



Regular Council Meeting

To:	Mayor and Council
Date:	May 2, 2022
From:	John F. Connolly, Executive Director, Planning & Development
Report Number:	Planning 2022-24
Subject:	1066 Syer Line – Approval of Official Plan Amendment (OPA-1-22) and Zoning By-law Amendment (ZBA-03-22)

Recommendations:

1. That Council approve By-law No. 2022-24 to adopt Official Plan Amendment (OPA-01-22) to the Township of Cavan Monaghan;
2. That Council authorize the submission of the adopted Official Plan Amendment to Peterborough County for review and approval; and
3. That Council approve the associated By-law No. 2022-25 (Zoning By-law) to be signed by the Mayor and Clerk.

Overview:

At its Regular Council meeting of April 19, 2022, Council held a statutory public under the Planning Act to review and consider all public and agency verbal and written comments received regarding the above noted Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications. At that meeting, Staff indicated that it will consider all comments and submissions when bringing the amendments to the Official Plan and Zoning By-law at a future date for consideration (Attachment No. 1).

This Report presents this OPA and ZBA for Council's consideration that Staff is recommending for approval.

Staff has been providing updates on the activities and milestones for the 1066 Syer Line Project at Regular Council meetings since early 2021. These updates have provided Council with the progress of discussions and background studies identified during a pre-consultation and follow-up meeting with Township Staff and agencies (e.g., ORCA, MTO, Peterborough County). These updates have also been tracking the OPA and ZBA applications through the planning process.

Five (5) studies (in total) were identified to support the proposed OPA and ZBA applications.

The key background studies identified in pre-consultation include:

- Agricultural Impact Assessment (AIA);
- Environmental Impact Assessment (EIA/S);
- Hydro Geotechnical Study (Hydro G);
- Traffic Impact Study (TIS); and
- Stormwater Management Study (SWM).

Three (3) of the studies (AIA, EIS & Hydro G) were identified as key to proceed right away while the other two (2) were originally tied to any proposed development that might come forward in the future. It is important to note that no development is being proposed on the subject lands at this time. (Note: at MTO's request a TIS was conducted and completed but a SWM will be required at a later date). The OPA and ZBA applications seek to allow for the range of permitted uses under the Rural Employment (M2) zoning.

Throughout 2021 and early 2022, consultants have been retained and four (4) of the five (5) studies identified have been completed. Three (3) of these studies have been submitted and peer reviewed by either the County's peer reviewer (Stantec) or the Otonabee Region Conservation Authority (ORCA). The last study (TIS) has been completed and is currently being reviewed by the MTO staff.

Background:

The subject property was acquired by the Township of Cavan Monaghan in 2019 for the purpose of establishing Rural Employment permitted uses on the subject lands given its location to highway 115 and surrounding development. The subject lands are currently designated Agricultural and the proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is to change the designation to Rural Employment on a portion of the lands to permit uses associated with that Rural Employment designation and zoning. Those portions of the land that are currently zoned Natural Core and Natural Linkage will not be re-designated through these applications.

Official Plan Amendment

The purpose of Amendment No. 10 to the Township of Cavan Monaghan Official Plan is to change the current land use designation on a portion of the subject lands from "Agricultural" to "Rural Employment" to permit the establishment of uses permitted in the "Rural Employment" designation (Attachment No. 2). The "Rural Employment" designation will only apply to the lands on the subject property which are currently designated "Agricultural" and not those portions of the subject lands which will remain designated "Natural Linkage Area".

The effect of the Amendment is to permit a portion of subject property to be used for the range of permitted uses in the "Rural Employment" designation.

A Zoning By-law Amendment is required to implement the Official Plan Amendment.

Zoning By-law Amendment

The purpose of the Zoning By-law Amendment is to change the zoning on a portion of the property from “Agriculture (A)” to “Rural Employment (M2)” in order to permit the establishment of the range of permitted uses under the “Rural Employment (M2)” Zone in the Township of Cavan Monaghan Zoning By-law 2018-58, as amended (Attachment No. 3).

The portion of the subject property that is currently zoned “Natural Core” and “Natural Linkage (NL)” will remain zoned “Natural Linkage (NL)” and will not be changed as a result of this amendment.

In support of these applications, the following documents/studies were completed and available on the Township’s website:

- Agricultural Impact Assessment (AIA) by Clark Consulting Services Limited (May 2021)
- Environmental Impact Study (EIS) by Cambium Inc. (October 12, 2021)
- Hydrogeological Assessment (Hydro-G) by Cambium Inc. (October 12, 2021)
- Traffic Impact Study (TIS) by JD Northcote Engineering Inc. (March 21, 2022)
- Peer Review Comments of AIA and Hydro-G by Stantec Consulting (December 2, 2021 and December 6, 2021)
- Technical Review Comments of EIS by Otonabee Region Conservation Authority (November 25, 2021)
- Planning Justification Report (PJR) by Township Staff (April 2022)
- Draft Official Plan Amendment (OPA) (March 2022)
- Draft Zoning By-law Amendment (ZBA) (March 2022)

In addition, at its Regular Council meeting held February 22, 2022, Council directed Staff to report back on options for disposition of the property (1066 Syer Line) through the Sale and Other Disposition of Land By-law (By-law No. 2016-07) as part of its deliberations on the proposed OPA and ZBA for the subject lands.

Discussion:

At the April 19, 2022 public meeting, no members of the public or agencies attended the meeting but Staff have received a number of verbal and written comments about these two applications throughout the planning process. Comments from agencies came in the form of peer review comments of studies submitted as well as agency comments based on circulation of the OPA and ZBA for comment as part of the normal planning process (Attachment No. 4).

A summary of the comments received is provided below:

1. Concern of the Loss of Prime Agricultural Land

A number of agencies and members of the public have expressed concern or provided information with regard to the impact on prime agricultural lands in general and specifically the loss of agricultural lands (i.e., 1066 Syer Line) as a result of changing the OP designation and Zoning for the subject lands. In particular, one

member of the public indicated that based on his knowledge of the property, this is a highly productive land holding used most recently for organic crop production.

As noted earlier, given the proposed change in designation from Agricultural to Rural Employment and the Zoning from Agricultural to Rural Employment, a number of studies were identified by agencies to support the applications which will convert agricultural land to Rural Employment permitted uses. The AIA was conducted by Clark Consulting, and the EIS and Hydro G study were conducted by Cambium Inc. ORCA provided peer review comments on the EIS while Stantec provided peer review comments (on behalf of the County) on the AIA and Hydro G study. These studies and the peer review comments provide the rationale and justification for approval of the applications.

Peer Review Comments

ORCA's peer review comments indicated that a 30 metre vegetation protection zone (VPZ) should be protected from development and site alteration in order to be consistent with provincial and regulatory policies. ORCA also suggested that features and areas zoned Natural Linkage and Natural Core should stay as they are while other comments focused on retaining wetland, considerations of the watercourse is re-aligned (no re-alignment is being proposed) and comments on wildlife species.

Stantec's peer review comments on the AIA indicated that the study gave a good inventory and characterization of the local agricultural Area but did not make the case for additional Rural Employment lands. In addition, despite indicating that the impacts of the proposed land use and mitigative measures would only be minor (i.e., changing from Agriculture to Rural Employment) approval of the OPA and ZBA represent a loss of more than 30 ha of prime agricultural land from production. The Planning Justification Report (PJR) and other supporting studies (i.e., Growth Management Strategy (Watson-2020)) provides the justification and requirement (need) for additional rural employment lands.

Stantec's peer review of the Hydro G study outlined the shortcomings of not including a monitoring well, water balance discussion and any constraints with onsite sewage systems as part of the study. As a result, this additional work would be the subject of future hydrogeotechnical assessment study associated with proposed development. While other hydrogeological assessment study was identified and suggested, Stantec agrees that the quantity of water on the site is sufficient to support some industrial uses (i.e., dry industry uses) and that a future water supply evaluation may need to be completed if demand is over the 32L/min requirement for development.

The proposed OPA and ZBA have considered these comments along with the contents of the supporting studies prepared for these applications. As a result, the OPA and ZBA have been refined to consider the VPZ, will preserve the current Natural Linkage and Natural Core Zones and protect wetlands and watercourses. In addition, the Hydro G study and the need for further field work/study will guide what rural employment uses will be permitted on these lands through future development proposals.

Staff are satisfied that the proper restrictions are reflected in the current applications such that the proposed designations and zones will not change and will protect and safeguard environmental features and functions from possible adverse impacts. In addition, when development proposal(s) comes forward, the background information and supplementary field work/studies will help inform further approvals.

2. Conformity with the Provincial Policy Statement (PPS), Growth Plan and Other Policies

As part of the planning process, the proposed OPA and ZBA applications are circulated to agencies and adjacent landowners for review and comment. Attachment No. 4 provides copies of the comments provided by circulated agencies having either no comments or no objections to the proposed OPA and ZBA applications. All public and agency comments are important considerations of the appropriateness of the proposed OPA and ZBA.

However comments from agencies like ORCA, Peterborough County and MTO are key to determining conformity of the applications to not only the PPS, the Growth Plan for the Greater Golden Horseshoe (Growth Plan) but also the mandates and policies of those approval agencies.

In particular, ORCA's interest in such applications can be described as four-fold:

- Its delegated authority regarding Section 3.1 of the PPS;
- As service provider and technical advice on natural heritage matters;
- ORCA's regulatory authority (issuing permits); and
- Responsibility under the Source Water Protection Plan (SPP).

These roles are important as they assist in determining conformity with specific aspects of the PPS, Growth Plan, other provincial policy and its own regulatory permissions.

ORCA has indicated that the property is not located near a known flooding or erosion hazard and as such the application is consistent with Section 3.1 of the PPS. ORCA has also stated it is of the opinion that the applications are consistent with Sections 2.1 & 2.2 (natural heritage, water) of the PPS. In addition, if future development utilizes Section 6 of the EIS, ORCA considers the applications consistent with Sections 4.2.3 and 4.2.4 of the Growth Plan for the Greater Golden Horseshoe (Growth Plan). ORCA has also identified that a permit (from ORCA) will be required when a planning application (development) is circulated. ORCA has also stated that the property is not within an area subject to the SPP.

Staff are of the opinion that the proposed OPA and ZBA applications are in conformity with the PPS, the Growth Plan and any proposed future development will be able to secure other regulatory permissions (i.e., Section 28 Conservation Authority Act).

3. Requirement for Additional Rural Employment Land

Critical to the approval of the proposed OPA and ZBA applications is the justification or rationale for requiring additional lands for rural employment and in particular why these lands which will convert agricultural lands for rural employment purposes.

Foundational background informing these applications is the Growth Management Strategy (GMS) conducted by Watson & Associates and adopted by Council in May of 2020. This Study provided a comprehensive assessment of growth in the Township to the year 2041 and included Recommendations and Next Steps with respect to a review of the Rural Employment lands in the Township.

The GMS Study not only identified the market need for rural employment lands but by its very nature, examined alternative locations of the current rural employment lands with a recommendation to remove and add these lands while maintaining a balance of the total area for rural employment opportunities. This recommendation was in recognition that some employment areas are environmentally constrained and that other lands should be identified that could be more readily available for employment uses.

Council adopted the GMS in 2020. Council also accepted the recommendation to undertake a Rural Employment lands review which is work that will begin once the GMS has been updated to include the addition of a ten (10) year planning horizon to 2051 (as per the policies of the new Growth Plan). The subject lands were identified as lands to be added to the inventory of Rural Employment lands to be considered through the review noted above.

Peterborough County is undergoing a Municipal Comprehensive Review (MCR) to bring its new County Official Plan into conformity with the new Growth Plan (2019). As part of that work, a consultant (Hemson) completed a Growth Management Study for the County which identified that the Township of Cavan Monaghan required an additional 34.1 ha (84 ac) of land to meet its employment needs to the year 2051. County Council has approved its Growth Management Study and has forwarded this to the Province.

County Staff indicated in its comments on the current OPA proposal for the subject lands may satisfy the additional employment land requirement as part of its Growth Management Study exercise. However, if for some reason the Province does not support the County's Growth Management Study then other existing designated employment lands may need to be removed as part of the Township's Official Plan update (after the County Official Plan is approved).

Township Staff and its consultant (Watson) has been working with the County and its consultant (Hemson) on this work and agree with the need for additional employment land for the Township to the year 2051. More detail will be provided once the Township GMS is updated and adopted by Township Council.

As part of its Planning Justification Report for these applications, Township Staff proposed conducting the Rural Employment lands review in a two (2) Stage approach: whereby at first, the subject lands and applications would proceed first with a detailed analysis; and secondly, when its GMS update is completed and

adopted by Township Council, the balance of the lands review will consider removal and addition of other rural employment lands keeping in mind the final decision of the OPA and ZBA on these lands.

For illustration purposes, the Township currently owns other lands (larger in size) that are currently zoned Rural Employment (M2) which the township has the option to “swap” (i.e., de-designate) with these lands as part of the second stage of this lands review. Township Staff could “swap” these two (2) land holdings if the second stage of the land review does not yield any alternative land scenarios.

The proposed approach by the County is consistent with this approach and as outlined in the Planning Justification Report. Staff are of the opinion that the requirement for additional rural employment lands has been demonstrated and that there is sufficient justification to proceed with the proposed OPA and ZBA applications.

Analysis:

As noted earlier, three of the four studies have been peer reviewed (and comments received) while the fourth study is currently being reviewed by MTO. The findings of the studies conducted to date reinforce the principle of development on the subject lands based on the following:

- the assessment that the conversion of the current agricultural lands can be considered minor;
- is in-keeping with adjacent employment lands uses;
- that any impacts of future uses can be mitigated;
- the reduced developable envelope of land will ensure protection and buffering to any natural heritage features and functions on the property;
- the subject lands contain viable water source(s) that would permit the establishment of rural employment uses (up to and including a factory of certain size(s) based on potential water consumption; and
- any impact from the type of traffic that could be generated from the range of permitted rural employment uses will not result in the need for additional traffic improvements.

As of the date of writing this Report, Staff have only received one verbal comment from the public in opposition to the proposed applications. Attachment No. 4 provides the detailed comments (including peer review) from public agencies with no stated opposition to the proposed applications. From those comments provided by agencies, there is no stated opposition to the applications conditional on retaining specific designations and zoning (i.e., Natural Linkage, Natural Core) and subject to protective mitigation zones or additional field work/study to be conducted at the future development proposal stage. Township Staff support these comments and conditions.

Based on the studies and the discussion below, Township Staff are of the opinion that the applications conform to the County Official Plan (OP), the Township Official Plan (OP), Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement (PPS).

Staff note that the first two (2) recommendations are for Council to adopt the OPA and submit to the County for review and approval. The third recommendation advises that should Township Council approve the OPA, the associated Zoning By-law Amendment would also be signed and would be “in effect” retroactively the day it was passed once there had been a decision to approve the OPA by County Council. Of course, the ZBA would not be “in effect” if the County were to refuse the OPA.

Financial Impact:

The Township has invested significant financial resources into this project that include purchasing the subject lands in 2019; retaining consultants to conduct the background studies; and the dedication of Staff time to lead this work to amend the Official Plan and Zoning By-law. In addition, Council will be receiving a Report with respect to options and process to declare the lands surplus and to dispose of the land holdings. There are also costs associated with those options and how Council directs Staff to proceed.

As a result, a comprehensive cost breakdown of the full 1066 Syer Line Project will be provided at a future Council meeting.

Attachments:

Attachment No. 1: Staff Report - April 19, 2022 Public Meeting 1066 Syer Line

Attachment No. 2: Official Plan Amendment

Attachment No. 3: Zoning By-law Amendment

Attachment No. 4: Public & Agency Comments

Respectfully Submitted by,

Reviewed by,

John F. Connolly
Executive Director, Planning & Development

Yvette Hurley
Chief Administrative Officer



Regular Council Meeting

To:	Mayor and Council
Date:	April 19, 2022
From:	John F. Connolly, Executive Director, Planning & Development
Report Number:	Planning 2022-22
Subject:	1066 Syer Line – Public Meeting

Recommendations:

1. That Council review and consider all public and agency verbal and written comments received regarding these applications; and
2. That proposed Official Plan Amendment and Zoning By-law Amendment be presented to Council at a future date for consideration.

Overview:

Staff has been providing updates on the activities and milestones for the 1066 Syer Line Project at Regular Council meetings since early 2021. These updates have been providing Council with an overview of work completed to date as well as informing of other related activities over the past year.

The subject property was acquired by the Township of Cavan Monaghan in 2019 for the purpose of exploring the potential to establish Rural Employment permitted uses on a portion of the subject lands. The subject lands are currently designated Agricultural and the proposal of the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) is to change the designation to Rural Employment on a portion of the lands to permit uses associated with that Rural Employment designation and zoning. Those portions of the land that are currently zoned Natural Core and Natural Linkage will not be re-designated through these applications.

Based on a pre-consultation meeting and follow-up meeting with Township Staff, agencies identified a number of studies (5 in total) that are required to support the proposed OPA and ZBA applications. Three (3) of the studies (Agricultural Impact Assessment, Environmental Impact Assessment, Hydrogeotechnical Study) were identified as key to proceed right away while the other two (2) were originally tied to any proposed development coming forward however, at MTO request a Traffic Impact Study was requested and completed and the final Stormwater Management Study will be required later. No development is being proposed on the subject lands at this time. The applications seek to allow for the range of permitted uses under the Rural Employment (M2) zoning.

Throughout 2021 and 2022, a number of consultants have been retained and completed four (4) of the five (5) studies identified. Three (3) of these studies have been submitted and peer reviewed by either the County's peer reviewer (Stantec) or the Otonabee Region Conservation Authority (ORCA). The last study (Traffic Impact Study) has been completed and is currently being reviewed by the Ministry of Transportation (MTO) staff.

The key background studies identified in pre-consultation include:

- Agricultural Impact Assessment (AIA),
- Environmental Impact Assessment (EIA/S),
- Hydro Geotechnical Study (Hydro G),
- Traffic Impact Study (TIS),
- Stormwater Management Study (SWM).

In addition, recently, Council directed Staff to report back on options for disposition of the property (1066 Syer Line) through the Sale and Other Disposition of Land By-law (By-law No. 2016-07) as part of its deliberations on the proposed OPA and ZBA for the subject lands.

This Report is the opportunity for a public meeting as per the legislated process under the Planning Act. Following the public meeting, Staff will bring back a Report to Council in May that will include public and agency comments as well as options for disposition of the property as noted above.

Official Plan Amendment

The purpose of Amendment No. 10 to the Township of Cavan Monaghan Official Plan is to change the current land use designation on a portion of the subject lands from "Agricultural" to "Rural Employment" to permit the establishment of uses permitted in the "Rural Employment" designation. The "Rural Employment" designation will only apply to the lands on the subject property which are currently designated "Agricultural" and not those portions of the subject lands which will remain designated "Natural Linkage Area".

The effect of the Amendment is to permit a portion of subject property to be used for the range of permitted uses in the "Rural Employment" designation.

A Zoning By-law Amendment is required to implement the Official Plan Amendment.

Zoning By-law Amendment

The purpose of the Zoning By-law Amendment is to change the zoning on a portion of the property from "Agriculture (A)" to "Rural Employment (M2)" in order to permit the establishment of the range of permitted uses under the "Rural Employment (M2)" Zone in the Township of Cavan Monaghan Zoning By-law 2018-58, as amended.

The portion of the subject property that is currently zoned "Natural Core" and "Natural Linkage (NL)" will remain zoned "Natural Linkage (NL)" and will not be changed as a result of this amendment.

In support of these applications, the following documents/studies were completed and are available on the Township's website:

- Agricultural Impact Assessment (AIA) by Clark Consulting Services Limited (May 2021)
- Environmental Impact Study (EIS) by Cambium Inc. (October 12, 2021)
- Hydrogeological Assessment (Hydro-G) by Cambium Inc. (October 12, 2021)
- Traffic Impact Study (TIS) by JD Northcote Engineering Inc. (March 21, 2022)
- Peer Review Comments of AIA and Hydro-G by Stantec Consulting (December 2, 2021 and December 6, 2021)
- Technical Review Comments of EIS by Otonabee Region Conservation Authority (November 25, 2021)

Additional Information

The supporting documents (including studies and per review comments) are posted and available online at:

<https://www.cavanmonaghan.net/en/news/notice-of-public-meeting-official-plan-amendment-and-zoning-by-law-amendment-1066-syer-line.aspx>

Discussion:

As noted earlier, three of the four studies have been peer reviewed (and comments received) while the fourth study is being reviewed by MTO. The findings of the studies conducted to date reinforce the principle of development on the subject lands based on the following:

- the assessment that the conversion of the current agricultural lands can be considered minor;
- is in-keeping with adjacent employment lands uses;
- that any impacts of future uses can be mitigated;
- the reduced developable envelope of land will ensure protection and buffering to any natural heritage features and functions on the property;
- the subject lands contain viable water source(s) that would permit the establishment of rural employment uses (up to and including a factory of certain size(s) based on potential water consumption; and
- any impact from the type of traffic that could be generated from the range of permitted rural employment uses will not result in the need for additional traffic improvements.

In addition, foundational to these OPA and ZBA applications is the Growth Management Strategy (GMS) conducted by Watson & Associates and adopted by Council in May of 2020. This Study provided a comprehensive assessment of growth in the Township to the year 2041 and included Recommendations and Next Steps with respect to a review of the Rural Employment lands in the Township.

The GMS Study not only identified the market need for rural employment lands but by its very nature, examined alternative locations of the current rural employment lands with a recommendation to remove and add these lands while maintaining a balance of the total area for rural employment opportunities.

As noted earlier, when Council adopted the GMS in 2020, it also accepted a recommendation to undertake a Rural Employment lands review. This work will begin once GMS has been updated to include the addition of a ten (10) year planning horizon (as per the policies of the new Growth Plan). The subject lands were identified as lands to be added to the inventory of Rural Employment lands through the review noted above.

With this in mind, Township Staff are proposing to conduct the Rural Employment lands review in a two (2) Stage approach: whereby at first, the subject lands and applications would proceed first with a detailed analysis; and secondly, when the GMS update is completed and adopted by Council, the balance of the lands review will consider removal and addition of other rural employment lands keeping in mind the final decision of the OPA and ZBA on these lands.

The Township currently owns other lands (larger in size) that are currently zoned Rural Employment (M2) which the township has the option to “swap” (i.e., de-designate) with these lands as part of the second stage of this lands review. Township Staff commit to reviewing “swapping” these two (2) land holdings if the second stage of the land review does not yield any alternative land scenarios.

Based on the studies and the discussion below, Township Staff are of the opinion that the applications conform to the County Official Plan (OP), the Township Official Plan (OP), Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement (PPS).

Response to Notice

Notice of the Zoning By-law Amendment application was circulated, by first class prepaid mail, to all assessed persons within 120 metres (400 feet) of the lands affected by the Official Plan Amendment and Zoning By-law Amendment application and to all required ministries and agencies.

Notice was provided by email to all Township Department Directors and the Notice of Public Meeting was posted on the Township website and printed in the March 30, 2022 edition of the Millbrook Times. The Notice complies with the requirements of the Planning Act.

As of the date of writing this report, Township Staff have not received any written or verbal comments about the proposed Amendment from members of the public and only a few comments from agencies with no identified concerns or issues.

Financial Impact:

The Township has invested significant financial resources into this project that include purchasing the subject lands in 2019; retaining consultants to conduct the background studies; and the dedication of Staff time to lead this work to amend the Official Plan and Zoning By-law. A detailed cost breakdown will be provided at a future Council meeting.

Attachments:

Attachment No. 1: Draft Official Plan Amendment
Attachment No. 2: Draft Zoning By-law Amendment

Respectfully Submitted by,

Reviewed by,

John F. Connolly
Executive Director, Planning & Development

Yvette Hurley
Chief Administrative Officer

Official Plan Amendment No. 10
1066 Syer Line

to the

Official Plan for the Township of Cavan Monaghan

March 2022

Certificate

Official Plan Amendment No. 10 Township of Cavan Monaghan Official Plan

The attached map and explanatory text, constituting Amendment No. 10 to the Township of Cavan Monaghan Official Plan was prepared by the Council of the Township of Cavan Monaghan and was adopted by the Township of Cavan Monaghan by By-law No. 2022-XX in accordance with the provisions of Section 21 of the Planning Act, R.S.O., 1990, as amended, on the XX day of XXXXXXXX, 2022.

Scott McFadden, Mayor

**Corporate Seal
of Municipality**

Cindy Page, Clerk

This Amendment to the Township of Cavan Monaghan Official Plan which has been prepared and adopted by the Council of the Township of Cavan Monaghan is hereby approved in accordance with the provisions of Section 17 of the Planning Act, R.S.O., 1990, as amended, as Amendment No. 10 to the Township of Cavan Monaghan Official Plan.

Date

**Bryan Weir
Director of Planning & Public Works
County of Peterborough**

Adoption By-law for Official Plan Amendment No. 10

By-law No. 2022-XX

The Council of the Township of Cavan Monaghan, in accordance with the provisions of Section 17 of the Planning Act, R.S.O., 1990, as amended, hereby enacts as follows:

1. Amendment No. 10 to the Township of Cavan Monaghan Official Plan consisting of the attached explanatory text is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Peterborough County Planning Department for approval of the aforementioned Amendment No. 10 to the Township of Cavan Monaghan Official Plan.
3. This By-law shall come into force and take effect on the day of the final passing thereof, subject to the approval of the Peterborough County Council.

Enacted and passed this XX day of XXXXXX, 2022.

Scott McFadden
Mayor

Cindy Page
Clerk

The Statement of Components

Part A – The Preamble does not constitute part of this Amendment.

Part B – The Amendment constitutes Amendment No. 10 to the Township of Cavan Monaghan Official Plan.

Part C – The Appendices do not form part of this Amendment. These appendices contain the record of the public involvement associated with the Amendment, including agency comments.

DRAFT

Part A – The Preamble

1. Purpose:

The purpose of Amendment No. 10 to the Official Plan for the Township of Cavan Monaghan is to change the land use designation on a portion of the subject lands from “Agricultural” to “Rural Employment” to permit the establishment of uses permitted in the “Rural Employment” designation.

2. Location:

The Amendment applies to the property known locally as 1066 Syer Line in Part of Lot 14, Concession 8 of the Cavan Ward as shown on the Key Map attached hereto.

3. Basis:

i) Proposal

The property was acquired by Township of Cavan Monaghan in 2019 with the intention of investigating the potential to establish, if appropriate, rural employment opportunities on a portion of these lands.

The lands that are the subject of this Application are approximately 31.25 ha (77.2 acres) in size with approximately 490 metres (1,698 feet) of frontage on Syer Line. The property is presently uninhabited with a single residential dwelling, attached garage, barn and associated outbuildings (i.e., driveshed, silos). The existing development is serviced with private well and septic. The rear portion of the property backs onto Highway #115.

Official Plan Amendment No. 10 will change the land use designation on a portion of the subject lands from “Agricultural” to “Rural Employment” to permit the establishment of uses permitted in the “Rural Employment” designation. The “Rural Employment” re-designation will only apply to the lands on the subject property which are currently designated “Agricultural” and not those portions of the subject lands which will remain designated “Natural Core Area” and “Natural Linkage Area”.

The effect of the Amendment is to permit a portion of the subject property to be used for the range of permitted uses in the “Rural Employment” designation.

A Planning Justification Report for the Application is provided as Attachment No. 1 to this Amendment.

ii) Public Consultation

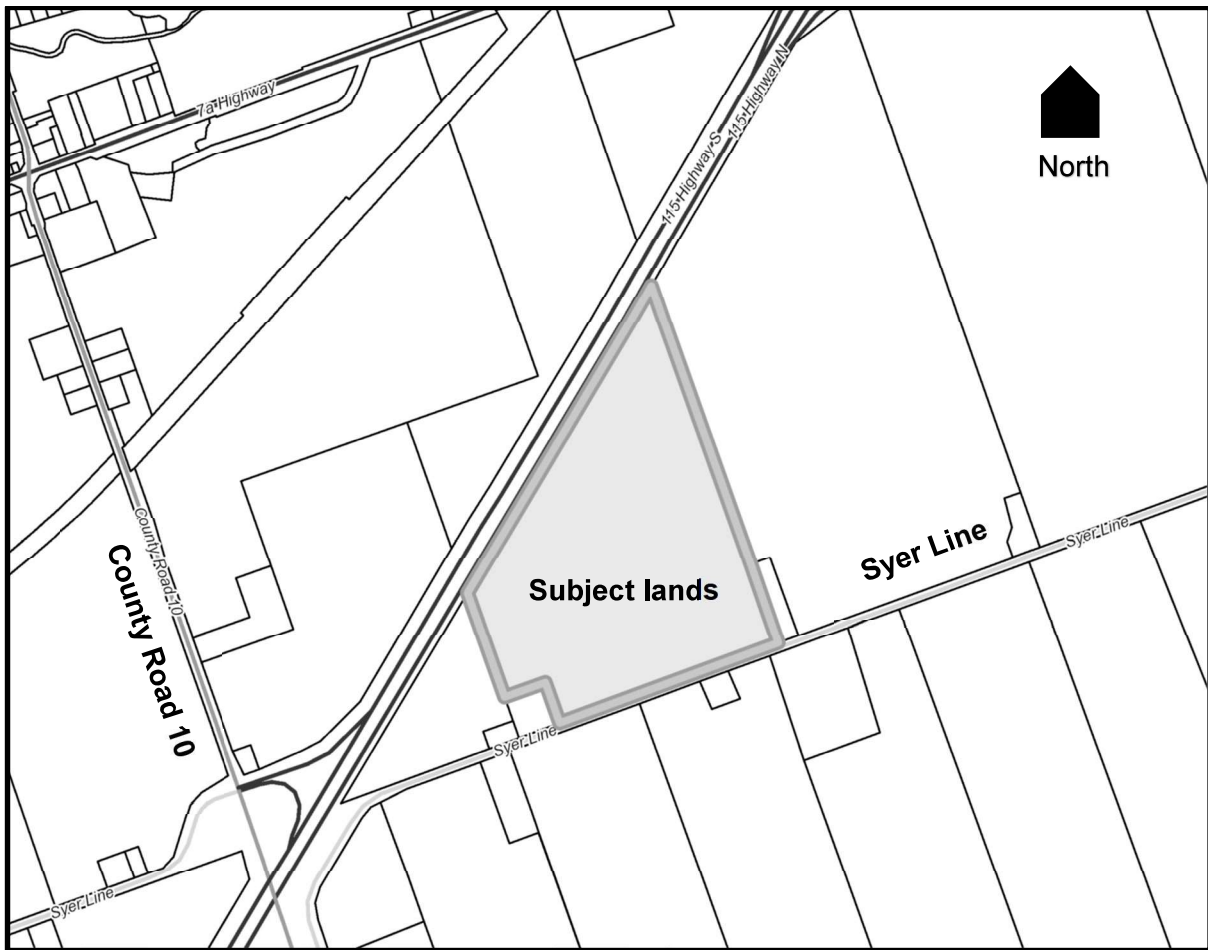
A public meeting is required to be held under Sections 17 and 22(b) of the Planning Act, R.S.O. 1990, as amended, as a minimum toward the fulfillment of the requirements for public consultation. The public meeting was held April 19, 2022. The draft Amendment along with written comments received were presented to Council and the public on XXXXX, 2022.

iii) Agency Review

All agency comments received are included in the Appendix.

DRAFT

Key Map



1066 Syer Line, Part of Lot 14, Concession 8, Cavan Ward, Township of Cavan Monaghan

Part “B” – The Amendment

Introductory Statement

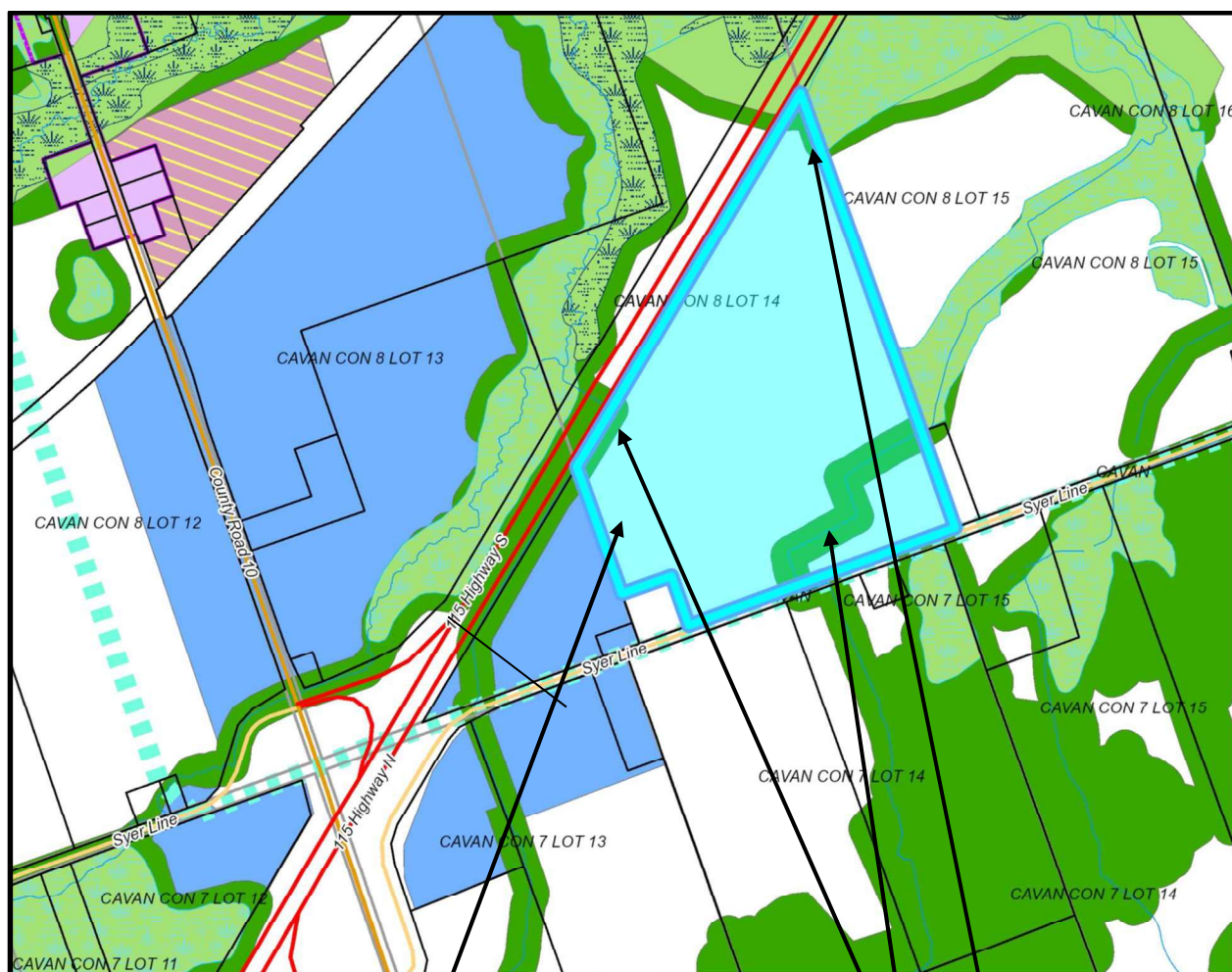
All of this part of the document entitled Part “B” – The Amendment consisting of the following text and attached map designated as Schedule “1” constitute Amendment No. 10 to the Official Plan for the Township of Cavan Monaghan.

Details of the Amendment

The Official Plan for the Township of Cavan Monaghan is amended as follows:

1. Schedule A to the Official Plan for the Township of Cavan Monaghan is amended by changing the designation from “Agricultural” to “Rural Employment” as it applies to a portion of the lands located at 1066 Syer Line in part of Lot 14, Concession 8 of the Cavan Ward as shown on Schedule “1”, attached.

Schedule "1"



Subject Lands – Re-designate (in part) from Agriculture to Rural Employment

Subject Lands – Lands designated Natural Core Area and Natural Linkage Area will remain unchanged

Legend

- CM OP Special Section
- CM OP Land Use
 - Hamlet
 - Agricultural
 - Rural
 - Natural Linkage Area
 - Natural Core Area
 - CM OP Special Study Area

Attachment No. 1

[Planning Justification Report](#)

Official Plan Amendment No. 10
1066 Syer Line

to the

Official Plan for the Township of Cavan Monaghan

DRAFT

Agency Comments

Official Plan Amendment No. 10
1066 Syer Line

to the

Official Plan for the Township of Cavan Monaghan

DRAFT

Minutes of the Public Meeting

Official Plan Amendment No. 10
1066 Syer Line

to the

Official Plan for the Township of Cavan Monaghan

DRAFT

The Township of Cavan Monaghan

By-law No. 2022-XX

**Being a by-law to amend By-law No. 2018-58, as amended, otherwise known as
“The Township of Cavan Monaghan
Zoning By-law”.**

Whereas the Township of Cavan Monaghan received an application to amend Zoning By-law No. 2018-58, as amended.

And Whereas the Council of the Township of Cavan Monaghan reviewed the proposed rezoning and now deems it advisable to further amend By-law No. 2018-58, as amended.

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. Map D-3 of Schedule “A” to By-law No. 2018-58, as amended, is hereby amended by zoning certain lands in part of Lot 14, Concession 8 of the Cavan Ward, identified by property roll number 1509-010-030-187-00, to the Rural Employment (M2) Zone.
2. All other relevant provisions of By-law No. 2018-58, as amended, shall apply.

If no notice of objection is filed with the Clerk within the time provided, this By-law shall become effective upon the approval of Official Plan Amendment No. 10 to the Township of Cavan Monaghan Official Plan.

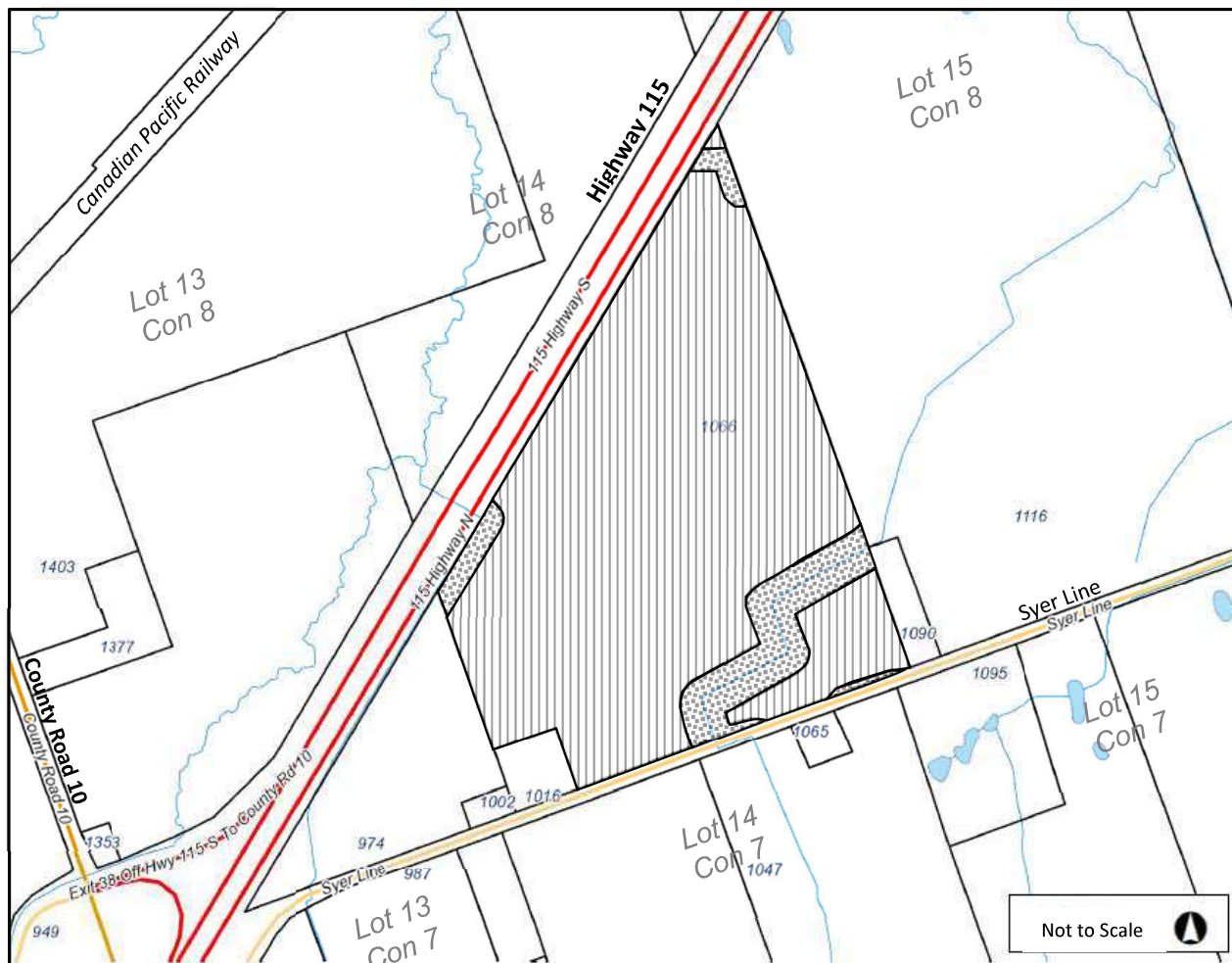
If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of passing hereof subject to the disposition of any appeals.

Read a first, second and third time and passed this ____ day of _____, 2022.

Scott McFadden
Mayor

Cindy Page
Clerk

Schedule "1" to By-Law No. 2022-XX



Area Affected by this By-law
 Part Lot 14, Concession 8, Cavan Ward
 1066 Syer Line
 Roll Number 1509-010-030-187-00
 Township of Cavan Monaghan

Certificate of Authentication
 This is Schedule "1" to By-law
 No. 2022-XX passed this ____,
 day of ____, 2022.



Rezone from the 'Agricultural (A) Zone' to the
 'Rural Employment (M2) Zone'



Lands to remain zoned the 'Natural Linkage (NL) Zone'

 Mayor

 Clerk

Official Plan Amendment No. 10
1066 Syer Line

to the

Official Plan for the Township of Cavan Monaghan

March 2022

Certificate

Official Plan Amendment No. 10 Township of Cavan Monaghan Official Plan

The attached map and explanatory text, constituting Amendment No. 10 to the Township of Cavan Monaghan Official Plan was prepared by the Council of the Township of Cavan Monaghan and was adopted by the Township of Cavan Monaghan by By-law No. 2022-XX in accordance with the provisions of Section 21 of the Planning Act, R.S.O., 1990, as amended, on the day of , 2022.

Scott McFadden, Mayor

**Corporate Seal
of Municipality**

Cindy Page, Clerk

This Amendment to the Township of Cavan Monaghan Official Plan which has been prepared and adopted by the Council of the Township of Cavan Monaghan is hereby approved in accordance with the provisions of Section 17 of the Planning Act, R.S.O., 1990, as amended, as Amendment No. 10 to the Township of Cavan Monaghan Official Plan.

Date

**Bryan Weir
Director of Planning & Public Works
County of Peterborough**

Adoption By-law for Official Plan Amendment No. 10

By-law No. 2022-24

The Council of the Township of Cavan Monaghan, in accordance with the provisions of Section 17 of the Planning Act, R.S.O., 1990, as amended, hereby enacts as follows:

1. Amendment No. 10 to the Township of Cavan Monaghan Official Plan consisting of the attached explanatory text is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Peterborough County Planning Department for approval of the aforementioned Amendment No. 10 to the Township of Cavan Monaghan Official Plan.
3. This By-law shall come into force and take effect on the day of the final passing thereof, subject to the approval of the Peterborough County Council.

Enacted and passed this day of , 2022.

Scott McFadden
Mayor

Cindy Page
Clerk

The Statement of Components

Part A – The Preamble does not constitute part of this Amendment.

Part B – The Amendment constitutes Amendment No. 10 to the Township of Cavan Monaghan Official Plan.

Part C – The Appendices do not form part of this Amendment. These appendices contain the record of the public involvement associated with the Amendment, including agency comments.

Part A – The Preamble

1. Purpose:

The purpose of Amendment No. 10 to the Official Plan for the Township of Cavan Monaghan is to change the land use designation on a portion of the subject lands from “Agricultural” to “Rural Employment” to permit the establishment of uses permitted in the “Rural Employment” designation.

2. Location:

The Amendment applies to the property known locally as 1066 Syer Line in Part of Lot 14, Concession 8 of the Cavan Ward as shown on the Key Map attached hereto.

3. Basis:

i) Proposal

The property was acquired by Township of Cavan Monaghan in 2019 with the intention of investigating the potential to establish, if appropriate, rural employment opportunities on a portion of these lands.

The lands that are the subject of this Application are approximately 31.25 ha (77.2 acres) in size with approximately 490 metres (1,698 feet) of frontage on Syer Line. The property is presently uninhabited with a single residential dwelling, attached garage, barn and associated outbuildings (i.e., driveshed, silos). The existing development is serviced with private well and septic. The rear portion of the property backs onto Highway #115.

Official Plan Amendment No. 10 will change the land use designation on a portion of the subject lands from “Agricultural” to “Rural Employment” to permit the establishment of uses permitted in the “Rural Employment” designation. The “Rural Employment” re-designation will only apply to the lands on the subject property which are currently designated “Agricultural” and not those portions of the subject lands which will remain designated “Natural Core Area” and “Natural Linkage Area”.

The effect of the Amendment is to permit a portion of the subject property to be used for the range of permitted uses in the “Rural Employment” designation.

A Planning Justification Report for the Application is provided as Attachment No. 1 to this Amendment.

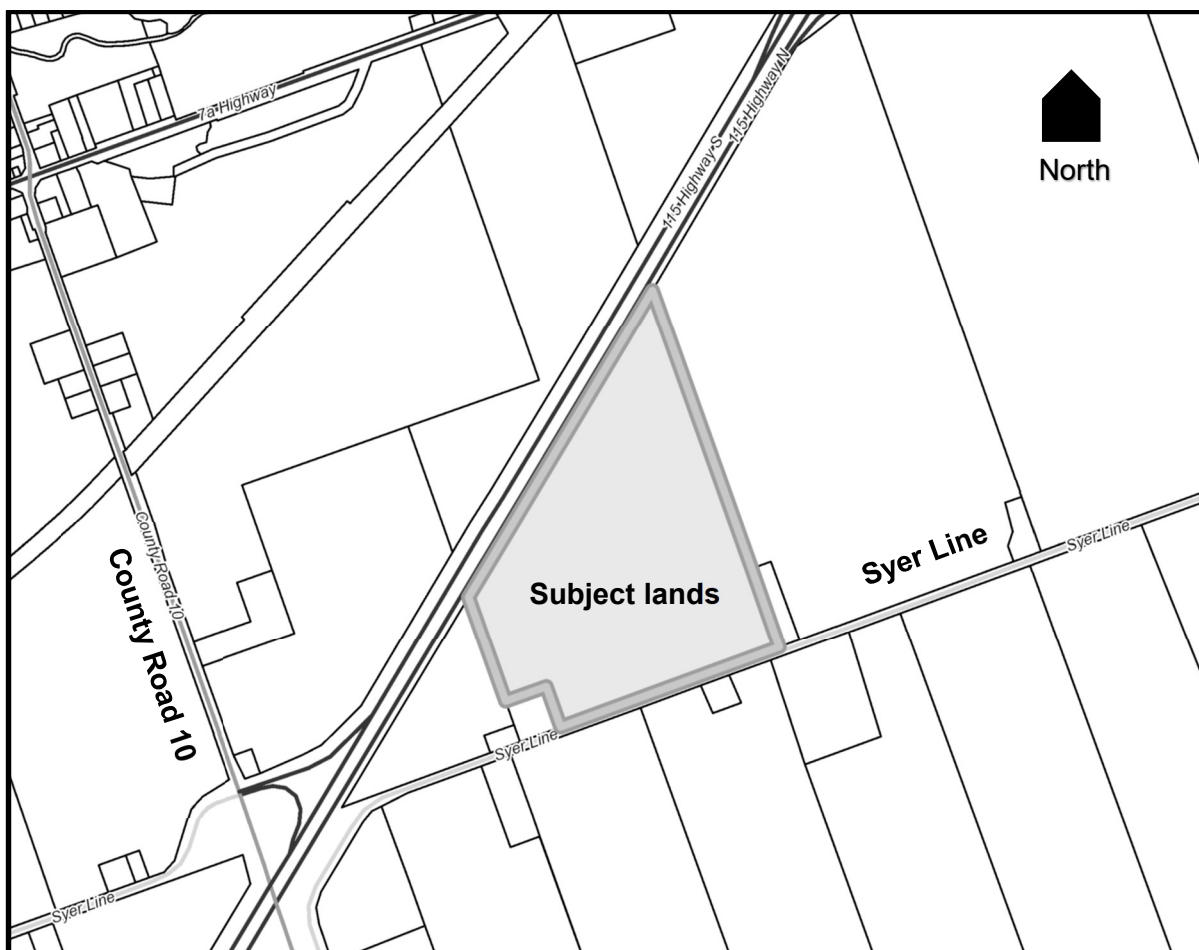
ii) Public Consultation

A public meeting is required to be held under Sections 17 and 22(b) of the Planning Act, R.S.O. 1990, as amended, as a minimum toward the fulfillment of the requirements for public consultation. The public meeting was held April 19, 2022. The draft Amendment along with written comments received were presented to Council and the public on April 19, 2022.

iii) Agency Review

All agency comments received are included in the Appendix.

Key Map



**1066 Syer Line, Part of Lot 14, Concession 8, Cavan Ward, Township of Cavan
Monaghan**

Part “B” – The Amendment

Introductory Statement

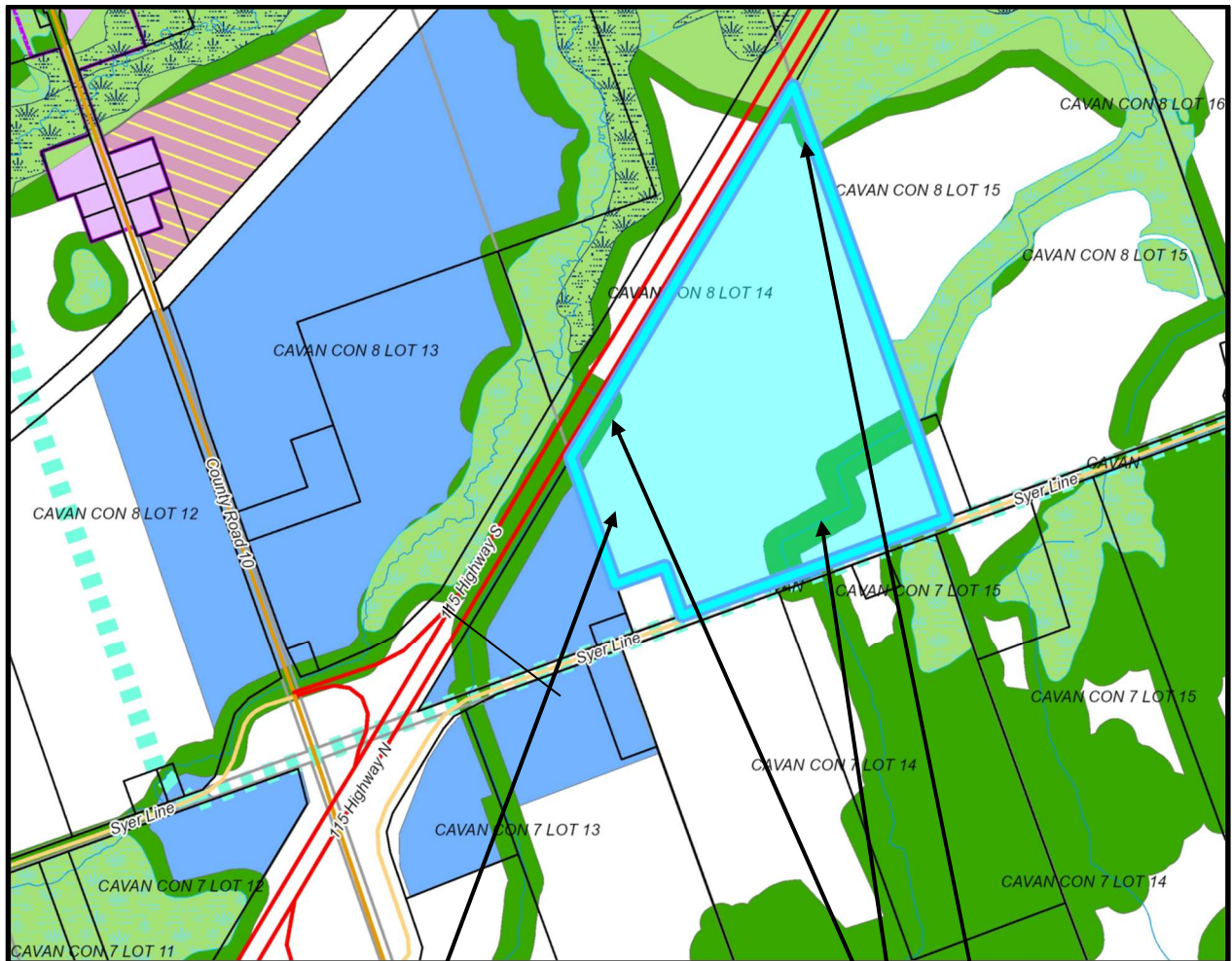
All of this part of the document entitled Part “B” – The Amendment consisting of the following text and attached map designated as Schedule “1” constitute Amendment No. 10 to the Official Plan for the Township of Cavan Monaghan.

Details of the Amendment

The Official Plan for the Township of Cavan Monaghan is amended as follows:

1. Schedule A to the Official Plan for the Township of Cavan Monaghan is amended by changing the designation from “Agricultural” to “Rural Employment” as it applies to a portion of the lands located at 1066 Syer Line in part of Lot 14, Concession 8 of the Cavan Ward as shown on Schedule “1”, attached.

Schedule "1"



Subject Lands – Re-designate (in part) from Agriculture to Rural Employment

Subject Lands – Lands designated Natural Core Area and Natural Linkage Area will remain unchanged

Legend

- CM OP Special Section
- CM OP Land Use
- Hamlet
- Agricultural
- Rural
- Natural Linkage Area
- Natural Core Area
- CM OP Special Study Area

Attachment No. 1

[Planning Justification Report](#)

Official Plan Amendment No. 10
1066 Syer Line

to the

Official Plan for the Township of Cavan Monaghan

Agency Comments

Official Plan Amendment No. 10
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Minutes of the Public Meeting

Official Plan Amendment No. 10
1066 Syer Line

to the

Official Plan for the Township of Cavan Monaghan

The Township of Cavan Monaghan

By-law No. 2022-25

Being a by-law to amend By-law No. 2018-58, as amended, otherwise known as “The Township of Cavan Monaghan Zoning By-law”.

Whereas the Township of Cavan Monaghan received an application to amend Zoning By-law No. 2018-58, as amended.

And Whereas the Council of the Township of Cavan Monaghan reviewed the proposed rezoning and now deems it advisable to further amend By-law No. 2018-58, as amended.

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. Map D-3 of Schedule “A” to By-law No. 2018-58, as amended, is hereby amended by zoning certain lands in part of Lot 14, Concession 8 of the Cavan Ward, identified by property roll number 1509-010-030-187-00, to the Rural Employment (M2) Zone while leaving those lands zoned with the Natural Linkage (NL) Zone unchanged as shown on Schedule "1" attached hereto and forming part of this By-law.
2. All other relevant provisions of By-law No. 2018-58, as amended, shall apply.

If no notice of objection is filed with the Clerk within the time provided, this By-law shall become effective on the date of passing.

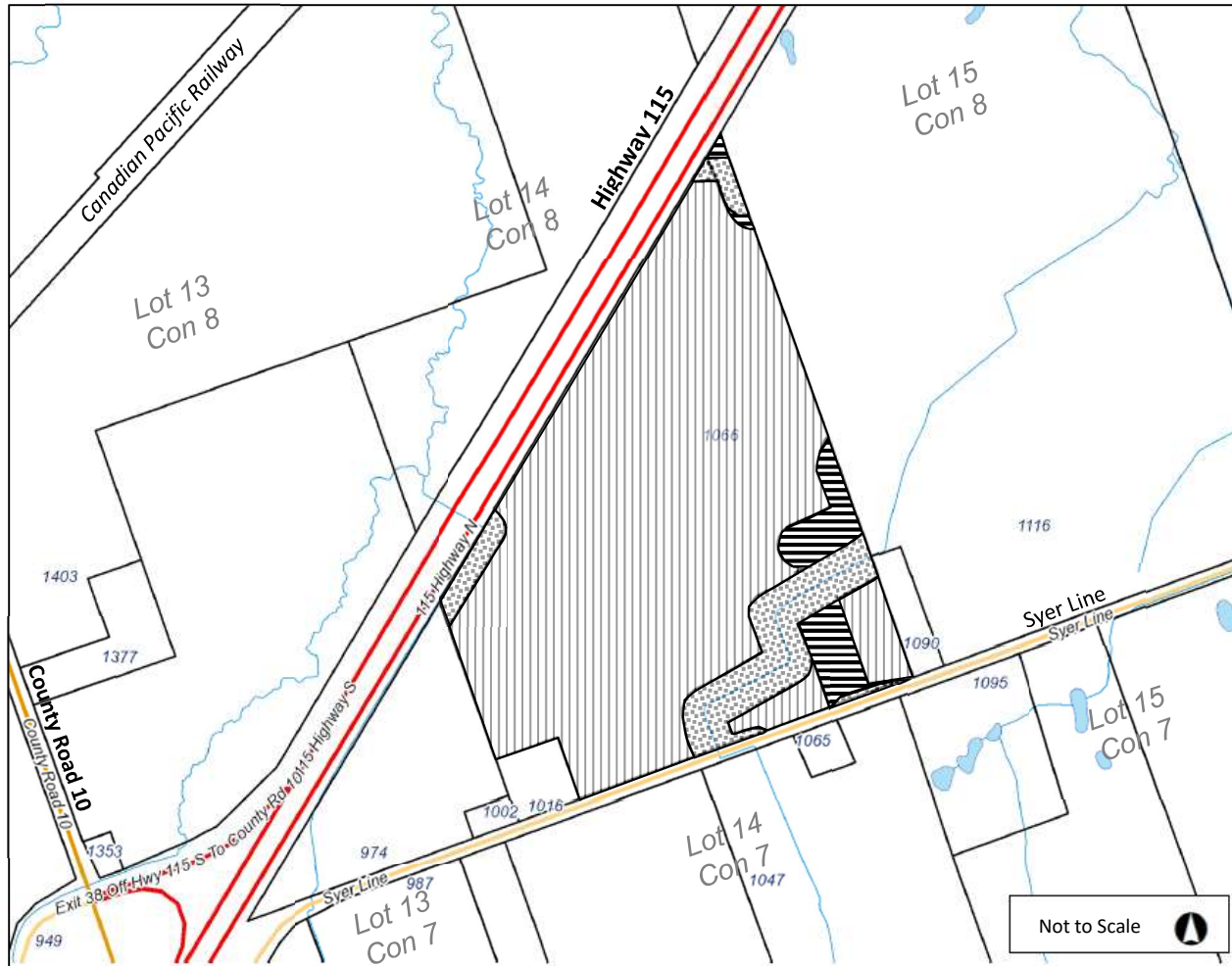
If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of passing hereof subject to the disposition of any appeals.

Read a first, second and third time and passed this ___ day of _____, 2022.

Scott McFadden
Mayor

Cindy Page
Clerk

Schedule "1" to By-Law No. 2022-25



Area Affected by this By-law

Part Lot 14, Concession 8, Cavan Ward
1066 Syer Line
Roll Number 1509-010-030-187-00
Township of Cavan Monaghan

Certificate of Authentication

This is Schedule "1" to By-law
No. 2022-25 passed this ____,
day of ____, 2022.



Rezone from the 'Agricultural (A) Zone' to the
'Rural Employment (M2) Zone'



Lands to remain zoned the 'Natural Linkage (NL) Zone'



Rezone from the 'Agricultural (A) Zone' to the
'Natural Linkage (NL) Zone'

Mayor

Clerk

Attachment No. 4 – Public and Agency Comments



Plan Review and Permitting Services Memo

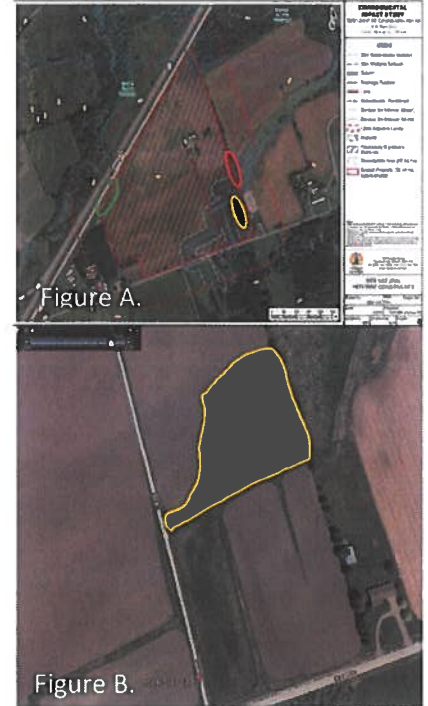
To: Don Allin
From: Jasmine Gibson
CC: File
Date: November 15, 2021
Subject: Ecology Review of EIS for 1066 Syer Line, Cavan
Roll #: 1509 001 003 18700
File: PSTC-36

1. Reaches 1 to 5 and the 30-metre vegetation protection zone (VPZ) should be protected from development and site alteration to be consistent with provincial and regulatory policies. The protected areas include those features mapped in EIS Figure 4 and the following:


 - a) Reach 4 (swale/wetland or watercourse) and its 30-metre VPZ is missing from Figure 4 (yellow oval in Figure A). Given this feature is connected to similar features, field work was conducted during drought conditions, and a fulsome, multi-annual/seasonal review of hydrologic function

is not provided, please include reach 4 as a constraint to development to minimize risk of policy non-compliance.

- b) There is a watercourse (green oval in Figure A) associated with MTO's right-of-way not discussed in the EIS. This feature should remain zoned Natural Linkage (NL) until further information is provided.
2. The wetland boundary for MAM2-2 appears to end at the lot line – this typically does not happen naturally (red oval, Figure A). Figure B is a 2015 aerial image near MAM2-2; the vegetation on 1066 Syer Line is like MAM2-2. If agricultural fields are left unfarmed in this location, when development (grading, fill placement, construction) is finally proposed on the property the wetland vegetation may have already reclaimed the area around the mapped drainage features (SWDM4-5; SWD4; MAM2-2; and Reaches 1-5), which may affect the extent of development and setbacks regarding policy compliance.
3. Watercourse reaches 1 to 5 are regulated under the Conservation Authorities Act. Where realignment of watercourses is proposed, to be consistent with PPS section 2.2 and Otonabee Conservation policy 8.4(1) a fulsome review of the feature's ecological and hydrological function is required to confirm whether realignment is beneficial and to replicate function through natural channel design and offsetting. These components are missing from the current EIS.
4. There are known occurrences of Eastern Meadowlark, Bobolink and Barn Swallow (threatened grassland birds) in proximity of the property and Cambium confirmed Bobolink flythroughs via species-targeted surveys in 2021. While potential Category 2 and 3 habitats (foraging, perching), regulated by the Endangered Species Act (ESA) appear to be present, technical staff concur with Cambium that suitable nesting habitat may establish on lands no longer farmed (see point #2 above). Given the ESA is a development-driven legislation, which means prior to commencement of work (e.g., land clearing/excavation, roads, construction, etc.) the landowner must demonstrate compliance with the ESA for known occurrences of regulated features, to minimize risk of non-compliance adhere to the EIS recommendations #8-12 in Section 6 and address the following:
- Follow 'ESA rules' applicable to grassland birds ([Bobolink and Eastern Meadowlark habitats and land development | ontario.ca](#) and [Alter a structure \(habitat for Barn Swallow\) | ontario.ca](#)); this may include additional field work prior to construction and/or project registration.
 - Consult MECP (SAROntario@ontario.ca) regarding ESA applicability on site. This may be applied as a condition of approval/development agreement to demonstrate consistency with PPS 2.1.7 in support of official plan amendments, subdivisions, site plan control, or minor variances.



If you have any questions, please contact the office.

Sincerely,

Jasmine Gibson,
Planning Ecologist



Stantec Consulting Ltd.
300 Hagey Blvd, Waterloo, ON N2L 0A4

December 2, 2021
File: 160900933.237

Attention: Iain Mudd, B.A., MCIP, RPP, Manager of Planning
County of Peterborough
470 Water Street
Peterborough, ON.K9H 3M3

Dear Iain Mudd,

**Reference: Peer Review – Agricultural Impact Assessment, Syer Line – Proposed Land Use Change,
1066 Seyer Line, Cavan, Ontario**

The purpose of this letter report is to review the Agricultural Impact Assessment (AIA) conducted for the Township of Cavan Monaghan.

INTRODUCTION

The AIA provides a description of the proposal, identifies the location and states that the AIA was triggered because the proposal changes the land use designation on the property from Agricultural to Rural Employment. The AIA also states who authored the report (Clark Consulting Services [CCS]) and gave a comprehensive list of the documents that were reviewed.

STUDY AREA

The AIA identified both the boundaries of the subject lands and had a 0.75 km and 1.5 km buffer around the study area. Both the primary and secondary study areas were identified.

STUDY METHODOLOGY

Relevant provincial documents and municipal planning documents as they pertain to agriculture were reviewed. These include:

- Soils Report for the County of Peterborough,
- Provincial Policy Statement (PPS) (2020);
- Guidelines of Permitted Uses in Ontario's Prime Agricultural Areas (2016)
- Growth Plan for the Greater Golden Horseshoe (2020);
- Minimum Distance Separation (MDS) Document, Formulae and Guidelines for Livestock Facility and Anaerobic Odour Setbacks, OMAFRA Publication 853 (2016)
- Draft Agricultural Impact Assessment (AIA) Guidance Document, OMAFRA
- County of Peterborough Official Plan
- Township of Cavan Monaghan Official Plan; and
- Township of Cavan Monaghan Zoning By-Law.

Reference: Peer Review – Agricultural Impact Assessment, Syer Line – Proposed Land Use Change, 1066 Seyer Line, Cavan, Ontario

A site visit, including a windshield survey of land use within 1,500m of the subject property was conducted to obtain a better understanding of the agricultural nature of the subject property and the surrounding study area.

DESCRIPTION (SOILS, LAND)

As stated above, a site visit was conducted to obtain a better understanding of the agricultural nature of the subject property and the surrounding study area. Existing published soils information was used and the landscape and crops grown appeared to be consistent with the published soils information. The soils were mapped as Canada Land Inventory (CLI) Class 2 soils for agricultural production. There was agricultural drainage tile with a drain outlet, and the croplands were historically used for row crop production. These are prime agricultural soils located in a Prime Agricultural Area.

PLANNING POLICY

The AIA reviewed the Provincial Policy Statement (PPS). In Section 4.1 of the AIA report, it states that In Section 2.3.5 of the PPS, land can be excluded from Prime Agricultural Areas for expansion of Settlement Areas. This application is for a proposed land use change, not a Settlement Area expansion.

Section 4.1 also states that the County of Peterborough is currently reviewing the Prime Agricultural Areas. As mandated by the Province of Ontario, many Municipalities are conducting a Comprehensive review of their Official Plans of which re-evaluating the Prime Agricultural Areas is part of the comprehensive review.

The Growth Plan for the Greater Golden Horseshoe, and the County of Peterborough Official Plan and Township of Cavan Official Plan and Zoning By-law were also reviewed. The intent of these documents is to preserve arable farmland. A review of Figure 4 in Section 4.4 of the AIA report indicates that there are several parcels of land south of Cavan already designated as Rural Employment. A review of current air photography shows that much of this land is still vacant and available for development. There has not been any alternate site or needs analysis report identified that states that these available Rural Employment lands are insufficient for future needs.

ASSESSMENT OF IMPACTS

A minimum distance separation was conducted. All the potential livestock operations within the 0.75 km study area were not impacting the subject property with minimum distance separation limitations.

Agricultural census data were reviewed for the township and the trends were discussed. The agricultural trends were consistent with other similar rural areas.

Both the economic and community benefits of agriculture in the local area were discussed. The assessment of impacts of the proposed land use were discussed and with the proposed mitigative measures were perceived to be minor. However, this proposed land use change would remove more than 30 ha of prime agricultural from available agricultural production.

December 2, 2021

Iain Mudd, B.A., MCIP, RPP, Manager of Planning

Page 3 of 3

Reference: Peer Review – Agricultural Impact Assessment, Syer Line – Proposed Land Use Change, 1066 Seyer Line, Cavan, Ontario

SUMMARY

The AIA gives a good inventory and characteristics of the local agricultural area. However, it does not state or refer to a report where the requirement for additional Rural Employment lands is required. Therefore, Stantec is not in agreement with the conclusions of the report.

Regards,

Stantec Consulting Ltd.



Ed Mozuraitis P.Ag., CAN-CISEC
Agricultural Evaluation and Rehabilitation
Specialist
Phone: 519 831-2179
Fax: 519 836 2493
ed.mozuraitis@stantec.com



Digitally signed by
Roger Freymond
Date: 2021.12.02
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Roger Freymond P.Eng.
Senior Hydrogeologist
Phone: 519 585-7381
Fax: 519 579-4239
roger.freymond@stantec.com

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Stantec Consulting Ltd.
100-300 Hagey Boulevard, Waterloo ON N2L 0A4

December 6, 2021
File: 160900933 Task 237

Attention: Iain Mudd – Manager of Planning
County of Peterborough
470 Water Street
Peterborough, ON K9H 3M3
VIA EMAIL: imudd@ptbocounty.ca

Dear Iain,

Reference: Peer Review of a Hydrogeological Assessment
1066 Syer Line, Fraserville, ON
Township of Cavan Monaghan

Peterborough County (the County) retained Stantec Consulting Ltd. (Stantec) to peer review a Hydrogeological Assessment in support of proposed land use changes at 1066 Syer Line, Fraserville, ON (the Site) from agricultural to employment. The report was prepared by Cambium Inc. (Cambium, 2021) for the Township of Cavan Monaghan. The Site would be developed on private on-site services.

Site Description

The Site is approximately 34 hectares in size and consists mostly of open fields as well as a watercourse that runs through the southern end of the Site. A vacant residence exists on the Site including a dug well.

Scope of Work

The Cambium (2021) report is essentially a water supply assessment completed in accordance with the Ministry of the Environment and Climate Change (MECP) Guideline D-5-5. Two drilled wells (i.e., Well 1 and Well 2) were constructed and tested to confirm if the Site had a reasonable potable water supply to support development.

The scope of work did not include installation of a monitoring well network to determine seasonally high groundwater levels, a water balance discussion and identification of mitigation measures to address the infiltration deficit, nor a discussion on potential hydrogeological constraints associated with the construction of onsite sewage systems. Presumably, this scope of work will be completed as part of a future hydrogeological assessment.

Conclusions and Recommendations

Cambium (2021) conservatively estimated that a sustainable water taking rate of 32 L/min exists on the Site. Stantec agrees that this quantity of water is sufficient to support some industrial uses that do not require process or washing water (i.e., dry industry uses). Should the water demand of the proposed development exceed 32 L/min, further water supply evaluation will need to be completed to determine if the Site could support this additional water demand.

Reference: Peer Review of a Hydrogeological Assessment
1066 Syer Line, Fraserville, ON
Township of Cavan Monaghan

Some additional hydrogeological assessment work will need to be completed to identify other potential hydrogeological constraints, including:

- The installation of a monitoring well network to determine seasonally high groundwater levels as this information may present potential constraints with respect to foundation and septic system design.
- Cambium (2021) identified that the Site is situated within Source Water Protection vulnerable zones including: Significant Groundwater Recharge Area (SGRA), Highly Vulnerable Aquifer (HVA), and Intake Protection Zone 3 (IPZ-3). Development will need to adhere to the applicable Source Water Protection Plan policies that have been developed for these designations.
- A pre- and post-development water balance will need to be completed, including the identification of mitigation measures to address any projected on-Site post-development infiltration deficit.
- A discussion of potential hydrogeological constraints associated with the construction of on-Site sewage systems.

CLOSURE

This review of the Hydrogeological Assessment has been prepared as per the Contract between Peterborough County and Stantec Consulting Ltd. Should you have any questions or concerns regarding the information detailed herein, please do not hesitate to contact the undersigned.

Sincerely,

Stantec Consulting Ltd.



Digitally signed by
Roger Freymond
Date: 2021.12.06
13:55:20 -05'00'

Roger Freymond P.Eng.
Senior Hydrogeologist
Phone: (519) 585-7381
roger.freymond@stantec.com



Grant Whitehead MES, P.Geo. (Limited)
Senior Hydrogeologist
Mobile: (519) 502-8933
grant.whitehead@stantec.com

John Connolly

From: Jeannette Thompson <jeannette_thompson@kprdsb.ca>
Sent: Monday, April 4, 2022 11:26 AM
To: John Connolly
Subject: RE: Public Meeting - Official Plan Amendment (OPA-01-22) and Zoning By-law Amendment (ZBA-03-22) - 1066 Syer Line

Good morning, John –

Thank you for circulating the notice of an official plan amendment file no.: OPA-01-22 and zoning by-law amendment file no.: ZBA-03-22 for review.

Please accept this as a formal response from Kawartha Pine Ridge District School Board (KPRDSB). KPRDSB has reviewed the applications and has not identified any concerns or issues related to our mandate with the proposed applications.

Kind Regards,

Jeannette Thompson

Jeannette Thompson, BSc, MCIP, RPP

Manager, Planning Services

Kawartha Pine Ridge District School Board

1994 Fisher Drive Peterborough, ON K9J 6X6

705.742.9773 x 2169 | 1.877.741.4577 x 2169

www.kprschools.ca

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From: John Connolly <jconnolly@cavanmonaghan.net>

Sent: Wednesday, March 30, 2022 4:13 PM

To: kevhickey@pvnccdsb.on.ca; Donald Allin <dallin@otonabeeconservation.com>; planning@otonabeeconservation.com; Imoloney@otonabeeconservation.com; municipalplanning@enbridge.com; planning@ptbocounty.ca; Stevenson, Kari <KStevenson@ptbocounty.ca>; Jeannette Thompson <jeannette_thompson@kprdsb.ca>; Kathleen Shepherd <kshepherd@peterboroughpublichealth.ca>; circulations@mmm.ca; executivevp.lawanddevelopment@opg.com; consultations@metisnation.org; Tom Cowie <tcowie@hiawathafn.ca>; Sean Davison <sdavison@hiawathafn.ca>; planification@csvgamonde.ca; Damien Schaefer <Damien.Schaefer@ontario.ca>; chris.wilson@canadapost.ca; landuseplanning@hydroone.com

Cc: Council Members <CouncilMembers@CMNMdomain.local>; Bill Balfour <bbalfour@cavanmonaghan.net>; Yvette Hurley <yhurley@cavanmonaghan.net>; Wayne Hancock <whancock@cavanmonaghan.net>; Kimberley Pope <kpope@cavanmonaghan.net>; Cindy Page <cpage@cavanmonaghan.net>; Karen Ellis <kellis@cavanmonaghan.net>; Kyle Phillips <kphillips@cavanmonaghan.net>; Chris Allison <callison@cavanmonaghan.net>

Subject: Public Meeting - Official Plan Amendment (OPA-01-22) and Zoning By-law Amendment (ZBA-03-22) - 1066 Syer

April 5, 2022

John F. Connolly
Executive Director, Planning & Development
Township of Cavan Monaghan
988 County Road 10
Millbrook, ON L0A 1G0

To whom it may concern:

RE: Proposed Amendment to the Official Plan, OPA-01-22 and Proposed Zoning By-Law Amendment, ZBA-03-22, 1066 Syer Line, Part Lot 14, Concession 8, Township of Cavan Monaghan, Ward of Cavan, County of Peterborough.

Peterborough Public Health has no comment on the proposed Zoning By-Law Amendment and Official Plan Amendment.

If you have any questions I can be reached weekdays at 705-743-1000 ext. 374 or by email at bzhou@peterboroughpublichealth.ca

Yours truly,



Bo Zhou, B.A.Sc., C.P.H.I. (C)
Public Health Inspector

:pp



April 11, 2022

John F. Connolly,
Executive Director of Planning and Development
Township of Cavan Monaghan
988 County Rd 10
Millbrook, Ontario

Re: File(s): OPA-01-22 and ZBA-03-22, (ORCA PPLC-2250)
Owner: Township of Cavan Monaghan
Location: 1066 Syer Line, Cavan Ward, Township of Cavan-Monaghan;
Roll#1509.010.030.18700;

Dear John Connolly,

The Otonabee Region Conservation Authority (Otonabee Conservation/the Authority) has received the circulations to Amend the Official Plan and the Zoning bylaw for the above noted property. Otonabee Conservation staff have reviewed the information in accordance with our mandate and policies and offer the following comments.

The purpose of the OPA is to change the current land use designation on a portion of the subject lands from "Agricultural" to "Rural Employment" to permit the establishment of uses permitted in the "Rural Employment" designation. The "Rural Employment" designation will only apply to the lands on the subject property which are currently designated "Agricultural" and not those portions of the subject lands which will remain designated "Natural Linkage Area".

The purpose of the Zoning By-law Amendment is to change the zoning on a portion of the property from "Agriculture (A)" to "Rural Employment (M2)" in order to permit the establishment of the range of permitted uses under the "Rural Employment (M2)" Zone. The portion of the subject property that is currently zoned "Natural Linkage (NL)" will remain zoned "Natural Linkage (NL)" and will not be changed as a result of this amendment.

Otonabee Conservation's Interest in this application is four-fold:

1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

250 Milroy Drive, Peterborough ON K9H 7M9
P: 705-745-5791 F: 705-745-7488
otonabee@otonabeeconservation.com
otonabeeconservation.com

Otonabee Conservation mapping indicates a watercourse is present on the site. It was reviewed to have a catchment area of less than 125 hectares. The property is not located near a known flooding or erosion hazard. **As such, it is the opinion of Otonabee Conservation that the application is consistent with PPS Section 3.1.**

2. *The Authority has reviewed the application as a service provider to the Township of Cavan Monghan, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

Otonabee Conservation Review and Permitting Services technical staff reviewed the 'Environmental Impact Study' (EIS) prepared by Cambium Inc., October 12, 2021. The submitted comments were included in the circulation package. Technical staff reviewed the EIS in consideration of provincial policies, including Growth Plan policies 4.2.3 and 4.2.4 and PPS policies 2.1 (natural heritage) and 2.2 (water), as well as Otonabee Conservation policies.

The EIS notes that the subject property is within 120 metres of key hydrological features, including branched watercourses, unevaluated wetlands, the Cavan Creek Provincially Significant Wetland (PSW)), and a Life Science ANSI. Typically, an EIS would assess, and propose mitigations for potential impacts to the nearby natural systems. While there is no considered proposed use at this time, it is understood that the findings of the EIS will be considered for the future development. It is recommended that the EIS be updated at the time for the specific development (e.g., site plan application).

The application states that the existing lands designated and zoned Natural Linkage (NL) will remain the same. However, to be considered in conformity applicable policy all the noted hydrologic features, and their 30 metres buffers, should be designated and zoned to protect from future development.

Therefore, it is the opinion of Otonabee Conservation staff that these applications may be considered consistent with PPS Sections 2.1 and 2.2 and GPPGH sections 4.2.3 and 4.2.4 if the zoning and official plan and future development reflects section 6.0 of the EIS.

Please note that given the Endangered Species Act (ESA) is a development-driven legislation, the landowner must demonstrate compliance with the ESA for known occurrences of regulated features, to minimize risk of noncompliance adhere to the EIS recommendations #8-12, prior to commencement of work, including: land clearing/ excavation, roads, construction.

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.*

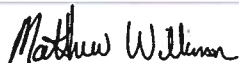
Otonabee Conservation mapping indicates the property is subject to Ontario Regulation 167/06 Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **Permits from this agency will be required.**

4. *Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.

If you have any questions, please do not hesitate to call.

Yours truly,



Matthew Wilkinson
Planner



April 19, 2022

John Connolly
Township of Cavan Monaghan
988 County Road 10
Millbrook, ON
L0A 1G0

Dear Sir:

SENT VIA EMAIL ONLY

Re: 1066 Syer Line - Official Plan Amendment

Please be advised that the County Planning department has reviewed the draft Official Plan Amendment (OPA) and supporting Planning Justification Report. The purpose of the OPA is to redesignate portions of the subject lands from "Agricultural" to "Rural Employment Area".

During pre-consultation five (5) studies were identified:

Agricultural Impact Assessment
Environmental Impact Assessment
Hydro Geotechnical Study
Traffic Impact Study
Stormwater Management Study

To date the first four (4) studies have been completed and undergone peer review or have been reviewed by the key agency responsible for technical review of such reports. The Planning Justification Report notes that the Stormwater Management Study is proposed to be undertaken at a later date through a subsequent planning approval process (i.e. site plan).

The Planning Justification Report reflects on the Township's Growth Management Plan (2020) undertaken by CN Watson wherein a review of existing designated employment

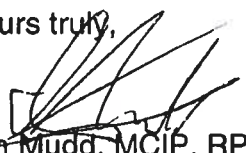
lands throughout the Township was undertaken. It was determined through that process that some employment areas were environmentally constrained and that other lands should be sought that would be more readily available to develop for employment uses. Currently C.N. Watson is updating its Growth Management Study work to reflect the 2051 time horizon outlined in the Growth Plan for the Greater Golden Horseshoe.

Hemson Consulting recently completed a Growth Management Study for the County of Peterborough as part of our Municipal Comprehensive Review in support of the of the new County Official Plan. That study determined that Cavan Monaghan required an additional 34.1 hectares of land to meet its employment needs out to 2051. The Hemson report has been adopted by County Council and forwarded to the Province.

The additional employment land requirement identified by Hemson may be satisfied by the current OPA proposal. Alternatively, if the Province doesn't support the County Growth Management Study recommendations then existing designated employment lands in the Township may need to be removed from the employment designation when the Township undertakes its own Official Plan update project after the new County Official Plan is approved. It is noted that the Planning Justification Report commits to that approach, if required.

Thank you for the opportunity to review and comment on the draft OPA. Please do not hesitate to contact me if you have any questions.

Yours truly,



Iain Mudd, MCIP, RPP
Manager of Planning

Cc: Yvette Hurley, Twp CAO
Bryan Weir, County Director of Planning and Public Works