



City of
Peterborough

TO: The Chairman and Members of Planning Committee

FROM: Malcolm Hunt, Director, Planning & Development Services

MEETING DATE: January 13, 2003

SUBJECT: Report PL03-008
Clarification of the intent of OPA 120 relative to The Parkway

PURPOSE

A report to clarify the intent of OPA 120 relative to The Parkway.

RECOMMENDATION

That Planning Report PL03-008 be received for information.

BUDGET AND FINANCIAL IMPLICATIONS

There are no budget or financial implications arising out of this matter.

BACKGROUND

The City is in receipt of a notice of appeal to OPA 120, the new Transportation Policies for the City of Peterborough, filed by Mr. Richard Taylor on behalf of James Burrett. The appeal questions whether OPA 120, as enacted, properly reflects the intent of Council. The purpose of this report is to clarify staff's understanding of the intent of OPA 120 as it pertains to the Parkway.

To be absolutely clear, OPA 120 contains the exact text and map schedules that have been published in all of the public staff reports on the Official Plan policy response to the Major Transportation Plan Update. The portion of OPA 120 shown as Schedule B, the map depicting the City's planned roadway network, contains all of the information and graphic style of the various releases of the proposed Schedule B throughout this lengthy planning process. The full text of By-law 02-159, being a By-law to adopt Amendment No. 120 to the Official Plan, was passed at the Council meeting held on December 9, 2002, and is attached to this report for reference

In order to fully disclose the intent of City Council with respect to the Parkway issue, staff elected to place an explanatory note on the face of Schedule B, prior to its adoption by Council, to acknowledge the ongoing review of north-south corridor options to The Parkway. The explanatory note states:

“Council has directed that a study and report be completed to investigate other north-south corridor options to The Parkway”.

This note was not added at the specific direction of Council. However, in the opinion of staff, it reflects the intent of Council and is in the public interest.

It is important to confirm that Council, in enacting OPA 120, did indicate its acceptance of the Schedule B “Roadway Network”. Council specifically did not accept the commencement of an Environmental Assessment for the Parkway, or any change in the “status” of the Parkway. In fact, Council's direction is for the issue to be put to a referendum in November.

Nevertheless, it has been suggested that the status of the Parkway has been changed by OPA 120. The Parkway is identified in OPA 120 as a High Capacity Arterial on the Schedule B “Roadway Network”. In the current version (1981) of the Official Plan, most of the Parkway is depicted as a “Future Arterial” on Schedule B “Major Transportation Plan”. From a policy perspective, both methods of illustration have the same status and weight. The label “future” does not mean any roadway in the Major Transportation Plan has a lesser status. Rather, it simply signifies that, as of 1981, when the current version of Schedule B was adopted, the road didn't exist.

Over time, as Council has approved the building of new roads designated on Schedule B as “future” arterials and collectors. These roads have been constructed in accordance with the policies of the Official Plan, and without the necessity of amending the plan to change the designation from “future” to “existing”. From time to time, roads have been approved, including

the necessary environmental assessments, and constructed in locations which vary slightly from the conceptual depiction on Schedule B. In some cases, where a secondary plan or other Official Plan Amendment has been part of the exercise, a formal change to Schedule B has been adopted by by-law. In other cases, Schedule B has not been formally amended. Maintaining a “future” and “existing” label, as has been the practise in the current version of Schedule B, has proven to be somewhat confusing, because the map schedule is “dated” as soon as it is adopted. That is why staff developed, and introduced in May of 2002, a new format for Schedule B. The recommended approach does not distinguish between existing and future roads. Rather, Schedule B is called a “Roadway Network”, which will be implemented over time if and when Council approves new road projects to proceed. It does not in any way presuppose that any such roads, which do not presently exist, will ever be actually constructed. In each case, this will depend upon budget approval, environmental assessment, and any other incidental planning approvals which are needed. Accordingly, in the opinion of staff, there is no change whatsoever to the “status” of the Parkway (or, indeed, any other road shown on Schedule B which does not presently exist).

OPA 120, adopted by Council, depicts a partial Parkway. In conjunction with the adoption of OPA 120, Council authorized staff to commence a further investigation on options to The Parkway. That additional study is noted on the new Schedule B, which is not yet in effect, owing to the appeal. In the absence of OPA 120, the existing Schedule B remains in effect. It depicts a full Parkway.

Direction on this matter must ultimately come from Council. In the professional opinion of staff, OPA 120 provides no enhanced “status” whatsoever to the Parkway. Regardless of whether a road is shown as a “future arterial” or a “high capacity arterial”, development of the road may only proceed after an Environmental Assessment has been carried out, and Council has approved its financing and construction. Notwithstanding this, if Council is of the view that the policy status of all unbuilt roads in the network has been changed by OPA 120, then a new version of Schedule B could be prepared, with necessary modifications to the text of OPA 120, to retain the “existing” and “future” classifications for all streets in the network. It is not known whether this modification would be sufficient to alleviate the concerns of the appellant to the extent that the appeal would be withdrawn, since the notice of appeal may be an objection to the Parkway itself.

Respectfully submitted,

Malcolm Hunt
Director of Planning & Development Services

Contact Name:

Malcolm Hunt, Director
Planning & Development Services
Phone - 742-7777 Ext. 1809
Fax - 742-5218
E-Mail - mhunt@city.peterborough.on.ca