

**AMENDMENT NO. 12**

**TO THE**

**OFFICIAL PLAN OF THE**

**COUNTY OF PETERBOROUGH**

Township of Smith-Ennismore-Lakefield  
General Policy Amendment Applicable to  
all lands in the Townships of  
Smith-Ennismore-Lakefield,  
Asphodel-Norwood-Norwood, and  
North Kawartha

The Corporation of the County of Peterborough

By-law No. 2011 - 80

**A By-law to Adopt County of Peterborough Official Plan  
Amendment No. 12 – Community Improvement Policies  
Townships of Asphodel-Norwood, North Kawartha &  
Smith-Ennismore-Lakefield**

Whereas Sections 17 and 21 of the Planning Act, R.S.O. 1990 Chapter P. 13, as amended provides for the process and manner in which an amendment to an upper tier municipality's Official Plan shall be undertaken and adopted by the upper tier municipality;

And Whereas at the County Council Meeting of December 7, 2011, County Council accepted the recommendation of the Manager of Planning contained in his report "County OPA No. 12 – Community Improvement Policies Townships of Asphodel-Norwood, North Kawartha & Smith-Ennismore-Lakefield" wherein he recommended

"That Amendment No. 12 to the Official Plan for the County of Peterborough be approved, and the required notice of decision be circulated in accordance with the provisions of the *Planning Act*, and,

Further that the Planning Director be authorized to sign the approval certificate if no appeals are received at the conclusion of the appeal period.";

Now Therefore the Council of the Corporation of the County of Peterborough in Session duly assembled enacts as follows:

1. Amendment No. 12 to the County of Peterborough Official Plan consisting of the attached explanatory text and maps identified as Schedule "A" to this By-law is hereby adopted.
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice under Section 17(23) of the Planning Act.
3. This By-law shall come into force and effect on the day of the final passing hereof.


Read a first, second and third time and passed in Open Council this 7th day of December, 2011.

I certify the above to be a true copy of


By-law number 2011-80 of the  
County of Peterborough passed on the

7<sup>th</sup> day of December,

2011  
  
Deputy Clerk, County of Peterborough

  
\_\_\_\_\_  
J. Murray Jones

Warden  
c/s

  
\_\_\_\_\_  
Sally Saunders

Clerk

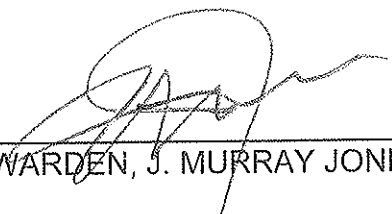


CERTIFICATE

OFFICIAL PLAN OF THE COUNTY OF PETERBOROUGH

AMENDMENT NO. 12

The attached explanatory text, constituting Amendment No. 12 to the Official Plan of the County of Peterborough, was adopted by the Corporation of the County of Peterborough by By-Law No. 2011-80 in accordance with the provisions of Section 17 of the Planning Act, R.S.O., 1990, on the 7th day of December 2011.

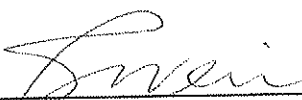
  
WARDEN, J. MURRAY JONES

CORPORATE  
SEAL  
OF MUNICIPALITY

  
CLERK, SALLY SAUNDERS

This amendment to the Official Plan of the County of Peterborough which has been adopted by the Council of the County of Peterborough is hereby approved in accordance with the provisions of Section 17 of the Planning Act, R.S.O., 1990 as Amendment No. 12.

Jan 4/12  
DATE

  
BRYAN WEIR  
DIRECTOR OF PLANNING,  
COUNTY OF PETERBOROUGH

**OFFICIAL PLAN AMENDMENT NO. 12**

**PART "A" - THE PREAMBLE** does not constitute part of this Amendment.

**PART "B" - THE AMENDMENT** consisting of the following text and schedules constitutes Amendment No. 12 to the Official Plan for the County of Peterborough.

Also attached is **PART "C" - THE APPENDICES** which does not form part of this amendment. The appendices contain copies of correspondence that have been received relating to the amendment and also a copy of the Minutes of the public meeting associated with the amendment.

## **PART A - THE PREAMBLE**

### **PURPOSE**

The purpose of the Official Plan Amendment is to update the policies in Section 7.25 - Community Improvement Policies. The policies contained in this section are dated, lack sufficient detail to guide community improvement, and contain a number of omissions and redundancies in relation to Section 28 of the Planning Act. This is largely a result of the age of these policies. The amendment applies to all Townships contained within the Local Component of the County Official Plan, those currently being Asphodel-Norwood, Smith-Ennismore-Lakefield, and North Kawartha.

### **BASIS**

The County of Peterborough was approached by the Township of Smith-Ennismore-Lakefield regarding the proposed Official Plan Amendment. The Township is seeking to complete a Community Improvement Plan for specific areas within the Township. However, the current policy contained in Section 7.25 restricts the areas that can be designated a community improvement area, and also does not enable and guide the municipal provision of grants, loans and other proactive municipal activities to promote community improvement.

### **COUNTY OF PETERBOROUGH OFFICIAL PLAN – LOCAL COMPONENT**

The passing of OPA No. 3 to the County Official Plan incorporated local policies for the Township's of North Kawartha, Smith-Ennismore-Lakefield and Asphodel-Norwood. The lands which are subject to this amendment include all areas of these three Townships.

Section 7.9 outlines a list of criteria that should be considered when an application is received to amend the local component of the County Official Plan. While most of these criteria are not applicable to this specific proposal, the following subsections should be considered:

#### *(7.9.1) The need for the proposed use.*

The purpose of Community Improvement policies is to provide for the preparation, adoption and implementation of community improvement plans that promote maintenance, rehabilitation, redevelopment and revitalization of the physical, social and economic environment. The current policies are somewhat dated and limit the areas that can be designated a community improvement area. Additionally, the policy does not provide for current tools that Municipalities can use to implement and/or promote community improvement.

*(7.9.4) The location of the area under consideration with respect to the existing roads system, vehicular and pedestrian traffic, water supply and sewage disposal, and the protection of the natural environment.*

It is the responsibility of the individual Township to designate an area as a Community Improvement Project Area. However, once designated and a Community Improvement Plan is in place, it is the objective of the policies to maintain and improve existing infrastructure (including roads, water and sewer systems, sidewalks street lighting etc.), environmental conditions, and social conditions.

*(7.9.5) The compatibility of the proposed use with the uses in adjoining areas.*

The proposed amendment is a general amendment to the Local Component of the County Official Plan and no compatibility issues are perceived as a result of the amendment.

However, there are specific objectives among the proposed community improvement policies which intend to eliminate or relocate incompatible uses within a community improvement project area. Alternatively, the policy also encourages improvements to minimize the incompatibility where it is not feasible to relocate a specific use.

*(7.9.7) The potential effect of the proposed use on the financial position of the Township.*

There is no perceived financial impact on the Municipality unless, through the implementation of a Community Improvement Plan, the Township chooses to provide grants and/or loans to stimulate community improvement projects. These grants/loans may be supplemented by upper tiers of government.

*(7.9.11) Demonstration of how the proposal conforms to the Provincial Growth Plan.*

Section 2.2.2.1 states that population and employment growth will be accommodated by directing growth to existing serviced settlement areas, focusing on intensification and redevelopment, and encouraging the development of complete communities.

### **COUNTY OFFICIAL PLAN**

Section 1.2.3 of the Plan states that development within the County should result in the efficient use of land, resources, infrastructure and public service facilities, which are cost effective and minimize land consumption which avoiding the unnecessary expansion of infrastructure. Opportunities for redevelopment, intensification and revitalization of the area should also be considered.

Section 5 of the County Plan contains policies for Other Strategic Components that the County should consider. Section 5.1.3.1 of the Plan states that "the County shall encourage local municipalities to adopt and implement community improvement plans... and to take advantage of government programs designed to upgrade and improve established areas and the housing stock".

The proposal appears to conform to the policies of the County Official Plan.

### **PROVINCIAL POLICY STATEMENT (PPS)**

It is the general goal of the Provincial Policy Statement to provide for the efficient development and use of land, resources, infrastructure and service facilities. It encourages complete communities in existing settlement areas through intensification and redevelopment while at the same time protecting our natural and cultural heritage resources..

Policy 1.1.1 of the 2005 Provincial Policy Statement (PPS) states that healthy, liveable and safe communities are sustained by:

- a) Promoting efficient development and land use patterns;
- b) Accommodating an appropriate range and mix of residential, employment, recreational and open space uses;
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) Promote cost-effective development standards to minimize servicing costs;
- e) Improving accessibility by removing and/or preventing land use barriers.

The proposal would appear to conform to the applicable policies of the PPS.

### **GROWTH PLAN**

As noted above, Section 2.2.2.1 states that population and employment growth will be accommodated by directing growth to existing serviced settlement areas, focusing on intensification and redevelopment, and encouraging the development of complete communities. Section 3.2.6.3 suggests that an appropriate range of community infrastructure should be planned to meet the needs resulting from

population changes and foster complete communities. The application does not conflict with the Provincial Growth Plan.

**CONCLUSION**

The Township of Smith-Ennismore-Lakefield has applied to amend the local component of the County Official Plan to update the Community Improvement policies found in Section 7.25 to better guide community improvement within the County and better reflect Section 28 of the Planning Act.

The amendment is deemed to be in general conformity with the County Official Plan, the local component of the County Plan, the Provincial Policy Statement, and the Growth Plan.

## **PART B - THE AMENDMENT**

All of this Part of the document entitled Part B - The Amendment consisting of the following text and schedule constitutes Amendment No. "12" to the Official Plan of the County of Peterborough.

## **DETAILS OF THE AMENDMENT**

The Official Plan of the County of Peterborough is hereby amended as follows:

1. Section 7.25 of the County Official Plan is deleted in its entirety and replaced with the following:

### **7.25 COMMUNITY IMPROVEMENT POLICIES**

#### **7.25.1 PURPOSE**

The Community Improvement provisions of the *Planning Act* allow municipalities to prepare community improvement plans for designated community improvement project areas that require community improvement as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

The purpose of the Community Improvement policies in this Plan is to provide a comprehensive framework for the designation of community improvement project areas and the preparation, adoption and implementation of community improvement plans by the Townships that promote the maintenance, rehabilitation, redevelopment and revitalization of the physical, social and economic environment in the Townships.

#### **7.25.2 GOALS AND OBJECTIVES**

##### **7.25.2.1 – Community Improvement Goals**

The goals of community improvement are to:

- a) preserve, rehabilitate and redevelop the existing built environment;
- b) maximize the use of existing public infrastructure, facilities and amenities;
- c) coordinate private and public community improvement activities;

- d) promote development and redevelopment that is sustainable in nature;
- e) guide the setting of priorities for municipal expenditures respecting community improvement projects;
- f) participate, wherever possible, in Federal and/or Provincial programs to facilitate community improvement; and,
- g) reconcile existing land use conflicts and minimize future land use conflicts.

#### **7.25.2.2 – Community Improvement Objectives**

Community improvement plans may be prepared and adopted by the Townships to accomplish one or more of the following objectives:

- a) maintain and improve municipal services including the water distribution system, the sanitary and storm sewer systems, roads, sidewalks, and street lighting;
- b) maintain and improve the transportation network to ensure adequate traffic flow, pedestrian circulation and parking facilities;
- c) encourage the renovation, repair, rehabilitation, redevelopment or other improvement of lands and/or buildings, including environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes, or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities;
- d) encourage the preservation, restoration, adaptive reuse and improvement of historical or architecturally significant buildings;
- e) maintain and improve the physical and aesthetic amenities of streetscapes;
- f) encourage the development of an adequate supply of affordable housing which meets the needs of local residents;
- g) encourage infill, intensification and redevelopment within existing settlement areas;

- h) promote and encourage the rehabilitation, re-use and redevelopment of brownfield sites;
- i) encourage the restoration, maintenance, improvement and protection of natural habitat, parks, open space, recreational and heritage facilities and amenities;
- j) encourage the eventual elimination and/or relocation of incompatible land uses, and where this is not feasible, encourage physical improvements to minimize the incompatibility;
- k) encourage activities which contribute to a strong economic base including commercial, industrial, recreational and tourism activity and job creation;
- l) improve environmental conditions;
- m) improve social conditions;
- n) promote cultural and tourism development;
- o) facilitate and promote community economic development; and
- p) improve community quality, safety and stability.

### **7.25.3 CRITERIA FOR DESIGNATION OF COMMUNITY IMPROVEMENT PROJECT AREAS**

**7.25.3.1** A Township may designate by by-law one or more Community Improvement Project Area(s), the boundary of which may be part, or all, of the Township.

**7.25.3.2** For an area to be designated as a Community Improvement Project Area, it must satisfy at least one, and preferably more than one of the following general criteria:

- a) deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, roadways, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities;
- b) deterioration or deficiencies in recreational or community facilities including public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;

- c) a portion of a community lies within a flood susceptible area or has natural drainage characteristics that require such measures as flood proofing or stormwater management be undertaken to alleviate storm related situations;
- d) the area contains human-made hazards which should be eliminated in order to ensure a greater degree of public safety and to further enhance the community function;
- e) demonstrated problem or deficiency associated with the circulation and/or access of traffic;
- f) a shortage of land to accommodate widening of existing rights-of-way, building expansion, parking and/or loading facilities;
- g) buildings, building facades, and/or property are in need of maintenance preservation, restoration, repair, rehabilitation, energy efficiency or renewable energy improvements, or redevelopment;
- h) vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment or expansion to better utilize the land base and stabilize and increase economic and community activity;
- i) non-conforming, conflicting, encroaching or incompatible land uses or activities threaten to disrupt the predominant land use and/or economic function of the area;
- j) commercial areas with high vacancy rates and/or poor overall visual quality of the built environment, including but not limited to, building facades, streetscapes, public amenity areas and urban design;
- k) presence of buildings and/or lands of architectural or heritage significance;
- l) known or suspected environmental contamination;
- m) other significant barriers to the repair, rehabilitation or redevelopment of underutilized land and/or buildings; and,
- n) other significant environmental, social or community economic development reasons for community improvement.

**7.25.3.3** Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to:

- a) existing built up areas;
- b) those areas where the greatest number of criteria for designation of Community Improvement Project Areas are present; and/or,
- c) those areas where one or more of the criteria for designation of Community Improvement Project Areas is particularly acute; and/or,
- d) those areas where one or more of the criteria for designation of Community Improvement Project Areas exists across the entire township or a large part of the township.

**7.25.3.4** Phasing of community improvements shall be prioritized to:

- a) permit a logical sequence of improvements to occur without unnecessary hardship on area residents and the business community in the Townships;
- b) implement those improvements that will most substantially improve the aesthetic, environmental and service qualities of a community improvement project area;
- c) reflect the financial capability of the Townships and the County to fund community improvement projects;
- d) take advantage of available senior government programs that offer financial assistance for community improvement efforts; and,
- e) coordinate the timing of related capital expenditures from various municipal departments with departmental priorities.

#### **7.25.4 CONTENTS OF A COMMUNITY IMPROVEMENT PLAN**

**7.25.4.1** Community Improvement Plans shall contain the purpose of the plan, goals and/or objectives, a description of the community improvement project area, and a description of all projects and/or programs.

7.25.4.2 The preparation of a Community Improvement Plan shall meet the minimum requirements of the *Planning Act* for public consultation.

#### 7.25.5 IMPLEMENTATION OF COMMUNITY IMPROVEMENT PLANS

7.25.5.1 In order to implement a Community Improvement Plan in effect within a designated Community Improvement Project Area, the Townships may undertake a range of actions, including:

- a) municipal acquisition of land and/or buildings, and the subsequent:
  - i) clearance, grading, or environmental remediation of these properties;
  - ii) repair, rehabilitation, construction or improvement of these properties;
  - iii) sale, lease, or other disposition of these properties to any person or governmental authority;
  - iv) other preparation of land or buildings for community improvement.
- b) provision of public funds such as grants and loans to owners and tenants of land and buildings and their assignees;
- c) programs and measures to promote energy efficient development, redevelopment and retrofit projects;
- d) application for financial assistance from and participation in senior level government programs that provide assistance to municipalities and/or private landowners for the purposes of community improvement;
- e) coordination of public and private redevelopment and rehabilitation by providing administrative and liaison assistance;
- f) preparation of a Municipal Housing Statement;
- g) support of heritage conservation and improvement through means available under the *Ontario Heritage Act*;

- h) provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;
- i) continued enforcement of the Zoning By-law, Property Standards By-law and Sign By-law, and other related municipal by-laws and policies; and,
- j) coordinate streetscaping improvements with the installation/upgrading of municipal services, e.g., sewer installation, road and sidewalk reconstruction.

**7.25.5.2** The County may establish programs for the provision of grants and loans to the Townships for the purposes of achieving the goals and objectives specified in Township Community Improvement Plans.

2. Community Improvement Schedules C1, C2 and C3 to the County Official Plan are deleted in their entirety.

3. The following references to Schedules C1, C2 and C3 are deleted in their entirety:

Page 6-2, delete the text which reads

*"Schedule C1: Township of Smith-Ennismore-Lakefield Community Improvement Areas*

*Schedule C2: Township of North Kawartha Community Improvement Areas*

*Schedule C3: Township of Asphodel-Norwood Community Improvement Areas"*

4. Amendment No. 12 to the County Official Plan applies to all Townships contained within the Local Component of the County Plan. As such, there is no mapping schedule accompanying the amendment.

## **PART C - THE APPENDICES**

The following appendices do not constitute part of Official Plan Amendment No. 12, but are included as information supporting the Amendment.

- **Appendix No. 1    Correspondence**
- **Appendix No. 2    Public Meeting Notices and Minutes**
- **Appendix No. 3    Public Comments**
- **Appendix No. 4    Agency Comments**

APPENDIX NO. 1 – CORRESPONDENCE

APPENDIX NO. 2 – PUBLIC MEETING NOTICES AND MINUTES

APPENDIX NO. 3 – PUBLIC COMMENTS