

AMENDMENT NO. XX
TO THE
OFFICIAL PLAN OF THE
TOWNSHIP OF OTONABEE-SOUTH MONAGHAN

Part Lot 16, Concession 14
Otonabee Ward

OFFICIAL PLAN AMENDMENT NO. XX

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. XX to the Official Plan for the Township of Otonabee-South Monaghan.

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 (OPA) is to add a text box to Schedule A – Map 3 which will reference a new policy section 5.8.12. A new section 5.8.12 will be added to section 5.8 to create policy context permitting a leaf and yard waste composting facility. The amendment applies to an approximately 11.8 hectare portion of a parcel of land located in Part Lot 16, Concession 14 of the Otonabee Ward. The OPA is required to specifically permit the compost facility use.

BASIS

The Township of Otonabee-South Monaghan has received an application from the City of Peterborough to amend the Township Official Plan. The amendment applies to an ~ 11.8 hectare portion of a parcel of land known municipally as 1923 Base Line, Roll Number 150601000701600, in the Otonabee Ward.

The amendment will allow for a leaf and yard waste composting facility to be located and operated on the site by the City of Peterborough. The site would accept leaf and yard waste from both the City of Peterborough and County of Peterborough and process the material through a windrow composting process creating soil as an end product. The remainder of the property would continue to be utilized for agricultural uses.

EXISTING AND SURROUNDING USES

The subject lands are currently vacant and have historically been utilized for hay/crop production. The portion subject to the amendment is bisected by a small drumlin feature. Two unevaluated wetlands are located to the north and west of the site and appear to be connected by a small seasonal watercourse which runs to the west of the site. Lands to the west, north and east are rural-agricultural in nature and are utilized for crop production. Lands to the south contain the City-County Landfill site.

TOWNSHIP OF OTONABEE-SOUTH MONAGHAN OFFICIAL PLAN

Section 3.18 of the Otonabee-South Monaghan Official Plan identifies types of major land uses within the municipality. Subsection 3.18.1(o) recognizes Waste Management Facilities including compost facilities as a major land use. Section 3.18.2 requires that an amendment to the plan will be required where the current land use designation does not provide for the major land use or infrastructure. In this particular case the subject lands are designated “Agricultural” in the Township

OP Schedule "A" – Map 3. Section 5.8.5 states that major land uses or infrastructure may be permitted in agricultural areas in accordance with section 3.18.

Although the lands have been identified as Agricultural in the OP a review of the Canada Land Inventory mapping for the subject site on the County GIS system indicates that the site has Bondhead Sandy Loam which has a soil classification of 4 due to crop production limitations with the soil. Considering the lands do not fall within the class 1-3 soil types the site is not considered prime agricultural land as defined in the PPS. However, because there are class 1-3 soils in the vicinity it is acknowledged that it is a prime agricultural area. In recognition of the Agricultural designation the Township has placed on the lands it is proposed that the land use designation not change and that a site specific policy be added to the lands to allow for the LYCMF use. Proceeding in this fashion makes it clear that agriculture is still the primary focus of the area and that the special policy is simply adding an additional use to the property. Maintaining the Agricultural designation also makes it very clear to the public that this does not represent an expansion to the adjacent County-City landfill operation. Providing a site specific policy within the Agricultural designation for the LYCMF use eliminates any confusion that would be associated with a Waste Disposal designation being applied to the lands similar to the designation of the landfill. To be abundantly clear – this is not a landfill use.

Section 3.18.3(a) of the Township OP addresses the background study requirements in support of an application for the development of a major land use or infrastructure. It requires the studies to address the following:

- i) The suitability of the selected location to accommodate the proposed use in the context of the polices of the plan;
- ii) The potential for land use conflicts and nuisance impacts on other properties in the Municipality together with proposals for reducing or eliminating those impacts;
- iii) The potential impacts on the Municipality's services and financial resources, together with proposals for reducing or eliminating those impacts.

The following studies were undertaken to review the site and development proposal and have satisfactorily addressed the above-noted matters:

- Species at Risk Survey Report
- Stormwater Management addendum
- Design and Operations Report
- Traffic Impact Study
- Planning Report

Since a composting facility is identified as a waste management facility under section 5.12.3(a) of the Official Plan the supporting Planning Report considered the policies of section 5.12.3(b) New Waste Disposal Areas and the following matters:

- i) The physical suitability of the site for the proposed use;
- ii) The compatibility of the proposed use with surrounding land uses;
- iii) Potential impacts on the natural environment, with particular emphasis on ground water quality;
- iv) The degree to which the site will be exposed to the public;
- v) The ability of roads accessing the proposed disposal industrial site to carry traffic volumes projected to be generated by the proposed development, and the suitability of the proposed access points to the maintenance of a constant traffic flow pattern;
- vi) The applicable policies of section 3.0 and 8.16 of this Plan.

In addition, the Planning Report also considered and satisfactorily addressed the policies contained within section 8.16 of the Official Plan which includes:

- a) The need for the proposed change, use or development, having regard to lands elsewhere in the Municipality already designated for the proposed use;
- b) The suitability of the site for the proposed use, having regard to the relevant objectives and policies of this plan;
- c) The compatibility of the proposed use with existing or planned uses on adjacent lands and surrounding land uses.
- d) The location of the subject lands with respect to:
 - i) The adequacy of the existing and proposed road system in relation to the development of the proposed use;
 - ii) The integration of the proposed land use with existing or planned land uses on adjoining lands;
 - iii) The convenience and accessibility of the site for vehicular and pedestrian traffic, and traffic safety; and,
 - iv) The physical suitability of the site considering existing or potential environmental or physical hazards, the impacts of these hazards and the feasibility of overcoming these hazards.
- e) The adequacy of potable water supply, sewage disposal facilities, stormwater management and other Municipal services;
- f) The impact of the Amendment on significant environmental features and natural resources such as prime agricultural lands, mineral aggregate resources, wetlands, ANSI's, fish and wildlife habitat and significant forest resources;

- g) The Minimum Distance Separation (MDS) formula requirements;
- h) The potential effect of the proposed use on the financial position of the Municipality;
- i) Such other matters as may be required by the municipality.

Based on the above, the proposed official plan amendment is in keeping with the spirit and intent of the Official plan and will provide a policy context ensuring conformity with the Plan.

ZONING BY-LAW OF OTONABEE-SOUTH MONAGHAN

The subject site is currently zoned Agricultural (A) with a Holding (H) symbol related to the adjacent landfill site. It is noted that the Waste Disposal Industrial – 6 (MD-6) Zone (which is the zoning for the current landfill operation) permits a “composting facility” as one of the permitted uses however the use does not appear to be defined in the by-law.

It is proposed that LYMCF site be placed in an Agricultural exception zone in order to recognize that agricultural uses may still be permitted and also considering that the end product of the composting use is soil which can be utilized for agricultural uses. Setback regulations will be developed to address the layout of the site.

The Holding symbol provisions of section 4.15.4 are not proposed to be removed at this time but will carry forward with the new zoning and be lifted when the conditions of Holding have been met.

COUNTY OFFICIAL PLAN

The policies of section 4.3 Rural and Cultural Landscape apply to the subject lands. Within the Rural landscape it is recognized that agricultural lands exist and will be identified through the local OP. Overall the goal is to encourage the protection of agricultural lands and retain viable farm size units and to take into consideration the existing character of the agricultural community when allowing development in prime agricultural areas.

Section 4.7.3.3 provides policy direction with respect to waste disposal and emphasizes the need to promote reduction and to participate in waste management initiatives. The development of a leaf and yard waste compost facility is one such approach to implementing this policy and reducing the volume of material that go into the City-County landfill site.

PROVINCIAL POLICY STATEMENT (PPS)

The 2014 Provincial Policy Statement (PPS) also has applicability to the development and the lands subject to the amendment proposal. The PPS provides

policy direction on matters of provincial interest related to land use planning and development.

Section 1.6.10 of the PPS provides policy direction with respect to waste management. The policy acknowledges that waste management systems need to be provided that are of appropriate size and type to accommodate present and future requirements and facilitate, encourage and promote reduction, reuse and recycling objectives. Planning authorities should consider the implications of development and land use patterns on waste generation, management and diversion.

As discussed previously the City/County landfill is located immediately south of the subject lands and the proposal is to share infrastructure (internal access to site and leachate system) with the landfill, in addition to shared public drop-off of the compostable material. Situating these waste diversion functions adjacent to the landfill in shared location satisfies the intent of section 1.6.10 by providing a management system of appropriate size to deal with present and future requirements. In addition, having diversion uses consolidated in the same area provides a better level of management of the system and coordination of land use patterns.

The subject lands are within a prime agricultural area and the intent is to protect such lands for the long-term use for agriculture. Section 2.3.6.1 recognizes that planning authorities may permit non-agricultural uses in prime agricultural areas for limited non-residential uses, provided that all of the following are demonstrated:

- (i) The land does not comprise a specialty crop area;
- (ii) The proposed use complies with the minimum distance separation formulae;
- (iii) There is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and
- (iv) Alternative locations have been evaluated, and
 - (a) There are no reasonable alternative locations which avoid prime agricultural areas; and
 - (b) There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

In addition section 2.3.6.2 states that impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

The Planning Report undertaken in support of this amendment adequately demonstrates why this non-agricultural use is best suited in this location and therefore satisfies the PPS.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (GROWTH PLAN)

The Growth Plan is applicable legislation to the Township of Otonabee-South Monaghan. Policy 4.2.4.1 states:

“Municipalities will develop and implement official plan policies and other strategies in support of the following conservation objectives:

- d) Integrated waste management including –
 - i. enhanced waste reduction, composting and recycling initiatives and the identification of new opportunities for source reduction, reuse and diversion where appropriate
 - ii a comprehensive plan with integrated approaches to waste management , including reduction, reuse, recycling, composting, diversion and the disposal of residual waste
 - iii promotion of reuse and recycling of construction materials
 - iv consideration of waste management initiatives within the context of long term regional planning, and in collaboration with neighbouring municipalities”

Through the proposed Official Plan Amendment application lands are being identified to allow a composting use which is supportive of the above-noted policy. In addition, the use of the site is collaborative in nature and would be utilized by both the City of Peterborough and County of Peterborough which supports the idea of planning for these types of uses on a regional basis using a collaborative approach.

CONCLUSION

The City of Peterborough has applied to amend section 5.8 to include a new section 5.8.12 which will introduce a new policy specifically permitting a compost facility. Schedule “A” Map 3 will be amended to add a text box indicating the lands where policy section 5.8.12 will apply. The amendment applies to a ~11.8 hectare portion land located in Part Lot 16, Concession 14 of the Otonabee Ward, more particularly described as 1923 Base Line.

The amendment is deemed to be in general conformity with the County Official Plan, the Township Official 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. "XX" to the Official Plan of the Township of Otonabee-South Monaghan.

DETAILS OF THE AMENDMENT

The Official Plan of the Township of Otonabee-South Monaghan is hereby amended as follows:

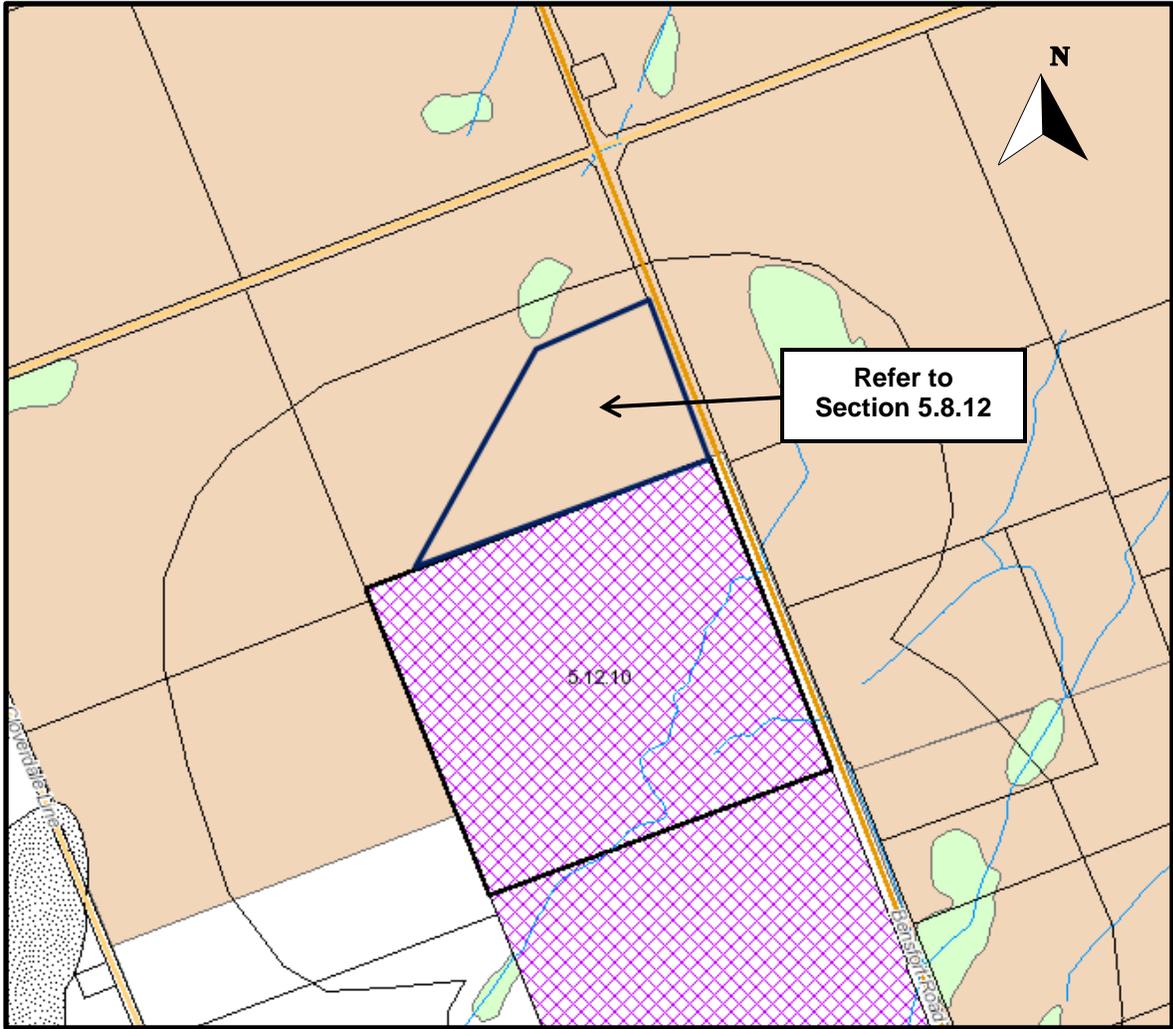
1. Section **5.8 AGRICULTURAL** is hereby amended by the addition of a new subsection **5.8.12 Special Policy Area – Part Lot 16, Concession 14, Otonabee Ward**, which shall read as follows:

"5.8.12 Special Policy Area – Part Lot 16, Concession 14, Otonabee Ward

Notwithstanding the policies of section 5.8 to the contrary, lands located in part of lot 16, concession 14, Otonabee Ward, and identified on Schedule "A" – Map 3, may be used for a compost facility for compost materials originating in the areas permitted within the site Environmental Compliance Approval. Such facility will utilize infrastructure (i.e. access, weigh scales, leachate collection system, public drop off area) located on the adjacent City/County Landfill site due to the facility being a component of the integrated waste management plan of the City and County. The permitted uses in section 5.8.2(a), Agricultural Uses, shall also apply to the subject lands. In addition, section 5.12.2(b) will not be applicable."

2. Schedule "A" – Map 3 – is hereby amended by inserting a text box stating "**refer to Section 5.8.12**" for the subject lands located in part lot 16, concession 14, Otonabee Ward, as shown on Schedule "1", attached hereto and forming part of this amendment.

Schedule '1'
To
Official Plan Amendment No. XX
Township of Otonabee-South Monaghan Official Plan



PART C - THE APPENDICES

The following appendices do not constitute part of Official Plan Amendment No. XX, 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 "1" – CORRESPONDENCE

APPENDIX "2" – PUBLIC MEETING NOTICES AND MINUTES

APPENDIX "3" – PUBLIC COMMENTS

APPENDIX "4" – AGENCY COMMENTS