The Corporation of the City of Peterborough

By-Law Number 14-055

Being a By-law to adopt Amendment No. 163 to the Official Plan of the City of Peterborough – Lily Lake Secondary Land Use Plan

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

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

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10.9 Lily Lake Secondary Plan

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

10.9.2 Objectives of the Plan

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

10.9.2.1 To establish a community for the undeveloped lands within the City that are north of Jackson Park and Jackson Creek, west of Fairbairn Street, south of Lily Lake Road and east of the Jackson Creek East Provincially Significant Wetland that contributes to the development of the City as a complete community by including convenient access to jobs, local services, community infrastructure (including schools and parks), and a range of housing, including affordable housing, that will be suitable for a broad range of age groups.

10.9.2.2 To recognize the Planning Area as a substantial new development area and identify the need to anticipate development impacts on the surrounding neighbourhood and environment and take reasonable actions to mitigate adverse impacts.

10.9.2.3 To establish a complete transportation system that integrates the Planning Area with the surrounding community by accommodating the needs of pedestrians, cyclists, transit users and motorists.

10.9.2.4 To establish a community open space system that preserves environmental features within and adjacent to the Planning Area including Jackson Creek and the Jackson Creek Valley, Jackson Park, and the Jackson Creek East Provincially Significant Wetland and tributary.
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10.9.2.5 To establish a servicing strategy to link services in the Secondary Plan Area with services in the City in a cost effective manner and ensure adequate standards are maintained for all services.

10.9.3 Development Policies

10.9.3.1 Community Structure

10.9.3.1.1 Open Space System

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

10.9.3.1.2 Residential Areas

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

10.9.3.1.3 Transportation System

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

10.9.3.2 Natural Area, Open Space and Parkland

10.9.3.2.1 When reviewing development proposals, the City will have regard for the form and function of existing natural features within and/or adjacent to the Secondary Planning Area, including:

- the Jackson Creek East Provincially Significant Wetland and its associated tributary;
- Jackson Creek and its associated valley lands, woodland and tributaries; and,
- unevaluated wetland pockets located within the Jackson Creek Valley and near the homestead at 689 Lily Lake Road.

Development proposals shall define, through the preparation of an Environmental Study as described in Section 3.3.7, the limit of the Natural Area, development setback requirements, and the limit of any flood plain associated with the Natural Area. Areas defined as Natural Area or required as a buffer to the Natural Area shall be dedicated to the City at no cost for open space purposes.

10.9.3.2.2 In addition to the requirements of Sections 3.3.7, any Environmental Study prepared in support of a development proposal may also be required to investigate:

- the incidence of foxglove beardtongue;
- the presence of, or potential for, potential turtle nesting habitat on or adjacent to the lands; and,
• the hydrologic and ecological link between water features within the Jackson Creek Valley and features above the valley.

The study shall recommend measures for protecting and enhancing these features and for monitoring the effectiveness of these measures.

10.9.3.2.3 Prior to any grading, construction or tree removal, the City will require the submission of detailed natural features/vegetation studies, tree assessment and preservation plans (including an inventory of existing mature trees on site and measures for respecting or replacing these trees), hydrogeological and geotechnical studies, and archaeological assessment studies when reviewing development proposals.

10.9.3.2.4 Detailed landscaping and planting plans consisting of a variety of suitable native species shall be prepared in conjunction with studies prepared pursuant to Sections 10.9.3.2.1 and 10.9.3.2.3 for all areas to be dedicated to the City for open space, parkland, and stormwater management purposes.

10.9.3.2.5 The Jackson Creek Valley is a significant valleyland and woodland area that serves to connect Jackson Park to significant natural areas beyond the City. Generally, the treeline along the top of and within the valley shall be protected. Limited tree removal may be permitted to facilitate the provision of infrastructure and trail facilities subject to the completion of studies and plans in accordance with Sections 10.9.3.2.1, 10.9.3.2.3, and 10.9.3.2.4.

10.9.3.2.6 Development in proximity to the Jackson Creek Valley shall be supported by an Erosion Hazard Limit Study prepared in accordance with Ministry of Natural Resources guidelines.

10.9.3.2.7 To promote public accessibility to and to protect public views of the Jackson Creek Valley, the City will encourage the provision of open space along the top of the valley and may consider alternative design standards for streets that abut such open space.

10.9.3.2.8 Connecting Links as depicted on Schedule “C” – Natural Areas and Flood Plains shall strive to achieve a minimum width of 30 metres subject to the recommendations of studies and plans prepared pursuant to Sections 10.9.3.2.1, 10.9.3.2.3, and 10.9.3.2.4 in order to protect the existing treelines around which they are planned and/or to accommodate significant re-vegetation and an off-road trail.

10.9.3.3 Land Use

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

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

- Low Density – 25 units per hectare;
- Medium Density – 45 units per hectare;
- Medium-High Density – 60 units per hectare.
10.9.3.3 Pursuant to Section 4.2.3.9 of this Plan, the City will encourage the development of secondary suites in areas designated for Low Density Residential use on Schedule “R” – Lily Lake Secondary Land Use Plan. The development of secondary suites will be controlled through the application of Zoning By-law regulations.

10.9.3.4 Subject to conformity with Sections 5.4.1 and 5.7.2 of this Plan, the City may consider development proposals in the Lily Lake Planning Area that employ alternative development standards such as rear laneways, alternative parkland sizing and placement, reduced lot sizes and building setbacks in order to facilitate the creation of a compact community that achieves a minimum average density of 50 residents and jobs per hectare over the entire Planning Area.

10.9.3.5 When reviewing development proposals, the City may require development proponents to assess off-street parking requirements of the proposed development and to implement measures over and above typical lot-specific Zoning By-law standards to ensure adequate parking standards are provided within the neighbourhood.

10.9.3.6 Where an elementary school is anticipated within the Planning Area on Schedule “R” – Lily Lake Secondary Land Use Plan, such blocks will be zoned to permit alternative uses by the underlying land use designation on Schedule “A” – Land Use including other institutional uses and residential uses. As part of the approval of a plan of subdivision, a lotting plan shall be submitted to demonstrate that the school block is configured in a manner which will permit future development for other purposes should a school not be developed.

10.9.3.7 In addition to those uses contemplated in Section 4.2.6.3, institutional and cultural uses, with the exception of cinemas and theatres, shall also be permitted within Local Commercial facilities identified on Schedule “R” – Lily Lake Secondary Land Use Plan.

10.9.3.8 Development of properties designated for Medium-High Density residential purposes on Schedule “R” – Lily Lake Secondary Land Use Plan will be encouraged to integrate small scale commercial uses, as described in Section 4.2.6.3, in order to form a commercial core to serve the Planning Area in conjunction with planned Local Commercial facilities.

10.9.3.9 Land use planning approvals for the southwest portion of the Planning Area shall protect the need for municipal infrastructure installations to Parkhill Road, in the vicinity of Ravenwood Drive, should they be deemed necessary in the future.

10.9.3.10 The eastern portion of the Planning Area is encompassed by a collection of undeveloped lots created historically by a process called “checkerboarding”. Due to fragmentation of ownership, these lands present a unique challenge to potential development. Notwithstanding the provisions of Section 10.9.3.3.2, Infill Housing may also be considered in accordance with Section 4.2.2.1.3.

10.9.3.4 Transportation

10.9.3.4.1 It is intended that the location of streets shown on Schedule “R” – Lily Lake Secondary Land Use Plan are approximate. The location and alignment of streets will be determined at the time of subdivision approval without amendment to the Secondary Plan.
10.9.3.4.2 Proponents of development will be required to complete Traffic Impact Studies in accordance with Sections 5.3.5 and 5.4.11. Implementation of required road network improvements will be secured either prior to, or as a condition of, development approvals.

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

10.9.3.4.4 Roundabout intersections will be preferred where Collector Roadways intersect.

10.9.3.4.5 The City will cooperate with the County of Peterborough, the Township of Selwyn, and other affected authorities to facilitate implementation of any roadway improvements beyond the City’s boundary that are required to serve the Planning Area.

10.9.3.4.6 On-road bikeways will be provided on all Collector Roadways within the Secondary Plan area. The City will have the authority to expand designated road rights-of-way to accommodate planned pedestrian, cycling and infrastructure facilities if determined necessary.

10.9.3.4.7 Off-road bikeways and pedestrian facilities will be planned in conjunction with studies prepared pursuant to Sections 10.9.3.2.1, and 10.9.3.2.3 and implemented as a condition of development approvals. Off-road bikeways and pedestrian facilities will be planned to maximize linkages among parkland and open space features within the Planning Area and connectivity with adjacent features including the Trans-Canada Trail, Fairbairn Street and Poplar Park.

10.9.3.5 Stormwater Management

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

- measures to minimize or prevent thermal and chemical impacts on receiving waterbodies;
- measures to minimize changes in water balance and erosion; and,
- measures to prevent increase in risk to human health and safety and property damage both within the Planning Area and along downstream receiving waterbodies, particularly Jackson Creek.

All stormwater management plans shall be prepared in conjunction with Environmental, Hydrogeological and Geotechnical studies and plans prepared pursuant to Sections 10.9.3.2.1, 10.9.3.2.3, and 10.9.3.2.4.

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

10.9.3.5.3 All development shall protect against adverse water quantity and quality impacts on existing area groundwater users through the implementation of appropriate mitigation measures and monitoring as conditions of approval.
10.9.3.5.4 Where approved flood plain modelling is absent for a watercourse, proponents shall complete the required modelling to the satisfaction of the Otonabee Region Conservation Authority. All lands deemed to be flood plain shall be zoned for Open Space purposes and shall be deemed to be designated as Flood Plain on Schedule “C” – Natural Areas and Flood Plain without amendment to this Plan.

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

10.9.3.6 Servicing and Staging Of Development

10.9.3.6.1 Development of the Planning Area will proceed in a logical sequence having regard for the adequacy of municipal services including water, stormwater and sanitary systems, and for the achievement of the residential intensification target established in Section 2.4.4.2.

10.9.3.6.2 The land use designations applied to lands within the Lily Lake Secondary Planning Area do not imply a pre-commitment of municipal services to future development. Conditions of Draft Plan of Subdivision Approval and “H” – Holding Provisions will be applied to development applications to allow the consideration of development proposals within the Planning Area without committing municipal servicing. Official Plan, Draft Plan of Subdivision and Zoning approvals granted to development applications within this area will not be considered in the calculation of the City’s uncommitted reserve capacity until Final Approval for plans of subdivision are granted and “H” – Holding Provisions are removed.

10.9.3.6.3 The establishment of new Public Services which are not included as elements of an approved Development Charge By-law such as parks, trails, landscaped open space, streets, water and wastewater shall be completed concurrent with each other by development proponents.

10.9.3.6.4 The City will encourage cooperation among all landowners within the Planning Area to ensure that the provision of water and wastewater servicing within the Planning Area unfolds in an efficient and timely manner.

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

10.9.3.7 Cultural Heritage

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

10.9.3.8.1 To foster high quality urban design and a distinct built character in accordance with Section 2.4.7, the City may require development proponents to submit, receive approval, and implement an Urban Design program to address some or all of the following:

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

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

10.9.4 Implementation and Interpretation

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

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

2. The Official Plan of the City of Peterborough is amended by adding Schedule ‘R’ – Lily Lake Secondary Land Use Plan in accordance with the Schedule ‘A’ attached hereto.

3. Schedule ‘A’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘B’ attached hereto.

4. Schedule ‘A1’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘C’ attached hereto.

5. Schedule ‘B’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘D’ attached hereto.

6. Schedule ‘B(a)’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘E’ attached hereto.
7. Schedule ‘C’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘F’ attached hereto.

8. Schedule ‘D’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘G’ attached hereto.

9. Schedule ‘E’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘H’ attached hereto.

10. Schedule ‘F’ of the Official Plan of the City of Peterborough is amended in accordance with the Schedule ‘I’ attached hereto.

11. Table 1 – Residential Development by Secondary Land Use Plan Areas is amended by adding the following:

<table>
<thead>
<tr>
<th>“”</th>
<th>Maximum Dwelling Unit Target</th>
<th>Existing and Approved (Jan. 1992)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low Density</td>
<td>Medium Density</td>
</tr>
<tr>
<td>28. Lily Lake</td>
<td>1400</td>
<td>1400</td>
</tr>
</tbody>
</table>

12. Table 2 – Road Allowance Widths is hereby amended to increase the width of right of way for Fairbairn Street from 26 metres to 30 metres and by adding the following:

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Width of R.O.W. (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lily Lake Rd.</td>
<td>30”</td>
</tr>
</tbody>
</table>

13. Section 7.3 is amended by adding the following:

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

By-law read a first, second and third time this 28th day of April, 2014.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) John Kennedy, City Clerk