

Regular Council Meeting

To:	Mayor and Council		
Date:	August 2, 2022		
From:	John F. Connolly, Executive Director, Planning & Development		
Report Number:	Planning 2022-41		
Subject:	CSU & Vargas Developments – 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 Amendments and Plans of Subdivision be presented to Council at a future date for consideration.

Overview:

CSU Development and Vargas Properties Inc. applied to Peterborough County for approval of two (2) subdivisions on Fallis Line West and Fallis Line East mostly within the Millbrook Urban Settlement Area. The developer also applied to the Township of Cavan Monaghan for the associated zoning by-law amendments. This Report presents background information for the Applications and outlines the public engagement process to date.

Application Details:

CSU Developments

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 original 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.

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 initial submission, as a result of peer review and agency comments on this initial submission, a second submission has been received by the County and Township. Of note, the number of residential units changed from the original submission (696 units to 669 units – see Attachment No. 1).

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 corner of County Road 10 and Fallis Line East. The original 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.

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 submission, as a result of peer review and agency comments on this initial submission, a second submission was received on June 1, 2022. Of note, the configuration of residential and commercial land uses has changed significantly (see Attachment No. 2). This is in part because of review and comments but also because

the developer attained land holdings adjacent to this development proposal, which changed the configuration of the porposed commercial development and was the subject of a requested to support a Minister's Zoning Order (MZO) on February 22, 2022.

All of this information is available for review in the County Planning Department Office and the Township Planning & Economic Development Office as well as both organizations websites. Links to the websites are as follows:

Peterborough County:

https://www.ptbocounty.ca/Modules/News/Search.aspx?feedId=29a3fecc-631e-49e2-998c-635bcda7fd55

Township of Cavan Monaghan:

https://www.cavanmonaghan.net/Modules/News/en?CategoryNames=Planning%20Notices&page=3

Additional Land Holdings – Vargas Properties

Vargas Properties has owned an approximately 5-acre property at the northeast corner of County Road 10 and Fallis Line East. This property had not been included in the aforementioned CSU Developments or Vargas Properties applications. However, in January of 2022, the proponent secured additional land holdings on the east side of County Road 10 (between Fallis Line East and Larmer Line), and north of Fallis Line East. These lands have no municipal address but are at the northeast corner of County Road 10 and Fallis Line East and consist of approximately 72 acres in size, which are predominately vacant at this time.

These new land holdings as well as the other roughly 5 acre property were added to the current Applications undergoing review the planning process and were part of a request for a Minister's Zoning Order (MZO).

Minister's Zoning Order (MZO)

As noted earlier, at its Regular Meeting of February 22, 2022, Council passed a resolution to support a request for an MZO for the aforementioned Applications, which also brought in some of the additional land holdings at the request of the developer. On April 1, 2022, the Minister of Municipal Affairs & Housing (MMAH) approved Ontario Regulation 250/22 (MZO) for the subject lands (Attachment No. 3).

With approval of the MZO, the need for the aforementioned zoning by-law amendments has been superceded but the processing and decisions on the OPAs and Plans of Subdivision continues and will follow the normal Planning Act process.

Public Engagement Process:

Peterborough County published a Notice of Complete Application concerning the Plan of Subdivision in the local newspaper and on its website. Notice of the Complete Application together with the Draft Plan of Subdivision was circulated by email to the required Ministries and Agencies for review and comment. The Applicant has also provided a second submission (re-submission)

In addition, the Applicant hosted a virtual neighbourhood information meeting on Wednesday, May 18, 2022. Notice of the neighbourhood information meeting was emailed and sent by mail to area residents and advertised on the Township website ahead of the virtual meeting. Notwithstanding the limited attendance at the virtual meeting, the meeting was recorded and posted on the Township of Cavan Monaghan's YouTube channel and as of the date of writing this Report, has received more than 1,000 views.

For the public meeting, Notice of the Applications was circulated by first class prepaid mail, to all assessed persons within 120 metres (400 feet) of the lands subject to the Applications, to all required ministries and agencies and to all Township Department Directors. The Notice of Public Meeting was also posted on the County and Township websites and published in the Millbrook Times newspaper (Attachment No. 4). The Notice complies with the requirements of the Planning Act.

As of the writing of this Report, the Township has received several inquiries from area residents requesting further information about the Applications. The Township has also received some written and verbal objections to the Applications. The objections are largely with respect to the size, scope and scale of the proposed development as well as the ability of the Township to accommodate this magnitude of growth. A complete summary and analysis of the public comments received will be provided in a future report.

Agency comments regarding the Applications have been and continue to be received by County and Township Staff. A fulsome discussion and analysis of agency comments will be provided in a future report.

Financial Impact:

None.

Attachment:

Attachment No. 1 – CSU Developments – Revised Site Plan

Attachment No. 2 – Vargas Developments – Revised Site Plan

Attachment No. 3 – Minister's Zoning Order (April 1, 2022)

Attachment No. 4 – Advertisement, Public Meeting (Millbrook Times)

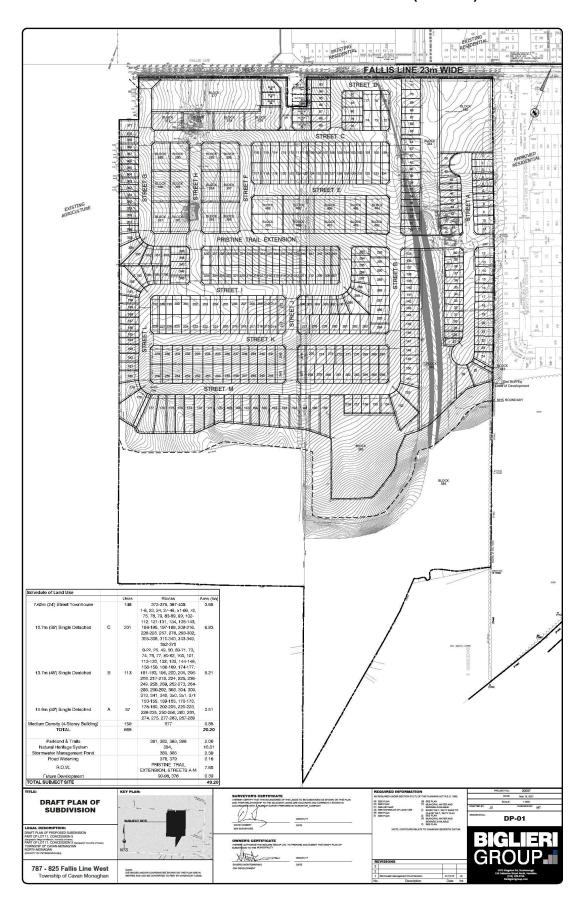
Respectfully Submitted by,

Reviewed by,

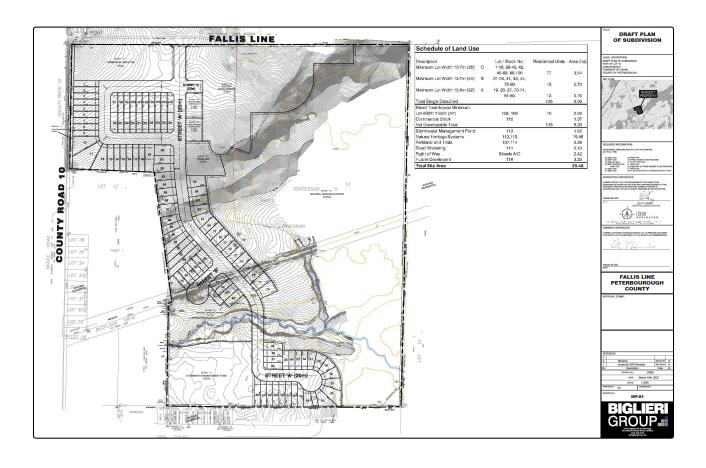
John F. Connolly Executive Director, Planning & Development

Yvette Hurley Chief Administrative Officer

Attachment No. 1 - CSU Site Plan (revised)



Attachment No. 2 – Vargas Site Plan (revised)



Attachment No. 3 - Minister's Zoning Order

ONTARIO REGULATION 250/22

made under the

PLANNING ACT

Made: April 1, 2022 Filed; April 1, 2022 Published on o-Laws: April 1, 2022 Printed in *The Onterto Genetic*; April 16, 2022

ZONING ORDER - TOWNSHIP OF CAVAN MONAGHAN

1. In this Order,

"zoning by-low" means the Township of Caven Menaghan Zoning By-Law No. 2018-58.

This Order applies to kinds in the Township of Caven Monaghan in the County of Peterburough, in the Province of Outsrie, being the lands identified on a map numbered 304 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Community Zone

- 3. (1) This section applies to the lands located in the area shows as the Community Zone on the map referred to in section 2.
- (2) Every use of land and every creation, location or use of any building or structure is prohibited on the lands described in missaction (1), except for,
 - (a) the uses permitted in the Urben Ranidantial Cas (UR1) Zone and the Urben Ranidantial Two (UR2) Zone under section 3.2 of the reading by-law;
 - (b) townhouse dwallings;
 - (c) multiple dwellings;
 - (d) spertment dwellings;
 - (e) long-term ours fhellities;
 - (f) retirement homes;
 - (g) the uses permitted in the Open Space (OS) Zone set out in section 10.2 of the storing by-law; and
 - (ii) lafautracture uses.
- (3) The saming requirements respecting authorits set out in section 11.30 of the saming by-law do not apply to the usus, buildings or structures permitted under subsection 3 (2).
- (4) Despite the staring by-law, the following requirements apply to the uses, buildings or structures permitted under also as (2) (a):
 - 1. The minimum lot area is 270 square matres for uses permitted in the Urban Residential One (UR1) Zone under the soming by-law.
 - 2. The minimum let area is 162 square metres for uses permitted in the Urban Residential Two (UR2) Zone under the aming by-law.
- (5) Despite the seeing by-law, the following requirements apply to the uses, buildings or structures permitted under elease 3 (2) (b):
 - 1. The minimum lot area is 200 square metres per unit.
- (6) Despite the zoning by-law, the following requirements apply to the uses, buildings or structures permitted under clauses 3 (2) (a) and (b):
 - 1. The minimum lat frontage is 6 metres.
 - 2. The maximum lot coverage for all buildings is 55 per cent of the lot area.
 - 3. The maximum building height is 11 metres.

- The minimum landscaped open space is 20 per cent of the lot area.
- 5. The minimum front yard setback is 4.5 metres.
- The retrieum rear yard aethock is 6 metres.
- 7. The minimum exterior side yard setback is 2.5 metres.
- 8. The minimum interior side yard estback is 1.2 metres on one side and 0.6 metres on the other side.
- Despite paragraph 8, there is no minimum interfer side yard softent for a common wall between dwelling units.
- 10. Clause (1) in the portion of the noting by-law named Tables 3B and 3C Additional Regulations does not apply.
- (7) Despite the zoning by-law, the following requirements apply to the uses, buildings or structures permitted under clauses 3 (2) (e) to (f):
 - 1. The minimum lot frontage is 30 metres.
 - 2. The minimum landscaped open space is 20 per cent of the lot area.
 - 3. The maximum lot coverage for all buildings is 55 per cost of the lot area.
 - The maximum building height is 14 meters not including mechanical positiouses, receipp americles and other structures set out in section 11.12.1 of the sensing by-law.
 - 5. The minimum front, rese, exterior side and interior side yard attends in 3 metres.
 - 6. The minimum required parking is 1 parking space per dwelling unit and 0.25 visitor parking spaces per dwelling unit.
 - 7. A maximum of 1 loading space is required.
 - 8. Table 3A Additional Regulations, regarding amonity area requirements, in the storing by-law applies.
- (6) The zoning requirements set out in section 10.3 of the sening by-law for the Open Space (OS) Zone apply to the uses, buildings or structures permitted under clause 3 (2) (g).

Commercial/Milesal Day Force

- 4. (1) This section applies to the lands located in the area shown as the Commercial/Mixed Use Zone on the may reflered to in section 2.
- (2) Every use of land and every exection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for,
 - (a) the uses permitted in the Community Commercial (CS) Zone under section 5.2 of the soning by-law;
- (b) art galleries;
- (o) ertises studios;
- (d) building supply stores;
- (e) financial institutions;
- (f) mobile refreshment vehicles;
- (a) personal service establishments;
- (h) places of worship;
- (i) postal or occurier outlets;
- printing or publishing establishments;
- (k) motor vektole repetr gerages;
- (I) business offices:
- (m) beer, ligner, wine and execution stores;
- (a) dwelling units in untred-use buildings; and
- (e) live/work dwelling units.
- (3) Despite the zoning by-low, the following requirements apply to the uses, buildings or structures permitted under subsection (2):
 - 1. The minimum lot area is 360 square metres.
 - 2. The minimum front, rost, exterior side and interior side yard setback is 3 metres.

- Despite paragraph 2, there is no minimum interior side yard sedback where two commercial uses are situated on shutting into.
- Despite paragraph 2, there is no minimum mer yard softenck where the building or structure is affacent to a public or private laneway.
- The maximum building height is 14 metres not including my mechanical penthouses, rooftop amenities or any of the structures. Ested in section 11.12.1 of the zoning by-law.
- 6. There is no recrimen floor area requirement.
- 7. The seeing requirements respecting asthedusest out in section 11.30 of the seeing by-law do not apply.

Terror of my

- 5. (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.
- (2) Nothing in this Coder prevents the use of any lend, 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 Coder presents the recommunities of any building or structure that is duraged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
- (4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.
- 4. This Certer is descend for all purposes, except the purposes of section 24 of the Act, to be end to always have been a by-law passed by the council of the Township of Cavan Monaghan.

Currente

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

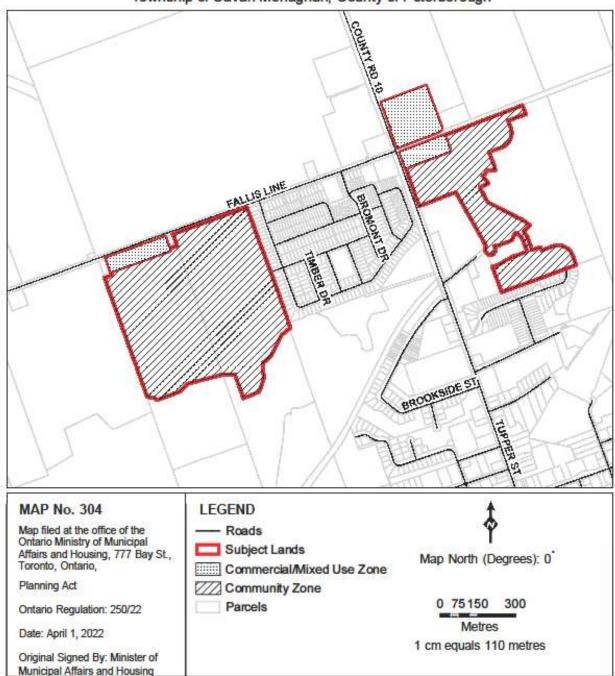
Made by:

Bieve CLARK Monister of Monistpel Affairs and Housing

Date made: April 1, 2022

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Part of Lots 11 and 13, Concession 5; and Part of Lot 13, Concession 6, Township of Cavan Monaghan, County of Peterborough



Map Description:

This is map no. 304 referred to in a Minister's Zoning Order. It shows lands which are located in, Part of Lots 11 and 13, Concession 5; and Part of Lot 13, Concession 6, Township of Cavan Monaghan, County of Peterborough. We are committed to providing accessible customer service (https://www.ontario.ca/page/accessible-customer-service-policy). On request, we can arrange for accessible formats and communications supports. Please contact MMAH by email (mininfo@ontario.ca) for regulation details.

THIS IS NOT A PLAN OF SURVEY

Information provided by the Ministry of Municipal
Affairs and Housing, under licence with the
Ministry of Natural Resources.
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The Corporation of the County of Peterborough and the Township of Cavan Monaghan Notice of Complete Application for Official Plan Amendments

and

Notice of Public Meeting Concerning the Proposed Plans of Subdivision and Official Plan Amendments

File Nos. 15T-21007 (OPA-03-21) and 15T-21005 (OPA-04-21)

Take notice that the Corporation of the County of Peterborough has received application No. 15T-21007 (CSU Developments) and application No. 15T-21005 (Vargas Properties) for approval of Plans of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, as amended. The Corporation of the Township of Cavan Monaghan has also received applications for Official Plan Amendments for these proposed subdivisions under Section 17(15) of the Planning Act, R.S.O. 1990, as amended. The applications have been assigned file numbers Official Plan Amendments OPA-03-21 and OPA-04-21 respectively. Both applications were assigned file numbers 20fail and OPA-04-21 respectively, which are no longer being processed as they have approved through Minister's Zoning Order (Ontario Regulation 250/22), dated April 1, 2022.

The Plans of Subdivision and Official Plan Amendments apply to lands located in Part of Lots 11, Concession 5 (CSU) and Part of Lot 13, Concession 5 (Vargas) of the Cavan Ward. The Key Map below indicates the location of the subject lands to the above-noted Applications.

The purpose of this Notice is to inform the public of the nature of the Applications, invite public input, advise how to provide comments on the Applications, and to advise the public of future notification and appeal rights. Please note that the County of Peterborough is the approval authority for the Plans of Subdivision and the Official Plan Amendment. As noted earlier, previously, the Zoning By-Jaw Amendments for these applications were approved through Minister's Zoning Torder (Ontario Regulation 250/22) filed on April 1, 2022.

Purpose and Effect of the Applications

Subdivision Application 157-21007 (OPA-03-21) proposes approval of 669 residential units in the form of 148 townhouse units; 371 single detached dwellings; and 150 residential units within a 4-storey building. The proposed development will include 13 internal roads, contain parkland and trails as well as 2 stormwater management pond blocks. This application applies to 40.2 hectares (121.6 acres) of land at 787 and 125 Fallis Line.

Subdivision Application 15T-21005 (OPA-04-21) proposes approval of 178 residential units in the form of 48 townhouse units; and 128 single detached dwellings along with a commercial mixed use block. The proposed development will include 4 internal roads, comman parkins of and trails as well as a stormwater management pond block. This application papies to 2.488 hectaires (72.8 acres) of land at southeast corner of Fallis Line and County Road 10.

Through the issuing of Minister's Zoning Order (Ontario Regulation 250/22) on April 1, 2022, the developable portions of the subject lands (both properties) are zoned Commercial/Mixed Use Zone permits a wide range of uses permitted in the Community Commercial/Mixed Use Zone permits a wide range of uses permitted in the Community Commercial (C5) Zone with some exceptions. The Community Zone permits the uses as permitted in the Utharn Residential One (UR-1) and Utharn Residential Two (UR-2) zone as well as Open Space (OS) uses. The Plan of Subdivision Applications have been revised to comply with the zoning designations delineated in the Minister's Zoning Order (MZO).

The proposed Official Plan Amendments seek to coordinate the Official Plan designations on the subject lands to the zoning designations outlined in the MaCD. For the CSU subject lands, the OFA proposes to expand the Millitrook Settlement Area boundary by 31 hedrares (76.6 acres) and change that portion of the current OP designation from Agricultural to Residential to accommodate the proposed development. The current profitors of the lands designated Natural Linkage Area and Natural Core will remain unchanged through the proposed OPA.

The CSU proposed development also seeks to connect to municipal water and wastewater when there is sufficient capacity to expand and service this portion of the subject lands. For wastewater, if there is not sufficient available treatment capacity in the existing Water Wastewater Treatment Plant (WWTP), a second treatment facility is being proposed on the subject site, which would be phased to service future development. The Township has retained a consultant that is currently conducting a Master Servicing Study which will inform current and future capacity for water and wastewater for Millbrook including this proposed development. The study is to be completed taler this year, this part of the proposed development and the study is to be completed taler this year, this part of the proposed development would not proceed until water and wastewater allocation is available.

The proposed Official Plan Amendment for the Vargas subject lands would result in part of the subject lands currently designated Agricultural being brought into the Millbrook Settlement Area boundary and re-designated as residential. In addition, the current Institutional Special Policy Area #1 will be re-designated to residential, as those lands are no longer required for the WWTP. The current portions of the subject lands designated Natural Linkage Area and Natural Core will remain unchanged. The Community Commercial and Residential designations will be revised to reflect Commercial/Mixed Use and Community Zones consistent with the approved MZO.

For this application, it is anticipated that there is sufficient water and wastewater capacity in the WWTP to service this development. The previously identified Master Servicing Study is underway and will confirm servicing.

Public Meeting

During the COVID-19 pandemic, the Municipal Office has limited public access and the Council of the Township of Cavam Monaghan will hold an electronic public meeting in accordance with the requirements of the Planning Act, R.S.O. 1990, as amended as follows:

Meeting Date: Tuesday, August 2, 2022

Location: Township of Cavan Monaghan Council Chambers

988 County Road 10, Millbrook

Time: 1:00 p.m. Via Zoom

To Speak at the Public Meeting or Provide Written Comments

If you wish to speak to the application at the public meeting, please contact the Clerk by email at <u>copage@cavarmonaghan.net</u> no later than 4:00 p.m. on the business does to the scheduled meeting and you will be provided with an invitation to join the meeting using your computer or phone. The Township is using Zoon for relectronic meetings and for connect by the meeting. Interested member of the public to have technology in place Any person may "attend" the electronic/virtual public meeting and/or make a verbal or written representation either in support of or in opposition to the proposed Plans of Subdivision and/or Official Plan Amendments. If you are unable to "attend" the meeting, written submissions may be submitted and should include a request for further notice, if desired.

Although possible for members of the public to "attend" a meeting electronically, and provide verbal submissions, we would encourage you to communicate with Council by forwarding written comments in support or opposition to cpage@cavanmonaghan.net

If you wish to view the public meeting in real time, but do not wish to speak to the application, the meeting will be hosted on the Township YouTube Channel at:

https://www.youtube.com/channel/UCk8cGK2GvckFHWz_9_KaleQ?view_as=subscriber

The meeting will also be recorded and available after the meeting for public viewing on the same platform.

Personal information as defined by the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provision of MFIPPA. Personal information collected in relation to materials submitted for an agenda will be used to acknowledge receipt, however, please be aware that your name is subject to disclosure by way of publication of the agenda. If you have questions about this collection, use and disclosure of this information, please contact the Clerk's Department at 705-482-4826.

In accordance with the Accessibility for Ontarians with Disabilities Act, the Township of Cavan Monaghan is pleased to accommodate individual needs of anyone wishing to attend Council meetings. Please call 705-932-930 or email the Township Clerk if you require an accommodation to ensure your needs are met prior to the meeting.

The Right to Annea

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Peterborough in respect of the proposed Plans of Subdivision or to the Township of Cavan Monaghan in respect of the proposed Official Plan Amendments before the approval authority gives or refuses to give approval to the draft plans of subdivision or Official Plan Amendments, the person or public body is not entitled to appeal the decision of the approval authority to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Peterborough in respect of the proposed Plans of Subdivision or to the Township of Cavan Monaghan in respect of the proposed Official Plan Amendments, before the approval authority gives or refuses to give approval to the draft plans of subdivision or Official Plan Amendments, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

To Be Notifie

If you wish to be notified of the decision for any or all of the applications, you must make a written request to the County of Peterborough regarding the Subdivision applications and the Official Plan Amendment applications. Such a request should note the Peterborough County File No. 151-21007 (OPA-03-21) and/or 151-21005 (OPA-04-21) for the proposed Plans of Subdivision and Official Plan Amendments.

Other Related Applications

There are no other additional related applications.

For More Information

Additional information about the proposed Plans of Subdivision and proposed Official Plan Amendments are available for inspection online at:

https://www.ptbocounty.ca/Modules/News/index.aspx?feedid=28a3feco-631e-49e2-998c-635bcda7fd55&page=3&newsId=ef88f420-51cb-4ce2-935b-8daf28d633ec

https://www.ptbocounty.ca/Modules/News/index.aspx?feedId=29a3fecc-631e-49e2-998c-635bcda7fd55&page=3&newsId=bede38e3-3f08-473e-a54f-3cbb00e8cc8f

Additional information concerning the applications is available for public inspection during regular office hours at the County of Peterborough and Township of Cavan Monaghan Municipal Offices at the addresses shown below.

County of Peterborough County Court House 470 Water Street Peterborough, ON K9H 3M3 Tel: (705) 743-0380

Dated this 27th day of June, 2022

Township of Cavan Monaghan 988 County Rd 10 Millbrook ON LOA 1G0 Tel: (705) 932-9326



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