

February 14, 2022

**Township of Cavan Monaghan**

Cavan Monaghan Municipal Office,  
988 County Rd 10  
Millbrook, ON  
LOA 1G0

Attention: John Connolly, Executive Director, Planning & Development

**RE: Request for Minister's Zoning Order ("MZO") – Bromont Homes  
CSU Developments Inc. CSU2 Developments Inc., Vargas Properties Inc., Vargas P Inc.  
TBG Project No.s: 20697, 20698, 20699**

CSU Developments Inc., CSU2 Developments Inc., Vargas Properties Inc., and Vargas P Inc. (collectively referred to as the "Owners") are the owners of various lands located in the Township of Cavan Monaghan and Town of Millbrook. These lands include approximately 29.48ha of land located at the south-east corner of Fallis Line and County Road 10 (Vargas Properties Inc.), approximately 49.2ha of land located south and west of Fallis Line and County Road 10 at 787 and 825 Fallis Line (CSU Developments Inc. & CSU2 Developments Inc.), and approximately 33.63ha of land located at the north-east intersection of Fallis Line and County Road 10 (Vargas Properties Inc. & Vargas P Inc.). Collectively, these lands will be referred to as the "Subject Lands". A map indicating the location of these lands is provided in Attachment "A".

The purpose of this letter is to provide details for the Subject Lands in relation to the owner's request for Council to endorse a Minister's Zoning Order ("MZO") request on the Subject Lands.

## THE SUBJECT LANDS

The Subject Lands include lands located in the northern portion of the community of Millbrook; including lands east and west of County Road 10 on the south side of Fallis Line as well as lands north and east of Fallis Line and County Road 10. These lands are currently predominantly vacant. The MZO would include approximately 82 hectares of these land. More specifically, the Lands proposed to be subject to the MZO are described as follows:

Parcel	Owner	Municipal Address	Legal Description	Area
1	CSU Developments Inc. & CSU2 Developments Inc.	787 and 825 Fallis Line	Part of Lot 11, Concession 5 Cavan, and Lot 13, Plan 19 Cavan, in the Township of Cavan Monaghan & Part of Lot 11, Concession 5 Cavan, as in CMR23829 (Secondly) save and except Part 1, Plan 9R772 and R699438, Township of Cavan Monaghan	49.2 ha

2	Vargas Properties Inc	917 County Road 10, Millbrook	Part of Lot 13, Concession 5 Cavan, as in CMR74673, save and except Part 1, Plan 40R14022 and the remainder of Lot 28 and Lots 29 to 36, Plan 4, Township of Cavan Monaghan.	29.48 ha
3	Vargas Properties Inc.	963 County Road 10	Part of Lot 13, Concession 6 Cavan, as in CMR76355, Township of Cavan Monaghan.	1.17 ha <sup>1</sup>
4	Vargas P Inc.	N//A	Part Lot 13, Concession 6 Cavan, Township of Cavan Monaghan.	1.95 ha <sup>2</sup>

## Notes:

- 1: note that the entirety of this site is 1.92 ha in area, but that the MZO boundaries only include the western portion of the same as shown in Attachment "A".
- 2: note that the entirety of this site is 31.72 ha in area, but that the MZO boundaries only include the south-western portion of the same as shown in Attachment "A".

Large portions of these lands are located within the existing Millbrook Settlement Area including the entirety of parcels 3 and 4, the majority of Parcel 2, and the eastern portion of Parcel 1. Where portions of the Parcel 1 and 2 are not within the existing Millbrook Settlement Area they are immediately adjacent to the same, and most importantly are: (a) shown as "*Proposed Residential Addition*" within the Town of Cavan Monaghan's 2020 Growth Management Strategy (as endorsed by Council); and, (b) being considered through the Town's ongoing Master Servicing Study as presented to Council in October of 2021. As such, the portions of the Subject Lands outside of the Millbrook Settlement Area form a logical boundary for development and rounding out of the Millbrook Settlement Area. This has further been substantiated and expanded upon in two Planning Rationale Reports and a Planning Addendum letter submitted by TBG as part of ongoing applications for both Parcel 1 and 2.

### CONCEPT PLANS SUPPORTING THE MZO

Concept plans have been prepared to illustrate the vision for the Subject Lands as a complete community including a mix of housing types, commercial uses, public parks, multi-use trails and linkages to the existing road network. These plans are available in Attachment "A". In Summary, the concept plans include the following components:

- 1) The addition of approximately 80 apartment dwellings (~10% of units) to provide much needed affordable housing in Millbrook. These will be located within the Commercial / Mixed Use areas adjacent to Fallis Line and County Road 10, in 4-storey mixed-use buildings.
- 2) The addition of approximately 201 townhome dwellings, contributing toward the total approximately 36% of all dwellings being considered 'attainable' housing.
- 3) An overall total of approximately 786 new homes, including apartments, townhouses and various sizes of detached units.
- 4) Approximately 5.23ha of commercial/mixed use lands, being a similar quantity of commercial land area as currently provided for in the Millbrook Official Plan for these lands. However, the locations of the commercial lands have been more widely distributed to provide for walkable access to goods for future residents and have been located and sized in a manner which more appropriately considers local topographical constraints.
- 5) Conservation and enhancement of environmental features including provision of approximately 31.5 hectares of environmental lands (~39% of the Concept Plans) including Baxter Creek and

associated floodplains, wetlands and woodlands. The Concept Plans have been formulated to preserve natural features, including Baxter Creek and surrounding woodlands and wetlands based on detailed EIS reports prepared to date. However, the future development of the Subject Lands would only be considered upon further consultation with Town, County and ORCA staff, as well as the First Nations in relation to the natural environment and archaeological resources. Further to this, it would be appropriate to enter into a development agreement to ensure that the appropriate studies and consultations have been undertaken prior to development approvals being granted.

- 6) Provision of new parks as well as trail connections east and west of County Road 10.
- 7) Provision of lands for stormwater management facilities and future wastewater treatment plans if required.

### INFORMATION ALREADY IN THE TOWN'S POSSESSION

As noted previously, Parcel 1 and 2 form the largest portion of the MZO request – being 95% of the Subject Lands within the proposed MZO. The following studies have already been prepared in support of development on these lands and are on record with Township staff:

- Planning Rationale Reports, Market Analysis/ Justification Study, and Planning Addendum Letter prepared by the Biglieri Group
- Agricultural Impact Assessments prepared by Clark Consulting
- Stage I and Stage I&2 Archaeological Assessments prepared by AECOM
- Environmental Impact Studies and Addendum Letter prepared by GHD
- Functional Servicing Reports prepared by Valdor Engineering
- Geotechnical Investigations Report prepared by GHD
- Hydrogeological Investigation Report prepared by GHD
- Phase One Environmental Site Assessment prepared by GHD
- Fiscal Impact Analyses prepared by Watson & Associates Economists Ltd.
- Traffic Impact Studies, Prepared by Asurza Engineers Ltd.

A summary of the findings of each study is available in Attachment “B” to this letter; further demonstrating the degree of refinement already included in the Concept Plans provided.

### PROCESS AND ALIGNMENT WITH CITY PLANS, OBJECTIVES & STUDIES

Development of the Subject Lands included in the MZO, as proposed, is already contemplated in the Town's most current planning materials. Parcel 2, 3, and 4 are all largely located within the Millbrook Urban Settlement Area boundary and are primarily designated for “Community Commercial” or “Residential” uses. While the majority of Parcel 1 and a minor portion of Parcel 2 are outside of the Millbrook Urban Settlement Area boundary they have both been identified as “Proposed Residential Addition” within the Town of Cavan Monaghan's 2020 Growth Management Strategy (as endorsed by Council) and are accordingly being considered from a servicing perspective through the Town's ongoing Master Servicing Study as presented to Council in October of 2021.

That said, granting of an MZO is not the final step in the development approval process nor the public process. On a go forward basis, CSU Developments Inc., Vargas Properties Inc., and Vargas P Inc. provide the following commitments to Council:

- Commitment to participating in the County's and Town's ongoing growth and development planning and servicing studies, including but not limited to, the Growth Management Study and Master Servicing Study;
- Commitment to payment of any and all costs and fees typical of development, and inclusive of CSU Developments Inc., Vargas Properties Inc., and Vargas P Inc.'s proportionate share of infrastructure and servicing costs to support the proposed development (Growth pays for Growth concept);
- Commitment to obtain all necessary Planning Act approvals to implement the proposed development including Draft Plan of Subdivision and Site Plan Approval as necessary;
- Commitment to review and satisfy typical Town and County conditions of development approval applied to subdivisions and non-residential development;

- Commitment to review and satisfy typical conditions of development approval from appropriate agencies and stakeholders, including but not limited to, ORCA, OMAFRA and First Nations; and
- Commitment to provision of community benefits, including approximately 80 apartment dwellings / affordable units (~10% of units) and community parks/trails as per the Planning Act requirements.

### REQUESTED RESOLUTION

Based on the forgoing, CSU Developments Inc., CSU2 Developments Inc., Vargas Properties Inc., and Vargas P Inc. ask that Council adopt the following resolutions:

*That Town Council supports the request from CSU Developments Inc., CSU2 Developments Inc., Vargas Properties Inc., and Vargas P Inc. for a Minister's Zoning Order (MZO) on approximately 82.58 hectares of land as generally outlined in Attachment "A";*

*That staff be directed to work with CSU Developments Inc., CSU2 Developments Inc., Vargas Properties Inc., and Vargas P Inc. to prepare a draft development agreement acceptable to both parties, and that the draft agreement be forwarded to Council no later than end of June, 2022 for review and approval.*

The Draft MZO is attached hereto as Attachment "C".

### CLOSING

We trust that the foregoing provides you the information necessary to evaluate this request. However, should you require additional information, or wish to discuss further, please do not hesitate to contact the undersigned.

Respectfully,  
THE BIGLIERI GROUP LTD.



Anthony Biglieri, RPP, MCIP  
Firm Principal



Michael Testaguzza, RPP, MCIP  
Senior Planner

cc. CSU Developments Inc.;  
CSU2 Developments Inc.;  
Vargas Properties Inc.;  
Vargas P Inc.;  
Nicholas T. Macos, Black Sutherland LLP  
Peter S. Zourntos, Valdor Engineering

## ATTACHMENT A – SUBJECT LANDS & CONCEPT PLANS



Highway 115

Larmer Line

Fallis Line

Country Road 10

King Street W


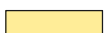




Parcel 1

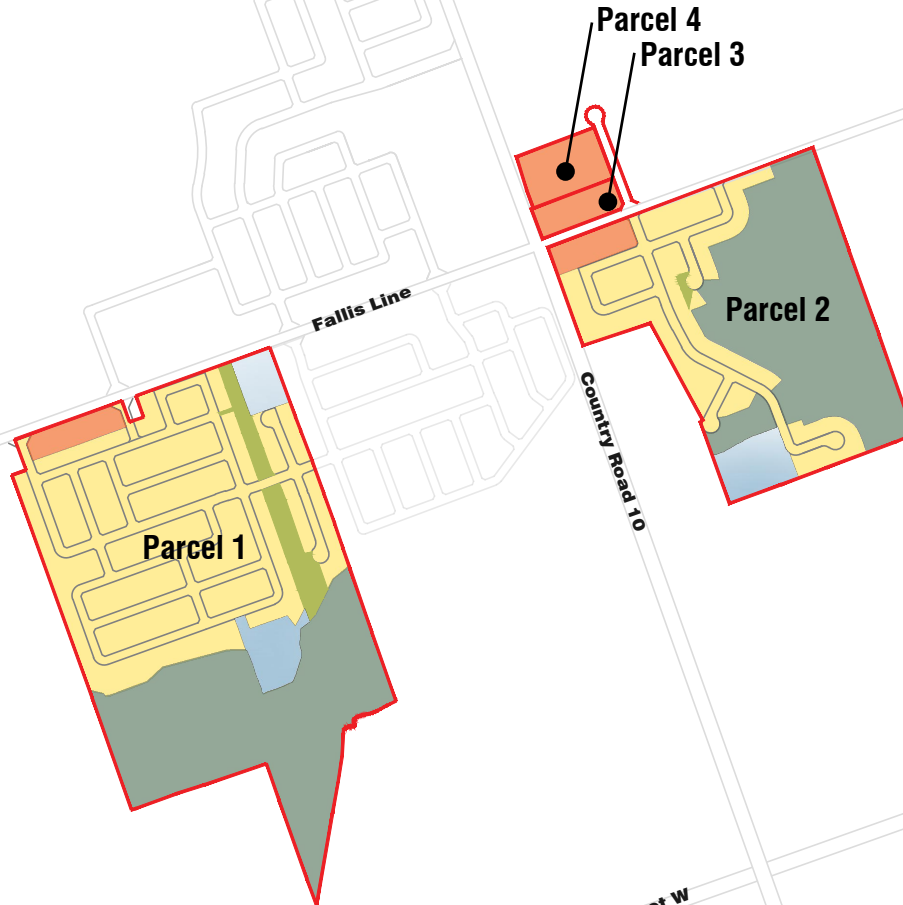
Parcel 2

Parcel 4

Parcel 3

## Legend

-  Subject Lands
-  Low Density Residential
-  Commercial / Mixed Use
-  Hazard Land Zone
-  Parkland
-  Stormwater Management Pond  
and Wastewater Infrastructure



## ATTACHMENT B - INFORMATION ALREADY IN THE TOWN'S POSSESSION

As noted previously, Parcel 1 and 2 form the largest portion of the MZO request – being 95% of the Subject Lands within the proposed MZO. The following studies have already been prepared in support of development on these lands and are on record with Township staff:

### PARCEL 1

#### ***Planning Rationale Report, Market Analysis/ Justification Study and Planning Addendum Letter prepared by the Biglieri Group***

The Report finds that the Proposal is consistent with or conforms to (as appropriate), the policy framework articulated in the PPS, Growth Plan, County and Township Official Plans and Growth Management exercises as well as provides a net benefit to the Millbrook Settlement Area, the Township of Cavan Monaghan, and The County of Peterborough for the following reasons:

- The proposed residential uses will support the Township in providing for land supply as required based on the projected growth and demand for housing supply in the next 5-10 years per the 2020 CM GMS;
- The proposed built-form represents an opportunity to animate a greenfield area that is well connected to, and contiguous with, an existing master planned community;
- The proposal provides adequate parkland and trails systems that link to Natural linkage and Natural Core area lands;
- The Millbrook Settlement Area is largely surrounded by Prime Agricultural Areas (per OMAFRA) to the north, east, south and west. The only location where Prime Agricultural Areas are not found immediately adjacent to the Settlement Area boundary is south-west of the Settlement Area. However, these lands south-west of the Settlement Area are included within the MNRF's Natural Heritage System (also see Figure 1 below). As such, any future expansion of the Millbrook Settlement Area (as will be required to support the projections of the Growth Plan to 2041, and therefore also to 2051), will necessarily involve expansion into Prime Agricultural lands.
- The proposed Site is an appropriate location for such expansion as it is an extension to the master planned Towerhill North and South communities and will create a continuous community serviced by the recently constructed infrastructure (Water, Sewage, etc.). as well as the Cavan Monaghan Community Centre.
- Lastly, the proposal does not constitute as leapfrog development helping to mitigate the impacts of sprawl, and creating a denser urban landscape while representing a logical rounding out of the Millbrook Settlement Area to the ORM boundary (to the west).

#### ***Agricultural Impact Assessment prepared by Clark Consulting***

The AIA assesses the impact of development of the Site on the surrounding agricultural system and finds that the proposed residential uses will have minimal impact provided that mitigation measures such as fencing or a vegetation buffer are provided. Further it is noted that the County is currently undergoing a municipal comprehensive review where-in the Agricultural system is being reviewed. This AIA has been provided to the County as input into the same with the intention of redesignating the agricultural lands on the Site.

#### ***Stage 1 Archaeological Assessment prepared by AECOM***

The Stage 1 archaeological assessment was completed using background research to describe the geography, land use history, previous archaeological fieldwork and current conditions of the study area to determine its archaeological potential. In addition, satellite imagery and thematic and historic maps were analyzed. The results of the Stage 1 assessment indicate that the eastern half of the subject property has been previously assessed by YNAS (2017) and a total of four archaeological sites were identified at that time. All four of the archaeological sites will require Stage 3 archaeological assessment. The western half of the study area contains archaeological potential and will therefore require a Stage 2 archaeological assessment.

***Environmental Impact Study and Addendum Letter prepared by GHD***

The Environmental Impact Study (EIS) has assessed the location of natural heritage features on site and the impact of the development on the natural heritage system. Per the EIS, Significant natural features identified in the study area included significant woodlands. A 30-meter buffer has been recommended adjacent to identified significant woodlands. This buffer will also serve to protect the watercourse and seepage areas detected on site (which are considered significant wildlife habitat). Construction within the proposed development envelope will result in no negative impacts on the functions of identified natural heritage features provided the recommendations outlined in Sections 5 and 7 are implemented.

***Functional Servicing Report prepared by Valdor Engineering***

The FSR provides an analysis of the water, wastewater, and stormwater servicing options for the development. It concludes that the proposal can be adequately serviced with full municipal services (watermain, wastewater and storm). With respect to wastewater, the FSR notes that the Township is currently undertaking a Growth Management and Master Servicing Study in which a presentation was made to Council on October 18, 2021 by RV Anderson Associates Limited and Watson & Associates. The presentation to Council identified that after incorporating development already committed the WWTP will be operating at 37% of the average rated capacity of 3,000m<sup>3</sup>/day and 79% of the peak flow capacity of 8,242 m<sup>3</sup>/day. The reserve capacity available therefore in the existing WWTP will be able to service approx. 350 units. Alternatively, a Newterra plant (as proposed) will be able to service the entire development with upgrades planned in the future. Detailed design will follow if this is the chosen alternative. Similarly, there is also reserve capacity in the water treatment plant to service the units and through consultation with the Municipality with plans to fund a new well through DC's and utilize an existing standpipe for storage there will be no issues with water capacity.

***Geotechnical Investigation Report prepared by GHD******Hydrogeological Investigation Report prepared by GHD***

In summary, the Reports state that there will not be significant constraints for the proposed residential and commercial development from the seasonal variations of groundwater as the water can be handled with appropriate engineering techniques. It is expected that groundwater will generally be below the depth of the future development. From a geotechnical perspective, the Site is suitable for construction of the proposed development including one to two-storey residential homes, townhomes, commercial buildings and associated servicing and asphalt paved roadways, parking and access areas.

***Phase One Environmental Site Assessment prepared by GHD***

A phase one environmental site assessment was completed by GHD limited. The submitted ESA provides an update of an ESA that was completed for 825 Fallis Line by GHD the report dated May 18, 2017. Based on the review and evaluation of the Site, it is GHD's opinion that the property is of relatively low environmental risk and is suitable for the proposed residential development. No further environmental investigation is warranted at this time as there are no Areas of Potential Environmental Concern.

***Fiscal Impact Analysis prepared by Watson & Associates Economists Ltd.***

This analysis assessed the impact of the proposal on services provided by the Township. The results of the analysis indicates that the development would provide a net positive contribution to the Township on an annual bases for both tax and rate supported services.

***Traffic Impact Study, Prepared by Asurza Engineers Ltd.***

The TIS reviewed, assessed, and determined traffic impact that would be generated by the proposed development on the adjacent roads and intersections. According to the TIS, the proposed development will generate approximately 260 new trips for the year 2025 and approximately 520 new trips by 2030. In order to address the impact of these trips, as well as the impact of other proposed and approved/partially constructed developments in northern Millbrook, the TIS suggests certain improvements to the road network. Ultimately, the TIS



concludes that with the inclusion of the recommended improvements, the proposed developments can take place without significant impacts to traffic operations.

## PARCEL 2

### ***Planning Rationale Report prepared by the Biglieri Group***

The Report finds that the Proposal is consistent with or conforms to (as appropriate), the policy framework articulated in the PPS, Growth Plan, County and Township Official Plans and Growth Management exercises as well as provides a net benefit to the Millbrook Settlement Area, the Township of Cavan Monaghan, and The County of Peterborough for the following reasons:

- The proposed settlement area boundary adjustment results in 'no-net-increase' to the settlement area, and is consistent with the 2020 Cavan Monaghan Growth Management Study ("CM GMS") which identified the need for flexibility to achieve near-future settlement boundary adjustments;
- The "Agricultural" lands to be used for residential development are isolated from other "Agricultural" lands and are too small to be used for intensive agriculture on their own (per the provided AIA). Further their isolation from other "Agricultural" lands means the re-designation will not negatively impact other "Agricultural" lands;
- The proposed draft plan makes use of existing oversized water and wastewater services planned to accommodate development on the Site as well as to the north;
- The proposed plan is a logical progression of infrastructure/services and allows for commercial development as well as the development of urban lands to the north;
- A wide range of commercial uses on the commercial block, inclusive of a bank/financial institution, will promote walkability between the Site as well as the Towerhill South and North Subdivisions, supporting the development of a complete and walkable community in northern Millbrook; and,
- The proposed residential uses will support the Township in providing for land supply as required based on the projected growth and demand for housing supply in the next 5-10 years per the 2020 CM GMS.

### ***Agricultural Impact Assessment prepared by Clark Consulting***

An Agricultural Impact Assessment was completed by Clark Consulting Services and dated April 2021. The AIA assesses the impact of development of the Site on the surrounding agricultural system and finds that the proposed residential and commercial uses will have minimal impact due to the buffer provided by the natural heritage system to the east and existing and planned urban development to the north and northwest. Further it is noted that the County is currently undergoing a municipal comprehensive review where-in the Agricultural system is being reviewed. This AIA has been provided as input into the same with the intention of redesignating the small remanent 'agricultural' designation in the north-eastern corner of the site.

### ***Stage 1 & 2 Archaeological Assessment prepared by AECOM***

A Stage 1 Archaeological assessment was prepared in April 2021 by AECOM. The results of the Stage 1 assessment indicate the study area contains moderate to high archaeological potential and will therefore require a Stage 2 archaeological assessment. A stage 2 assessment could not occur over the winter months. It will be prepared this Spring/Summer and will be submitted for review upon receipt.

### ***Environmental Impact Study and Addendum Letter prepared by GHD***

GHD has completed an Environmental Impact Study (EIS) which has assessed the location of natural heritage features on site and the impact of the development on the natural heritage system. Per the EIS, Schedules 'A' and 'A-1' of the Town Official Plan (Land Use) show that the property includes Natural Heritage System designations of "Natural Core Area" as well as "Natural Linkage Area"; additionally, Schedules 'B' and 'B-1' (Natural Heritage System and Environmental Constraints) show the property as containing "significant woodlands" and "wetlands". Field visits have confirmed the presence and mapped the location of the significant woodlands and wetlands on site as well as the tributary to Baxter Creek. The EIS has also

identified the ecological functions of these features, assessed Species at Risk habitat and have recommended appropriate mitigation measures, including buffers(setbacks) to prevent impacts on natural features from the proposed development. The proposed development will not result in negative impacts on identified natural heritage features or their functions provided the mitigation measures described in Sections 5 and 7 are implemented.

***Functional Servicing Report prepared by Valdor Engineering***

The FSR provides an analysis of the water, wastewater, and stormwater servicing options for the development. It concludes that the proposal can be adequately serviced with full municipal services (watermain, wastewater and storm):

- the sanitary sewer and watermain immediately to the south of the subject site were oversized and planned to accommodate flows to service the subject site;
- the watermain currently dead ends at the boundary of the existing subdivision to the south and the municipality intended for the same to extend northerly through the subject site to connect to another dead end watermain at Fallis Line in order to satisfy watermain looping requirements;
- similarly, the sanitary sewer was oversized all the way to the existing Millbrook WWTP further south in order to service the subject development; and,
- It is anticipated and understood at this time that there is sufficient reserve treatment capacity in the WWTP to service this development however the Township is currently preparing a Master Servicing Study that will verify available reserve capacity in the WWTP.

***Geotechnical Investigation Report prepared by GHD***

The report states that there will not be significant constraints for the proposed residential and commercial development from the seasonal variations of groundwater as the water can be handled with appropriate engineering techniques. It is expected that groundwater will generally be below the depth of the future development. From a geotechnical perspective, the Site is suitable for construction of the proposed development including one to two-storey residential homes, townhomes, commercial buildings and associated servicing and asphalt paved roadways, parking and access areas.

***Fiscal Impact Analysis prepared by Watson & Associates Economists Ltd.; and,***

This analysis assessed the impact of the proposal on services provided by the Township. The results of the analysis indicate that the development would provide a net positive contribution to the Township on an annual bases for both tax and rate supported services.

***Traffic Impact Study, Prepared by Asurza Engineers Ltd.***

Asurza Engineers Ltd. has prepared a Traffic Impact Study (TIS) (April 2021) in support of the development. The TIS reviews, assesses, and determines traffic impact generated by the proposed development on the adjacent roads and intersections. According to the TIS, the proposed development will generate approximately 550 new trips by 2030. In order to address the impact of these trips, as well as the impact of other proposed and approved/partially constructed developments in northern Millbrook, the TIS suggests certain improvements to the road network. Ultimately, the TIS concludes that with the inclusion of the recommended improvements, the proposed developments can take place without significant impacts to traffic operations.

## ATTACHMENT C – DRAFT MZO

Ontario Regulation

Made under the

PLANNING ACT

### ZONING ORDER – TOWN OF CAVAN-MONAGHAN

#### Definitions

1. In this Order,

“Zoning By-law” means the Township of Cavan Monahan Zoning By-law (2018-58), as amended.

#### Application

2. This Order applies to lands in the Township of Cavan Monahan, in the Province of Ontario, being the lands outlined in red on a map numbered XXX and filed at the XXX office of the Ministry of Municipal Affairs and Housing.

#### Community Zone

3. (1) This section applies to the lands located in the area shown as the Community Zone on the map referred to in section 2.
- (2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for,
- (a) Single dwellings;
  - (b) Semi-detached Dwellings, Semi-detached Linked Dwelling;
  - (c) Duplex Dwelling;
  - (d) Townhouse Dwelling;
  - (e) Multiple Dwelling
  - (f) Apartment dwellings;
  - (g) Long Term Care Facility, Assisted Living Dwelling, Senior Citizen’s Home;
  - (h) Dwelling units in mixed-use building, Mixed-use building;
  - (i) Group home.
  - (j) Accessory Uses to a Dwelling;
  - (k) Model Homes and Temporary Sales Office;
  - (l) Home Business;
  - (m) Private Home Daycare;
  - (n) Public Park, Low intensity Recreational Uses, Private Park, Public use

- (o) Public Utilities, including stormwater management facilities, water and wastewater infrastructure and pump stations;
- (p) Accessory residential units in detached, semi-detached and townhouse dwellings, Accessory apartment;
- (q) Existing uses at the time of passing of this Zoning Order;
- (r) Conservation uses;
- (s) Animal clinic, Animal daycare centre;
- (t) Antique store
- (u) Assembly hall
- (v) Art gallery, Artisan studio;
- (w) Bake shop, brew-your-own establishment, specialty food store, Craft brewery;
- (x) Banquet hall
- (y) Beer, liquor, wine and cannabis store;
- (z) Building supply store
- (aa) Business Office;
- (bb) Commercial fitness centre
- (cc) Commercial greenhouse
- (dd) Commercial recreation use
- (ee) Commercial school or studio, Private club, Private school, Public School
- (ff) Day Nurseries and Day Care Centres;
- (gg) Drive-through service facility
- (hh) Drug store;
- (ii) Dry cleaning depot, Laundromat;
- (jj) Equipment rental establishment, Industrial equipment rental establishment;
- (kk) Financial institution;
- (ll) Funeral establishment;
- (mm) Hotel/Motel;
- (nn) Medical office;
- (oo) Mobile canteen, Mobile refreshment vehicle
- (pp) Motor vehicle gas bar, Motor vehicle washing establishment

- (qq) Motor vehicle sales and rental establishment
  - (rr) Parking lot, commercial;
  - (ss) Patio, Outdoor Commercial patio
  - (tt) Personal service establishment;
  - (uu) Place of amusement, Place of worship;
  - (vv) Postal or courier outlet;
  - (ww) Printing or publishing establishment;
  - (xx) Restaurant;
  - (yy) Retail store;
  - (zz) Repair or service shop, Motor vehicle repair garage;
  - (aaa) Studio;
  - (bbb) Supermarket;
  - (ccc) Shopping centre
  - (ddd) Theatre
  - (eee) Trade and convention centre
- (3) Despite the Zoning By-law, the zoning requirements for the uses permitted under clauses 3.(2)(a) are as follows:
1. Minimum Lot Area: 270m<sup>2</sup>;
  2. Minimum Lot Frontage: 10.6 metres;
  3. Minimum Lot Frontage (Corner): 12.4 metres;
  4. Minimum Yard Setbacks are:
    - a. Front - 4.5 metres (Table 3C additional regulation 1 shall not apply)
    - b. Exterior Side – 2.5 metres
    - c. Interior Side - 1.2 metre and 0.6 metres on the other side
    - d. Rear - 6.0 metres
  5. Maximum Building Height: 11.0 metres;
  6. Minimum landscaped open space: 20%
  7. Maximum lot coverage for all buildings: 50%;
  8. Minimum Setback for a private garage from front lot line: 6.0 metres
  9. Required Parking: 2 parking spaces per unit

10. An open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.0 m into a front, rear and exterior yard setback area;
  11. An open platform or stairway (excluding a fire escape) may extend a distance of not more than 3.0 m into a front, rear or exterior side yard setback area;
  12. A covered porch or stairway may extend a distance of not more than 3.0 m into a front, yard setback area; and,
  13. A box or bay window may project a maximum distance of 0.6 metres into a front, rear, or exterior side yard setback area.
- (4) Despite the Zoning By-law, the zoning requirements for the uses permitted under clauses 3.(2)(b) area as follows:
1. Minimum Lot Area: 180m<sup>2</sup>;
  2. Minimum Lot Frontage: 7.0 metres;
  3. Minimum Yard Setbacks are:
    - a. Front - 4.5 metres (Table 3C additional regulation 1 shall not apply)
    - b. Exterior Side – 2.5 metres
    - c. Interior Side - 1.2 metre and 0.6 metres on the other side (this requirement shall not apply to the common wall between semi-detached units)
    - d. Rear - 6.0 metres
  4. Maximum Building Height: 11.0 metres;
  5. Minimum landscaped open space: 20%
  6. Maximum lot coverage for all buildings: 55%;
  7. An open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.0 m into a front, rear and exterior yard setback area;
  8. Minimum Setback for a private garage from front lot line: 6.0 metres
  9. Required Parking: 2 parking spaces per unit
  10. An open platform or stairway (excluding a fire escape) may extend a distance of not more than 3.0 m into a front, rear or exterior side yard setback area;
  11. A covered porch or stairway may extend a distance of not more than 3.0 m into a front, yard setback area; and,
  12. A box or bay window may project a maximum distance of 0.6 metres into a front, rear, or exterior side yard setback area.
- (5) Despite the Zoning By-law, the zoning requirements for the uses permitted under clauses 3.(2)(c) as follows:
1. Minimum Lot Area: 162m<sup>2</sup> (Duplex)
  2. Minimum Lot Frontage: 6.0 metres (Duplex)

3. Minimum Yard Setbacks are:
    - a. Front 4.5 metres (Building)
    - b. Exterior Side - 4.0 metres
    - c. Interior Side – 3.5 metres
    - d. Rear - 6.5 metres
  4. Maximum Building Height: 11.0 metres;
  5. Maximum lot coverage for all buildings: 65%;
  6. Minimum landscaped open space: 20%
  7. Minimum Setback for a private garage from front lot line: 6.0 metres
  8. Required Parking: 2 parking spaces per unit
  9. An open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.0 m into a front, rear and exterior yard setback area;
  10. An open platform or stairway (excluding a fire escape) may extend a distance of not more than 3.0 m into a front, rear or exterior side yard setback area;
  11. A covered porch or stairway may extend a distance of not more than 3.0 m into a front, yard setback area; and,
  12. A box or bay window may project a maximum distance of 0.6 metres into a front, rear, or exterior side yard setback area.
- (6) Despite the Zoning By-law, the zoning requirements for the uses permitted under clauses 3.(2)(d) are as follows:
1. Minimum Lot Area: 200m<sup>2</sup> / unit;
  2. Minimum Lot Frontage: 7.5 metres;
  3. Minimum Yard Setbacks are:
    - a. Front - 4.5 metres (Table 3C additional regulation 1 shall not apply)
    - b. Exterior Side – 2.5 metres
    - c. Interior Side – 1.2 metre (this requirement shall not apply to the common wall between townhouse units)
    - d. Rear - 6.0 metres
  4. Maximum Building Height: 11.0 metres;
  5. Maximum lot coverage for all buildings: 55%
  6. Minimum landscaped open space: 20%
  7. Minimum Setback for a private garage from front lot line: 6.0 metres
  8. Required Parking: 2 parking spaces per unit
  9. An open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.0 m into a front, rear and exterior yard setback area;

10. An open platform or stairway (excluding a fire escape) may extend a distance of not more than 3.0 m into a front, rear or exterior side yard setback area;
  11. A covered porch or stairway may extend a distance of not more than 3.0 m into a front, yard setback area; and,
  12. A box or bay window may project a maximum distance of 0.6 metres into a front, rear, or exterior side yard setback area.
- (7) Despite the Zoning By-law, the zoning requirements for the uses permitted under clauses 3.(2).(e) - (i) are as follows:
1. Minimum Lot Frontage: 30.0 metres;
  2. Minimum Yard Setbacks are:
    - a. Front – 3.0 metres
    - b. Exterior Side - 3.0 metres
    - c. Interior Side – 3.0 metres
    - d. Rear – 3.0 metres
  3. Minimum landscaped open space: 20%;
  4. Maximum Building Height: 14.0 metres (not including mechanical penthouses, elevators, stairs and rooftop amenities and other items listed in Section 11.12.1)
  5. Maximum lot coverage for all buildings: 50%
  6. Required Parking: 1 parking spaces per unit plus 0.25 spaces per unit for visitors
  7. Required Loading: 1 space
- (8) Despite the Zoning By-law, the zoning requirements for the uses permitted under clauses 3.(2)(s) and (eee) are as follows:
1. Minimum lot area: 360 m<sup>2</sup>;
  2. Minimum front yard setback: 3.0 m;
  3. Minimum exterior side yard setback: 3.0 m;
  4. Minimum interior side yard setback: 3.0 m (where two uses listed in clauses (s) - (eee) are situated on abutting lots, the minimum interior side yard setback shall be 0.0m);
  5. Minimum rear yard setback 3.0 m (where adjacent to a public or private laneway, no setback required);
  6. Maximum building height 10.0 m;
  7. Maximum gross floor area of a use: N/A
  8. Parking per section 12 of the Zoning By-law.
- (9) Despite the General provisions of the Zoning By-law the following sections shall not apply:
1. Section 11.30



**Hazard Land Zone**

4. (1) This section applies to the lands located in the area shown as the Hazard Lands Zone on the map referred to in section 2.
- (2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for the uses permitted under the NC zone in subsection 8.2 of the Zoning By-law.
- (3) The zoning requirements set out in section 8.3 of the Zoning By-law apply to the uses permitted under subsection (2).

**Terms of use**

5. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.
- (2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.
- (3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.
- (4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

**Deemed by-law**

6. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the Township of Cavan-Monaghan.

**Commencement**

7. This Regulation comes into force on the day it is filed.