maintenance requirements, a spill management plan and contingency for additional measures.
 - *d) site soil conditions, including grain size distribution profiles, 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.
40. That prior to Final Approval, the owner shall agree in the Subdivision Agreement to design and implement a detailed landscape and planting plan for the portion of Block A that is within 50 metres of the Otonabee River Shoreline to the satisfaction of the Otonabee Region Conservation Authority.

41. That prior to Final Approval the owner shall agree in the Subdivision Agreement to develop and implement a two-year monitoring program of the landscape and planting plan noted in Condition 38 to the satisfaction of the Otonabee Region Conservation Authority. A minimum 70% survival rate is required, with replanting taking place where mortality exceeds 30% to the original specifications.
- *42. The Subdivision Agreement between the owner and the City of Peterborough shall contain the following provisions in wording acceptable to the Otonabee Region Conservation Authority and the City Engineer:
- a) That the owner agrees to implement the works referred to in Condition Nos. 39, 40 and 41. 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 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 control measures shall be conducted by a qualified environmental consultant.
 - *c) That the owner agrees to provide the Otonabee Region Conservation Authority and the City Engineer for review, all relevant inspection and testing reports related to the construction of the stormwater management pond.
 - d) That the owner agrees to notify the Otonabee Region Conservation Authority at least 48 hours prior to the initiation of any on-site development.

In order to expedite clearance of these conditions, a copy of the Subdivision Agreement should be sent to Otonabee Region Conservation Authority.

43. a) Bell Canada shall confirm to the City of Peterborough in writing that satisfactory arrangements, financial and otherwise have been made with Bell Canada for the installation of Bell Canada facilities to serve this Draft Plan of Subdivision.
- b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.
- c) If there are any conflicts with existing Bell Canada facilities or easements, the owner shall be responsible for re-arrangements or relocation.
44. a) Cogeco Cable Solutions shall confirm that satisfactory arrangements, financial and otherwise have been made with Cogeco Cable Solutions for any Cogeco Cable Solutions' facilities serving this Draft Plan of

Subdivision which are required to be installed underground, a copy of such confirmation shall be forwarded to the City of Peterborough.

- b) The owner shall agree in the Subdivision Agreement, in words satisfactory to Cogeco Cable Solutions, to grant to Cogeco Cable Solutions any easements that may be required for telecommunication services.
 - c) If there are any conflicts with existing Cogeco Cable Solutions' facilities or easements, the owner shall be responsible for re-arrangements or relocation.
45. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Canada Post Corporation and the City Engineer:
- a) Inform all prospective purchasers, through a clause in all Agreements of purchase and sale, as to those lots identified for potential Community Mailbox, mini-park and/or locations.
 - b) Provide, at the Owner's expense, curb depressions at the Community Mailbox location 2 metres in width and no higher than 25 mm and a poured concrete pad to City of Peterborough sidewalk specifications.
 - c) Provide, at the Owner's expense, a paved lay-by at the Community Mailbox location when required by the municipality.
 - d) If a grassed boulevard is planned between the curb and the sidewalk where the Community Mailbox is located, install at the Owner's expense, a walkway across the boulevard. The walkway is to be 1.0 metre in width and constructed of a material suitable to the municipality (e.g. interlock, asphalt, concrete etc.) in addition, the developer shall ensure, by forming or cutting the curb, that this walkway is handicapped accessible by providing a curb depression between the street and the walkway. This depression should be 1.0 metres wide and no higher than 25mm.
46. That the Owner agree in the Subdivision Agreement to the following provisions in wording acceptable to Enbridge Gas Distribution Inc. and the City Engineer:
- a) To grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
 - b) To provide easements at no cost to Enbridge Gas Distribution Inc. in the event that it is not possible to install the natural gas distribution system within the proposed road allowances.

CLEARANCES

1. Prior to final approval, the Director of Planning & Development Services shall be advised by the Otonabee Region Conservation Authority that Conditions 16 d), 22 b), 27, 28, 39, 40, 41 and 42 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 Director of Planning & Development Services shall be advised by Bell Canada that Conditions 21 and 43 have been carried out to their satisfaction. The letter from Bell shall include a brief but complete statement detailing how each condition has been satisfied.
3. Prior to final approval, the Director of Planning & Development Services shall be advised by Cogeco Cable Solutions that Conditions 21 and 44 have been carried out to their satisfaction. The letter from Cogeco shall include a brief but complete statement detailing how each condition has been satisfied.
4. Prior to final approval, the Director of Planning & Development Services shall be advised by Canada Post that Conditions 21 and 45 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.
5. Prior to final approval, the Director of Planning & Development Services shall be advised by the Enbridge Consumers Gas that Conditions 21 and 46 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.
6. Prior to final approval, the Director of Planning & Development Services shall be advised by the Ministry of Transportation that Conditions 16 d) and e), 17 and 39 have been carried out to their satisfaction. The letter from the Ministry shall include a brief but complete statement detailing how each condition has been satisfied.
7. Prior to final approval, the Director of Planning & Development Services shall be advised by the Trent-Severn Waterway that Condition 39 has been carried out to their satisfaction. The letter from the Waterway shall include a brief but complete statement detailing how the condition has been satisfied.
8. Prior to final approval, the Director of Planning & Development Services shall be advised by Peterborough Utilities Services Inc. (PUSI) that Conditions 21, 35, 36 and 37 have been carried out to their satisfaction. The letter from PUSI 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
Peterborough ON K9J 7B4

Delivery Planner
Canada Post Corporation
1424 Caledon Place Box 25
Ottawa ON K1A OC1

Planning Supervisor
Enbridge Consumers Gas
500 Elgin Mills Road East
Richmond Hill ON L4C 5G1

Trent-Severn Waterway
P.O. Box 567
2155 Ashburnham Drive
Peterborough, ON K9J 6Z6

Ministry of Transportation, Eastern Region
Corridor Control Unit
Planning and Design Section
1355 John Counter Blvd.
Postal Bag 4000
Kingston, Ontario K7L 5A3

Peterborough Utilities Services Inc.
1867 Ashburnham Drive
PO Box 4125, Station Main
Peterborough, ON K9J 6Z5

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.

DECISION HISTORY

- Council Approval August 9, 2010
- Resolution of OMB appeal – Conditions Effective March 2, 2011
- 3-year Draft Approval Extension and Minor Amendment to conditions of approval by Director of Planning & Development Services, February 28, 2014
- 3-year Draft Approval Extension and Minor Amendment to conditions of approval by Director of Planning & Development Services, February 23, 2017