



Regular Council Meeting

To:	Mayor and Council
Date:	February 22, 2022
From:	John F. Connolly, Executive Director, Planning & Development
Report Number:	Planning 2022-08
Subject:	Minister's Zoning Order Request – CSU Developments, CSU2 Developments Inc., Vargas Properties Inc. & Vargas P Inc.

Recommendation:

That Council receive Report Planning 2022-08 Minister's Zoning Order (MZO) Request – CSU Developments, CSU2 Developments Inc., Vargas Properties Inc. & Vargas P Inc.

Overview:

At the February 22, 2022 Regular Council meeting, Council will receive a delegation and formal request regarding a Minister's Zoning Order (MZO) concerning lands owned by CSU Developments, CSU2 Developments Inc., Vargas Properties Inc. & Vargas P Inc. in the Township of Cavan Monaghan. The formal request is for Township Council to endorse the Minister's Zoning Order which will address the proposed development on a portion of the subject lands.

Background:

On February 7, 2022, Township of Cavan Monaghan Staff were advised by the proponent(s) for both the CSU Developments and Vargas Properties Inc. that they would be applying to the Province for a Minister's Zoning Order (MZO) and seeking a resolution that Township Council endorses this request.

CSU Developments Inc.

On July 28, 2021 the County provided notice of a complete application for CSU Developments for the subject properties identified as 787 and 825 Fallis Line West in the Township of Cavan Monaghan. This application is for an Official Plan Amendment (OPA-03-21), Zoning By-law Amendment (ZBA-09-21) and a Plan of Subdivision (15T-21007) for the subject lands to permit the creation of a 696 unit subdivision of single detached dwellings, townhouses and residential apartments on the 49.2 ha(121.58 ac) subject lands. In addition, a portion of the subject properties would expand the Millbrook Settlement Area boundary to encompass the development (see Attachment No. 1).

In support of the applications, the following documentation was submitted:

- Draft Plan prepared by The Biglieri Group, dated June 8, 2021;
- Planning Rationale Report prepared by The Biglieri Group, dated July, 2021;
- Agricultural Impact Assessment prepared by Clark Consulting Services dated May 2021;
- Functional Servicing Report prepared by Valdor Engineering Inc. dated June, 2021;
- Geotechnical Investigation Report prepared by GHD Ltd. dated March 23, 2021;
- Environmental Impact Study prepared by GHD Ltd. dated May 28, 2021;
- Stage 1 Archaeological Assessment prepared by AECOM Canada Ltd., dated March 2021;
- Hydrogeological Investigation Report prepared by GHD Ltd., dated March 28, 2021;
- Phase One ESA prepared by GHD Ltd., dated March 5, 2021;
- Fiscal Impact Study, prepared by Watson and Associates Economists Ltd., dated July 2, 2021; and
- Traffic Impact Study prepared by Asurza Engineers Ltd., dated June 11, 2021.

Since this original submission and as a result of peer review and agency comments, a second submission has been received by the County and Township (dated January 31, 2022). Of particular note, the number of residential units changed from the original submission (696 units to 669 units).

Vargas Properties Inc.

On September 9, 2021, the County provided notice of a complete application for Vargas Properties Inc. for the subject lands identified at the southeast corner of County Road 10 and Fallis Line East. The application is for an Official Plan Amendment (OPA-04-21), Zoning By-law Amendment (ZBA-10-21) and a Plan of Subdivision (15T-21005) for the subject lands to permit the creation of a mixed use commercial/residential development that includes a commercial block, 70 residential lots and 10 townhouse dwellings on the subject lands (see Attachment No. 2).

In support of the applications, the following documentation was submitted:

- Draft Plan prepared by The Biglieri Group, dated April 27, 2021;
- Planning Rationale Report prepared by The Biglieri Group, dated April, 2021;
- Agricultural Impact Assessment prepared by Clark Consulting Services dated April 2021;
- Functional Servicing Report prepared by Valdor Engineering Inc. dated April, 2021;
- Geotechnical Investigation Report prepared by GHD Ltd. dated March 8, 2021;
- Environmental Impact Study prepared by GHD Ltd. dated May 28, 2021;
- Stage 1 Archaeological Assessment prepared by AECOM Canada Ltd., dated April 2021;
- Fiscal Impact Study, prepared by Watson and Associates Economists Ltd., dated July 21, 2021; and,
- Traffic Impact Study prepared by Asurza Engineers Ltd., dated April 28, 2021.

Since this original submission and as a result of peer review and agency comments, a second submission is expected soon but has not yet been received by the County and the Township.

Additional Land Holdings – Vargas Properties

Since 2018, Vargas Properties has owned an approximately 5 acre property at the northeast corner of County Road 10 and Fallis Line East. This property was not included in either of the aforementioned CSU or Vargas Properties applications. However, in early 2022, the proponent secured additional land holdings on the east side of County Road 10, and north of Fallis Line east. These lands identified as 917 County Road 10 is approximately 72 acres in size and predominately vacant at this time.

These new land holdings as well as the other aforementioned 5 acre property are being added over and above the current applications undergoing review as part of the planning process under consideration and forming part of the request for a Minister's Zoning Order (see Attachment No. 3).

Analysis:

Staff have provided detailed comments on both of the original submissions for CSU and Vargas applications. As noted earlier, the re-submission for CSU was received on January 31, 2022 and is currently being circulated to agencies for comment. The Township will be considering the re-submission in light of its initial set of comments and any changes in the re-submission. Until this request for an MZO was received, the proponent had indicated that a re-submission for the Vargas Properties lands would also be forthcoming.

In light of the inclusion of the additional land holdings and the revised and expanded development proposal to be presented to Township Council, Staff have are not in a position to comment on the merits of the overall proposal and/or the studies at this time.

However, Staff indicated in its comments to the proponent for both applications that Council has stated on a number of occasions that it is looking to have employment and development with employment related land uses (i.e., commercial/mixed use) precede residential development. In other words, proposed development needs to address Employment Targets as outlined in Section 2.1.3 of the Official Plan.

Summary:

Staff are of the opinion that any development proposal seeking Council's approval and endorsement should make the customary commitment that any proponent would be required under the Planning Act. These include but are not limited to obtaining all Planning Act approvals to implement the proposed development, review and satisfy all conditions of approval applied to the subdivisions and non-residential development

which also includes any appropriate conditions from agencies, parties and stakeholders (e.g., ORCA, First Nations).

Staff would also recommend that the proponent participate in the County and Township's Growth Management Study and Master Servicing Study as well as pay all costs and customary fees associated with the proposed development including infrastructure and servicing costs (i.e., Growth pays for Growth).

Council might also consider its support for any proposal by securing a commitment to building purpose-built affordable housing units either through a specific number units or percentage of units being proposed. This would also be in addition to the provision of customary parks, trails and trail connections.

Any conditions could be requested by directing Staff to draft a development agreement (acceptable to both parties) between the Township and the proponent (including the County - where appropriate) and brought to Council's for its review and approval at a future date.

Financial Impact:

None at this time.

Attachments:

Attachment No. 1 – Key Map – CSU Application

Attachment No. 2 – Key Map – Vargas Application

Attachment No. 3 – Key Map – CSU, CSU2 and Vargas Properties Land Holdings

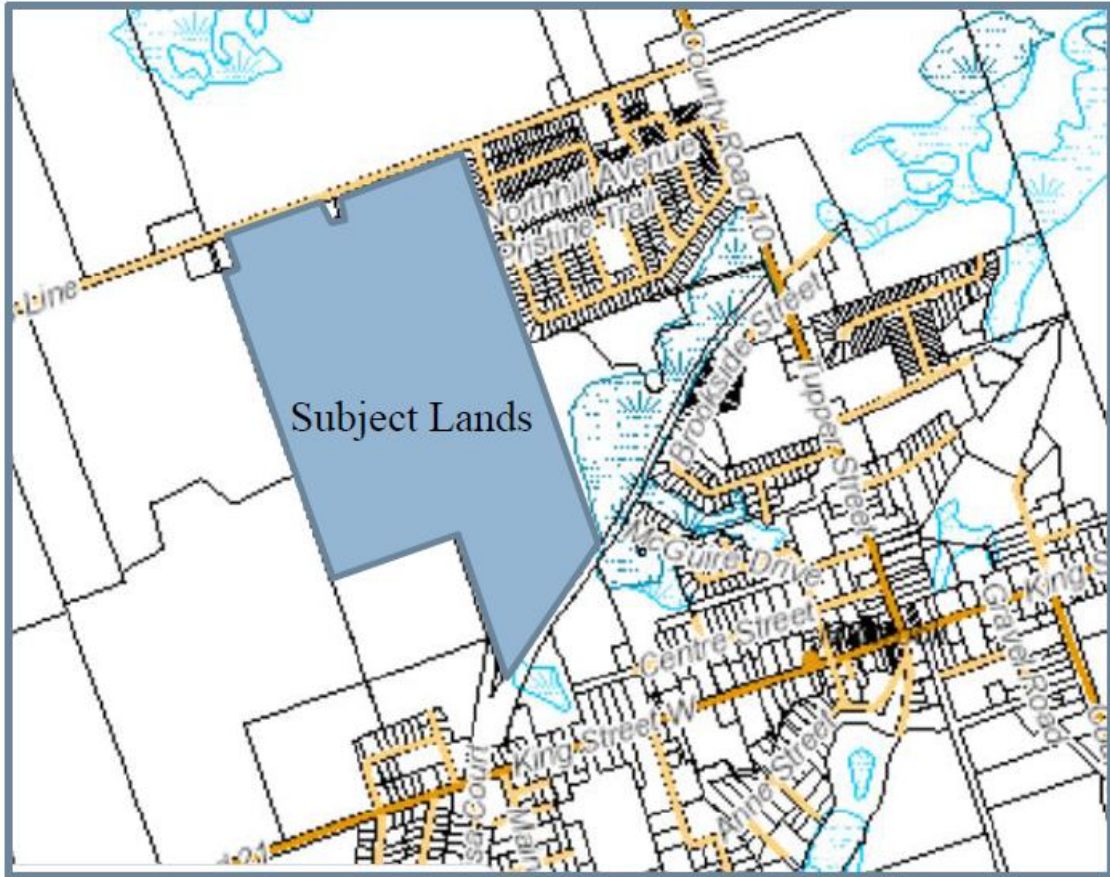
Respectfully Submitted by,

Reviewed by,

John F. Connolly
Executive Director, Planning & Development

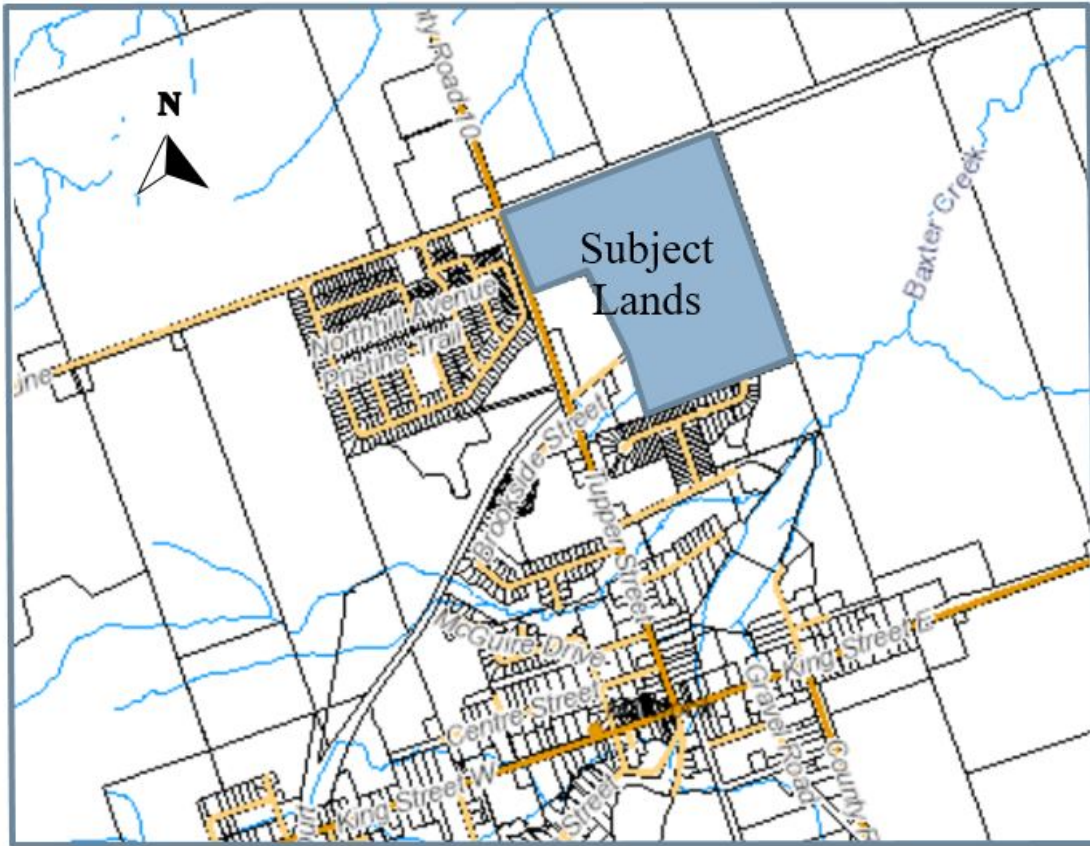
Yvette Hurley
Chief Administrative Officer

Attachment No. 1



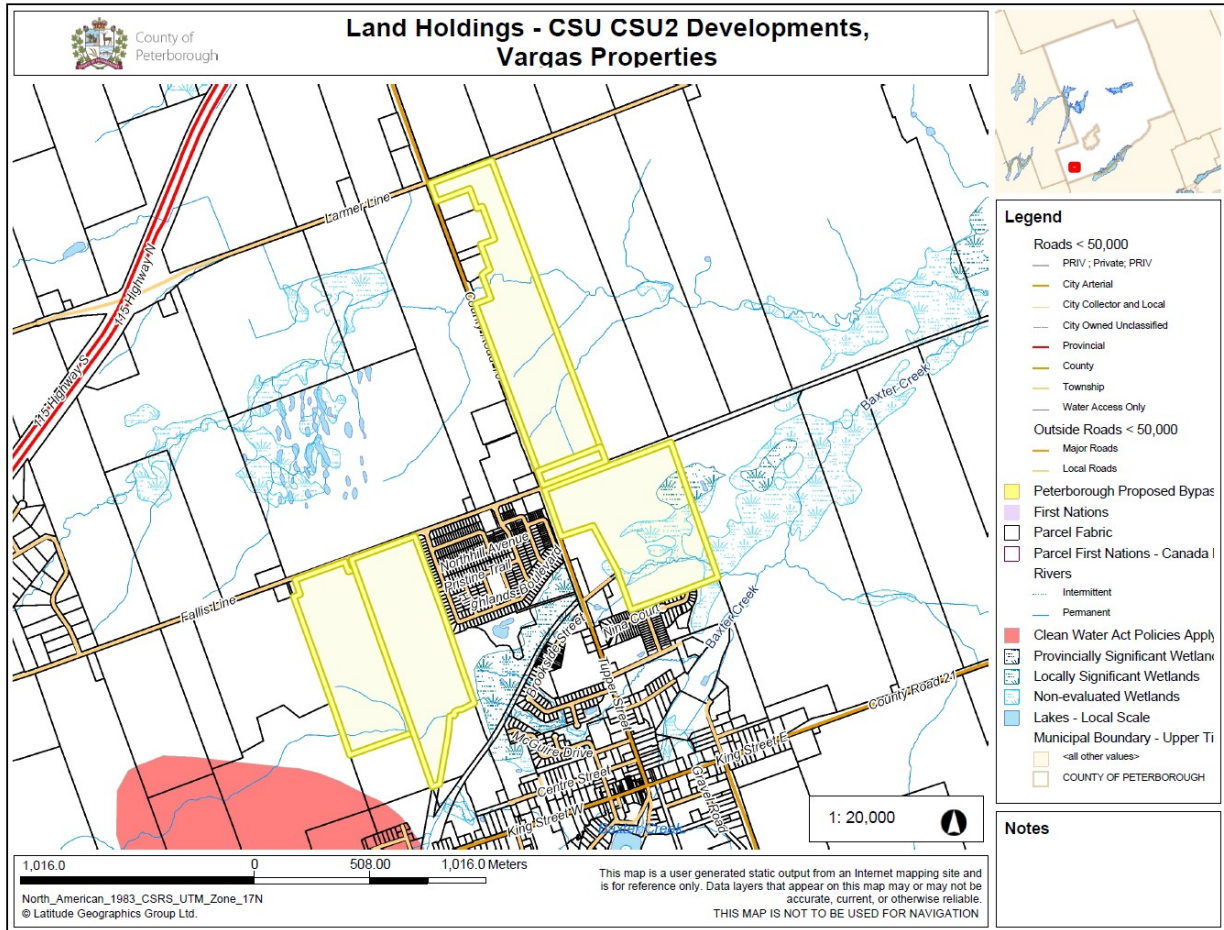
Key Map – CSU Lands

Attachment No. 2



Key Map – Vargas Lands

Attachment No. 3



Key Map – CSU, CSU2 & Vargas Properties Land Holdings