



## Regular Council Meeting

<b>To:</b>	Mayor and Council
<b>Date:</b>	February 20, 2024
<b>From:</b>	Karen Ellis, Director of Planning and Wayne Hancock, Director of Public Works
<b>Report Number:</b>	PEB 2024-07
<b>Subject:</b>	CSU Developments Inc. Official Plan Amendment and Plan of Subdivision Applications Report- File Nos. OPA-03-21 and 15T-21007

### Recommendations:

1. That Council approve By-law No. 2024-10 to adopt Official Plan Amendment No. 16 to the Township of Cavan Monaghan; and
2. That Council authorize the submission of the adopted Official Plan Amendment to Peterborough County for review and approval; and
3. That Council receive and consider any public comments received on February 20, 2024; and
4. That Council support the approval of Application 15T-21007 subject to the draft plan conditions provided in Attachment No. 6 to this Report and any revisions thereto required from public comment received on February 20, 2024.

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### Overview:

CSU Developments Inc. applied to the Township of Cavan Monaghan and the County of Peterborough for approval of an official plan amendment application and a plan of subdivision application (File Nos. OPA-03-21 and 15T-21007) for lands located at 787 and 825 Fallis Line in part of Lot 11, Concession 5 (Cavan).

A key map of the property location is provided as Attachment No. 1 to this Report.

The Township also received an application for a zoning by-law amendment for the subject lands (File No. ZBA-09-21). The zoning by-law amendment application was superseded with the approval of Ministerial Zoning Order (O. Reg. 250/22 and Map 304) on April 1,

2022. A copy of the Ministerial Zoning Order is included in Report Planning 2022-41 provided as Attachment No. 4 to this Report.

Supporting documentation for both the Official Plan and Plan of Subdivision Applications has been submitted to the Township of Cavan Monaghan and the County of Peterborough. Updated supporting documentation has been received as the plan of subdivision has been revised a number of times to address public and agency comments. All of this information is available for review on the Peterborough County website at:

<https://www.ptbocounty.ca/Modules/News/index.aspx?FeedId=29a3fecc-631e-49e2-998c-635bcda7fd55&page=2&newsId=bede38e3-3f08-473e-a54f-3cbb00e8cc6f>

## **Plan of Subdivision**

The lands subject to the plan of subdivision application are approximately 49.2 hectares (121.6 acres) in size with approximately 558 metres (1831 feet) of frontage on County Fallis Line.

The proposed plan consists of 610 residential units consisting of 379 single detached dwellings, 141 street townhouses, and 90 units in a mixed use block. Two (2) stormwater management blocks, one (1) natural heritage system block, three (3) parkland blocks, three (3) walkway blocks, and two (2) road widening blocks are also included in the Plan.

The development is proposed to be serviced by piped water and wastewater services. Access to the development will be provided through an extension of Pristine Trail to Street 'G' that connects to Fallis Line. Internal streets 'A' through 'L' are also proposed. The road allowance widths are 20 metres (66 feet) for the extension of Pristine Trail and Street 'G' and 18 metres (59 feet) wide for the remainder of the streets.

The draft plan of subdivision is provided as Attachment No. 2 to this Report.

## **Official Plan Amendment**

A site specific Official Plan Amendment is required to expand the Millbrook Settlement Area boundary, realign land use designations and add an exception policy to specify that the regulations of the MZO shall guide development of the subject lands.

As drafted, Official Plan Amendment No. 16 amends Section 4.1.8 of the Cavan Monaghan Official Plan by adding subsection 4.1.8 b) that shall read as follows:

### **"4.1.8 Site Specific Policies**

- c) 787 and 825 Fallis Line  
Part of Lot 11, Concession 5 (Cavan)  
CSU Subdivision

The lands subject to Ministerial Zoning Order (O. Reg. 250/22 & Map 304) are identified on Schedules 'A' and 'A-1' as subject to Policy 4.1.8 c). If there

is a conflict between the policies of the Cavan Monaghan Official Plan and the regulations contained within the Ministerial Zoning Order, then the text and mapping of the Ministerial Zoning Order shall prevail. Development on the lands subject to a Ministerial Zoning Order shall occur within the terms of a Subdivision Agreement between the Township and the landowner, as appropriate.

Notwithstanding the provisions of Section 4.1.3 a) and 4.4.3 herein, the maximum building height for single, semi-detached and townhouse dwellings shall be three (3) storeys and the maximum building height for apartment buildings and mixed-use apartment buildings shall be four (4) storeys.

Development in the “Community Commercial” Designation shall be in accordance with the regulations associated with the “Commercial/Mixed Use Zone” of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304).

In addition to the uses permitted in Section 4.4.2 the following uses shall also be permitted: banks and financial institutions; liquor stores; post offices; personal services; business professional and medical offices as a primary use; and dwelling units in mixed-use buildings.

Policy 4.4.3 a) to d) shall not apply.

Those lands located outside of the “Community Zone” and “Commercial/Mixed Use Zone” of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304) shall be subject to the policies of the Natural Heritage System policies in Section 6 of the Official Plan.

Notwithstanding the policies of Section 8.3, the boundaries of the Millbrook Settlement Area shall be expanded to include all lands subject to the Ministerial Zoning Order (O. Reg. 250/22 & Map 304)."

In addition, Schedules “A” and “A-1” to the Official Plan are being amended. Schedule ‘A’ of the Township of Cavan Monaghan Official Plan is amended by changing the land use designation of the subject lands from “Agricultural” to “Millbrook Urban Settlement Area” and amending the location of the “Settlement Area” to include all of the subject lands.

Schedule ‘A-1’ of the Township of Cavan Monaghan Official Plan is further amended by changing the land use designations on a portion of the subject lands from “Agricultural” to “Residential” and “Community Commercial”. Schedule A-1 is also being amended to align the “Natural Core” designation with the limits of Ministerial Zoning Order (O. Reg. 250/22 & Map 304).

Schedules ‘A’ and ‘A-1’ are further amended by adding a text box reference for Section 4.1.8 c) as it applies to the subject lands. The proposed mapping changes can be seen on Schedules “1” and “2” in the complete copy of the Official Plan Amendment No. 16 provided as Attachment No. 3 to this Report.

## **Notice**

A public meeting for both the Official Plan Amendment and Plan of Subdivision Applications was held on August 2, 2022. Report Planning 2022-41 presented at the public meeting is provided as Attachment No. 4 to this Report.

The Notice of Complete Applications and Notice of Public Meeting was published in the Millbrook Times in July of 2022 and posted on the Peterborough County and Township of Cavan Monaghan websites. Notice was also provided by first class prepaid mail to all assessed persons within 120 metres (400 feet) of the subject lands, to all required Ministries and Agencies and to Township Management Staff.

In addition to the statutory public meeting, a virtual neighbourhood information meeting was held on May 18, 2022. Notice of the neighbourhood meeting was provided by email, first class prepaid mail and advertisement on the Township website.

The Notice complies with the requirements of the Planning Act.

## **Township Departments Comments**

The draft plan of subdivision and official plan amendment applications have gone through a number of revisions/updates to address Township and other agency comments. These revisions/updates were circulated to Staff each time.

The current version of the plan of subdivision satisfies Township Staff requirements with the implementation of draft plan conditions presented in Attachment No. 6 to this Report. The proposed Official Plan Amendment is required to permit the approval of the proposed Plan.

## **Agency Comments**

The Township received comments from Canada Post, Enbridge, Ontario Hydro, Bell, Kawartha Pine Ridge District School Board, Nexicom, Otonabee Conservation – Engineering, Biology and Planning, Peterborough County Public Works, and the Ministry of Tourism, Culture and Sport. All of these agency comments have been considered by Township Staff, Peterborough County Staff and peer review consultants, and the Developer/Owner consulting team. The Plan of Subdivision has been revised to address comments and/or draft plan conditions are proposed to address outstanding issues.

## **Public Comments**

As per Planning Report 2022-41, prior to the public meeting, the Township received several inquiries from area residents about the Applications and some written and verbal objections to the Applications. The objections relate to the size, scope and scale of the proposed development. No member of the public spoke at the Public Meeting on August 2, 2022.

The proposed Official Plan Amendment and Plan of Subdivision Applications reflect the Ministerial Zoning Order currently in place. Technical comments about the Application have been addressed through the submission of new information and/or the implementation of draft plan conditions.

## **Planning Context**

### **1. Provincial Policy Statement (PPS)**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. The PPS encourages the development of healthy, livable and safe communities.

The policies of the PPS that apply to the Official Plan Amendment and Plan of Subdivision Applications include:

- Settlement Areas
- Housing and Land Use
- Public Service Facilities and Infrastructure
- Public/Open Space & Natural Heritage/Hazards
- Agricultural Lands

Settlement areas are defined as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the longer term planning horizon provided for in policy 1.1.2.

Millbrook has been identified as the primary settlement area for Cavan Monaghan Township because of its historic role as the centre of commerce for the area, the ability to create a complete community and the existing piped water and sanitary sewer system.

Section 1.1.2 of the PPS requires that sufficient land be made available to accommodate an appropriate range and mix of land uses to meet project needs for a time horizon of up to 20 years. Settlement areas are the focus of growth and development and their vitality and regeneration must be promoted. Portions of the subject lands are currently included in the Millbrook Settlement Area and designated to permit a range of land uses.

An expansion of the settlement area boundary is required to permit the entirety of the development. An expansion of the settlement area may be considered outside of a municipal comprehensive review provided the expansion satisfies a number of criteria.

As drafted, Official Plan Amendment No. 16 to the Township's Official Plan adjusts the settlement area boundary. The proposal results in an increase in land within the Settlement Area. The Township's Growth Management Strategy 2022 indicates that 75 gross hectares (185 gross acres) of additional land is required to accommodate population growth in the Millbrook Settlement Area to the year 2051. The 75 gross hectares is in excess of the development of the subject lands. The adjustment of the Millbrook Settlement Area for the CSU subdivision appropriately accommodates some of the forecasted growth for the Millbrook Settlement Area.

A large portion of the site is constrained by significant woodland, a natural heritage feature. While these lands are located within the Settlement Area boundary, they will not be developed.

The settlement area boundary expansion must support the Township's ability to meet intensification and redevelopment targets established by the Township. At full build out, the proposed development will achieve a density target suitable to the Township (i.e. 40 residents and jobs per hectare).

In prime agricultural areas, the lands cannot comprise specialty crop areas, alternate locations must be evaluated and it determined there are no reasonable alternatives, minimum distance separation requirements (MDS) must be addressed and impacts from the proposed development on adjacent agricultural operations must be mitigated.

The portions of the subject lands currently designated Agricultural are not a specialty crop area, there are no reasonable alternatives to expanding the Millbrook Settlement Area boundary that avoid prime agricultural lands, the proposal satisfies the MDS requirements and the establishment of fencing or a vegetative buffer between the subdivision and agricultural lands is an option for mitigating impacts to the agricultural operation west of the subdivision.

A draft plan condition of approval is proposed to require the Developer/Owner to place notice on all offers of purchase and sale advising property owners that the subject lands are located nearby agricultural lands and that from time to time normal agricultural practices may result in noises, odours and dust that may adversely affect the enjoyment of the properties within the Plan of Subdivision. In addition, a fencing condition for the subdivision anticipates that chain link fencing will be required along the western boundary of the subdivision.

The settlement area to which lands are being added must be appropriately serviced and capacity must be available to service the lands. The Township has completed its Master Water and Wastewater Servicing Study. There is sufficient existing capacity available for only one hundred (100) of the proposed units. As a result, development and wastewater allocation will be based on a phased approach to development whereby Phase 1 will be limited to one hundred units (100) units. Future development will only be granted as existing, new or expanded capacity is available (draft plan condition no. 2).

The PPS encourages efficient land use and development patterns to support healthy, livable and safe communities. The policies require the provision of an appropriate range and mix of housing types and densities to meet the expected requirements of future residents. The Official Plan Amendment and Plan of Subdivision Applications are consistent with this policy direction because they represents logical extension of existing development, appropriate densities are proposed, there is a range and mix of housing types (single detached, street townhouses and mixed use commercial). In addition, a variety of commercial uses within walking distance of the development will be provided.

The effective use of public service facilities is also addressed by the PPS. Community services offered in Millbrook include arenas, a public library, fire services, a school, places of worship and a variety of commercial uses. With the approval of the Official Plan Amendment and the already approved Ministerial Zoning Order, opportunities for a larger range of commercial uses (i.e. bank) will be provided.

The PPS also includes policy direction on the wise use and management of resources including natural heritage features and water. Natural features and areas must be protected for the long term. An Environmental Impact Study (EIS) was completed for the proposed development. The proposal includes a 16.31 hectare (40.3 acres) environmental protection block along the south property line.

The woodlot is the significant feature on site. The EIS identified a 30 metre (100 foot) buffer for the woodlot. Limited trail development may be permitted in the buffer area. For the remainder of the Block, Staff recommend that a clause be included in the subdivision agreement specifying that no development, site alteration, or soil disturbance be permitted (without further archeological assessment) outside of the lands which were studied from an archeological perspective per the Stage 1-2 Archaeological Assessment prepared by AECOM and dated August 23, 2023.

The PPS also provides direction on agricultural lands. Prime agricultural lands should be protected. An Agricultural Impact Assessment was completed for these Applications. As indicated above, the agricultural policies have been satisfactorily addressed.

The Applications are consistent with PPS policies.

## 2. Growth Plan for the Greater Golden Horseshoe (GGH)

The Growth Plan for the Greater Golden Horseshoe (GGH) was enacted by the Province of Ontario in 2006 and updated in 2017, 2019 and 2020. The document builds on the PPS to establish a unique land use planning framework for the GGH that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity. The Plan informs decision-making regarding growth management and environmental protection in the GGH.

The PPS and the GGH are about complete communities and protecting agriculture, water resources and natural areas. Growth is directed to built-up areas where the capacity

exists to best accommodate the expected population and employment growth while providing strict criteria for settlement area boundary expansions. Municipalities must plan for community infrastructure to support growth. Sustainable water and wastewater services must be available to support the future growth.

In this regard, new multiple lots for residential development are directed to settlement areas. The Plan speaks to the need for multi-unit residential developments that incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The proposed official plan amendment and plan of subdivision applications provide for single detached residential units, street townhouses and residential units in mixed use building. The proposed plan of subdivision will add to the supply of residential lots in the Township, in a designated settlement area. The lots will be developed on municipal piped water and sewer services in accordance with Township requirements and standards.

Settlement area expansion comments are provided in the PPS section.

The Environmental Impact Study recommends a 30 metre (100 foot) buffer for the significant woodland. With the implementation of mitigation measures, no natural features or functions in the natural heritage system will be significantly impacted.

The Applications conform to the Growth Plan.

#### Peterborough County Official Plan

Millbrook is identified as a settlement area in the Peterborough County Official Plan. Lower tier municipalities must designate a sufficient supply of land for residential, industrial, commercial, recreational/open space and institutional uses in their municipalities to accommodate their projected growth over a minimum 20 year time-frame. Currently, approximately 17% of the County's growth is allocated to the Township of Cavan Monaghan.

Settlement Area boundary expansions are permitted provided there is no net increase in Settlement Area within in the Township. The expansion of the Settlement Area is addressed in the PPS section.

The proposed plan of subdivision is located on lands partially designated for development in the Township's Official Plan. With the approval of Official Plan Amendment No. 16, the lands subject to development will be included in the Millbrook Settlement Area.

The Township's Master Servicing Study has been completed. That Study indicates that there is sufficient water and wastewater capacity to service 100 residential units in the proposed subdivision. The development of the entire plan needs to be phased. A draft plan condition requiring the Developer/Owner to provide a phasing plan is recommended.



Official Plan Amendment No. 16 and Plan of Subdivision Application 15T-21007 conform to the County of Peterborough Official Plan.

#### Township of Cavan Monaghan Official Plan

An important purpose of the new Official Plan is to build a sense of community throughout the Township, with the Plan guiding the future of the Township as a single entity, with a common purpose and common objectives.

The lands subject to the Official Plan Amendment and Plan of Subdivision Applications are currently designated Agricultural in the Township of Cavan Monaghan Official Plan. Official Plan Amendment No. 16 proposed to change that designation to Residential and Community Commercial.

The permitted uses in the Residential designation include single detached, semi-detached, duplex, three-plex, four-plex, street, block and stacked townhouses, apartment dwellings, long term care facilities, retirement home and special needs housing. Approximately 30 percent of new housing within the designation must be multiple unit buildings including semi-detached, townhouses or apartments to provide a variety of housing choices.

The draft plan of subdivision proposes a mix of single detached dwellings, street townhouses, and residential units in a mixed use building to improve housing choice and accessibility. The density of the development generally conforms to Official Plan policy. The Official Plan Amendment includes a policy to permit a maximum height of 4 storeys for the mixed use building.

The Township may impose architectural control for residential developments with more than 8 units. Architectural design guidelines are prepared to ensure that there is a variety of housing types and styles to avoid replication of similar housing designs. The draft plan conditions include a condition for the submission of architectural design guidelines.

Official plan policy requires indigenous trees to be planted on both sides of new streets with a minimum spacing of 10 metres. Street lighting must be dark sky compliant, limited in height to a pedestrian scale and should be spaced between 18 and 20 metres apart. Condition Nos. 22 and 13 speak to these requirements.

The Natural Heritage System that was applied to lands on the Oak Ridges Moraine has been adapted to apply to all lands in the Township of Cavan Monaghan. The Natural Heritage System designation includes significant wildlife habitat, wetlands, woodlands, areas of natural and scientific interest, buffer areas around these features and lands that link the areas.

A portion of the property contains a significant woodland. This area is being dedicated to the Township as Block 409 in the Subdivision. As indicated in the PPS section of the Report, the EIS identified a 30 metre (100 foot) buffer for the woodlot. Limited trail

development may be permitted in the buffer area. For the remainder of the Block, Staff recommend that a clause be included in the subdivision agreement specifying that no development, site alteration, or soil disturbance be permitted (without further archaeological assessment).

Official Plan Amendment No. 16 to the Cavan Monaghan Official Plan and draft plan of subdivision 15T-21007 conform to the Township Official Plan with the implementation of draft plan conditions included in Attachment No.6.

**Financial Impact:**

Applicable application fees have been submitted with the official plan amendment and draft plan of subdivision applications. The proposed draft plan conditions contain a requirement that the Developer/Owner agree to satisfy all development requirements of the Township, financial and otherwise, concerning the provision of roads, installation of services, drainage and landscaping. Financial securities will be collected at the pre-servicing agreement and/or subdivision agreement stages of the approvals process.

**Attachments:**

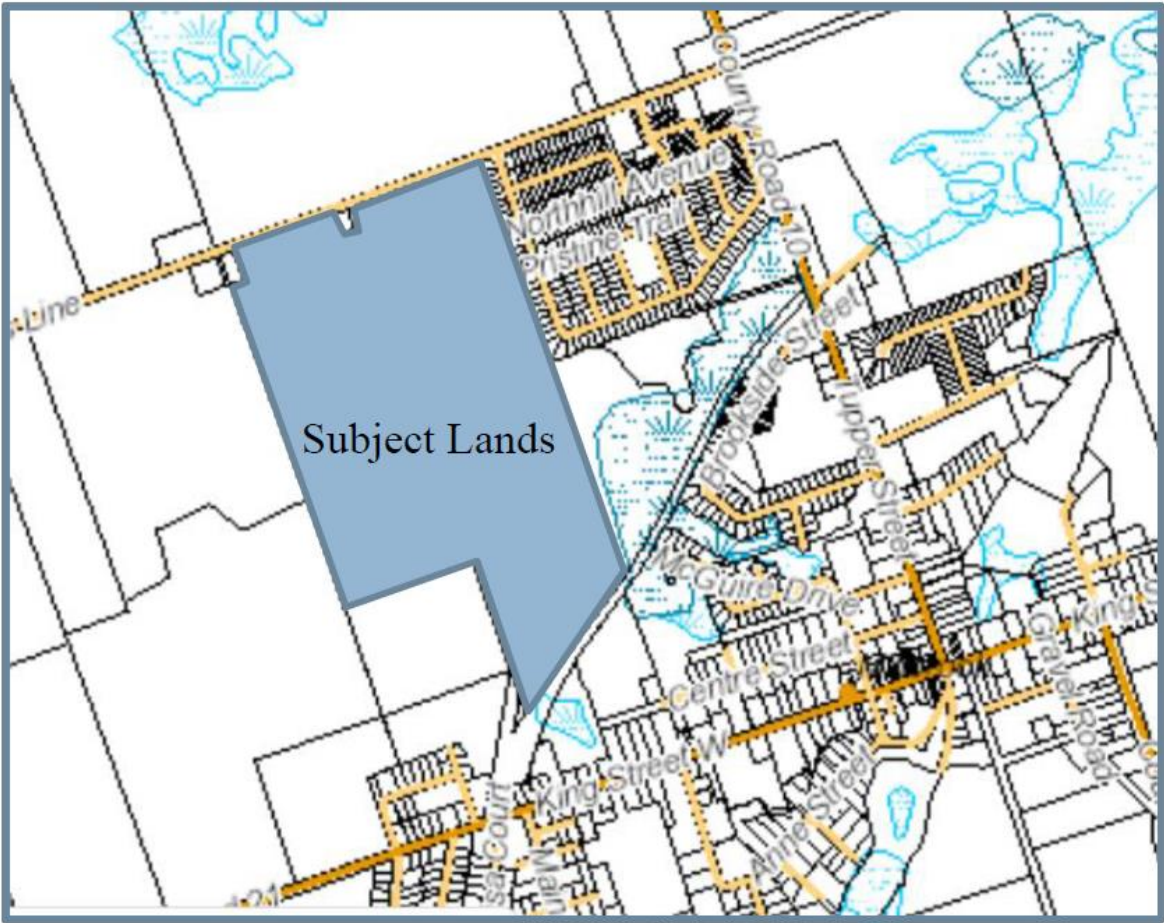
Attachment No. 1: Key Map  
Attachment No. 2: Draft Plan of Subdivision  
Attachment No. 3: Official Plan Amendment No. 16  
Attachment No. 4: Report Planning 2022-41  
Attachment No. 5: Draft Plan Conditions

Respectfully Submitted by,

Karen Ellis  
Director of Planning

Wayne Hancock  
Director of Public Works

Yvette Hurley  
Chief Administrative Officer





EXISTING  
AGRICULTUREEXISTING  
RESIDENTIALEXISTING  
RESIDENTIAL

## FALLIS LINE 23m WIDE

EXISTING  
AGRICULTUREAPPROVED  
RESIDENTIAL

## Schedule of Land Use

Description	Lot / Block No.	Residential Units	Area (ha)
Minimum Lot Width 10.70m (35')	A 9-22, 27-37, 40, 45-55, 58, 62-64, 68, 69, 72-80, 83-106, 110-133, 148, 149, 158, 159, 168-193, 195-204, 206-211, 221-242, 296-328, 331-336, 339-353, 356-374, 376, 377	243	8.76
Minimum Lot Width 13.70m (45')	B 1-8, 23-26, 38, 39, 41-44, 56, 57, 59-61, 65-67, 70, 71, 81, 82, 107, 108, 134-136, 145-147, 150-153, 156, 157, 162-167, 194, 205, 212-214, 219, 220, 243-249, 264-270, 278-281, 286-289, 293-295, 329, 330, 337, 338, 354, 355, 375, 378, 379	91	4.40
Minimum Lot Width 15.90m (52')	C 109, 137-144, 154, 155, 160, 161, 215-218, 250-263, 271-277, 282-285, 290-292	45	2.88
Total Single Detached		379	16.04
Street Townhouse Minimum Lot Width 7.62m (25')	380-405	141	3.58
Mixed Use	406	90	1.09
Net Developable Total		610	20.71
Stormwater Management Pond	407, 408		2.48
Natural Heritage Systems	409		16.31
Park	410-412		2.16
Walkway	413-415		0.07
Road Widening	416, 417		0.16
Right of Way			7.29
Total Site Area			49.18

TITLE:

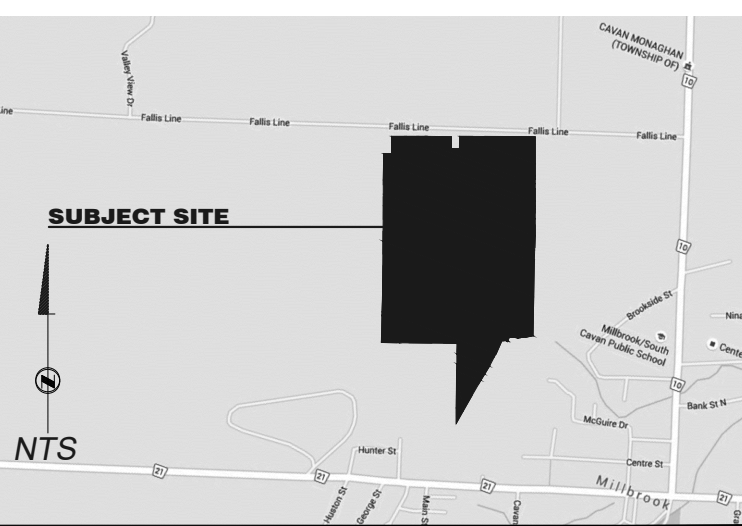
DRAFT PLAN OF  
SUBDIVISION

## LEGAL DESCRIPTION:

DRAFT PLAN OF PROPOSED SUBDIVISION  
PART OF LOT 11, CONCESSION 5  
(Geographic Village of Midbrook, Township of Cavan)  
PART OF LOT 11, CONCESSION 5 (Geographic Township of Cavan)  
TOWNSHIP OF CAVAN-MONAGHAN  
NORTH MONAGHAN  
(COUNTY OF PETERBOROUGH)

787 - 825 Fallis Line West  
Township of Cavan Monaghan

## KEY PLAN:



NOTE:  
DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN  
METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN  
AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATE AND CORRECTLY SHOWN IN  
ACCORDANCE WITH A PLAN OF SURVEY PREPARED BY SURVEYOR, COMPANY

DAVID COMERY  
IBW SURVEYORS

2023/06/30  
DATE

## OWNER'S CERTIFICATE

I HEREBY AUTHORIZE THE BIGLIERI GROUP LTD. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF  
SUBDIVISION TO THE MUNICIPALITY

SAVERIO MONTAMARANO  
CS4 DEVELOPMENT

2023/06/30  
DATE

## REQUIRED INFORMATION

AS REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT R.S.O. 1990.

- |                              |   |
|------------------------------|---|
| (a) SEE PLAN                 | (g) SEE PLAN  |
| (b) SEE PLAN                 | (h) MUNICIPAL WATER AND SEWAGE AVAILABLE                |
| (c) SEE KEY MAP              | (i) SANDY SILT / SILTY SAND TO CLAYEY SILT / SILTY CLAY |
| (d) SEE SCHEDULE OF LAND USE | (j) SEE PLAN  |
| (e) SEE PLAN                 | (k) MUNICIPAL WATER AND SEWAGE AVAILABLE                |
| (f) SEE PLAN                 | (l) SEE PLAN  |

NOTE: CONTOURS RELATE TO CANADIAN GEODETIC DATUM

## REVISIONS

No.	Description	Date	Int.
3	Prepared for Third Submission	23/06/30	EC
2	Prepared for Second Submission	22/10/03	EC
1	Stormwater Management Pond Revision	21/12/15	JS

PROJECT No.: 20697

DATE: November 3, 2022

SCALE: 1:1500

DRAFTED BY: EC CHECKED BY: MT

DRAWING No.:

DP-01

**BIGLIERI  
GROUP**

2472 Kingston Rd., Toronto  
120 Catharine Street North, Hamilton  
(416) 855-9165  
thebiglierigroup.com



Official Plan Amendment No. 16  
(CSU Subdivision)

to the

Official Plan for the Township of Cavan Monaghan

February 2024

## **Certificate**

### **Official Plan Amendment No. 16 Township of Cavan Monaghan Official Plan**

The attached map and explanatory text, constituting Amendment No. 16 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. 2024-10 in accordance with the provisions of Section 21 of the Planning Act, R.S.O., 1990, as amended, on the 20th day of February, 2024.

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**Matthew Graham, Mayor**

**Corporate Seal  
of Municipality**

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**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. 16 to the Township of Cavan Monaghan Official Plan.

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**Date**

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**Iain Mudd  
Director of Planning  
County of Peterborough**

## **Adoption By-law for Official Plan Amendment No. 16**

### **By-law No. 2024-10**

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. 16 to the Township of Cavan Monaghan Official Plan consisting of the attached text and maps (Schedules “1” and “2”) 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. 16 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 20th day of February, 2024.

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Matthew Graham  
Mayor

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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. 16 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. 16 to the Township of Cavan Monaghan Official Plan is to expand the Millbrook Settlement Area boundary, realign land use designations, and add an exception policy to specify that the regulations of Ministerial Zoning Order (O. Reg. 250/22 & Map 304) shall guide development on the subject lands. The changes will permit the development of a 610 residential lot/unit plan of subdivision on the subject lands.

### **2. Location:**

The Amendment applies to the properties at 787 and 825 Fallis Line, in part of Lot 11, Concession 5 (Cavan) as shown on the Key Map attached hereto.

### **3. Basis:**

#### **i) Proposal**

The lands subject to the Application are approximately 49.18 hectares (121.52 acres) in size with approximately 526.7 metres (1728 feet) of frontage on Fallis Line. The lands are legally described as Part of Lot 11, Concession 5 (Cavan), Township of Cavan Monaghan.

The subject lands are currently developed with two (2) single detached dwellings.

Official Plan Amendment No. 16 will change the land use designation on a portion of the subject lands from “Agricultural” to “Residential” and “Community Commercial”. The Amendment will also align the “Natural Core” designation with the limits of the Ministerial Zoning Order and expand the Millbrook Settlement Area Boundary.

The addition of an exception policy related to the regulations of the Ministerial Zoning Order and the maximum height permitted for multi-unit residential buildings is also proposed.

A Planning Justification Report for the Application and subsequent addendums are 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. A non-statutory Public Open House was held on May 18, 2022 and a Statutory Public Meeting was held on August

2, 2022. An additional opportunity for public comment was provided on February 20, 2024.

iii) Agency Review

All agency comments received are included in the Appendix.

## Key Map



## **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 maps designated as Schedules “1” and “2” constitute Amendment No. 16 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-1’ of the Township of Cavan Monaghan Official Plan is amended by changing the land use designations on a portion of the subject lands in part of Lot 11, Concession 5 (Cavan) from “Agricultural” to “Residential” and “Community Commercial”. Schedule A-1 is also being amended to align the “Natural Core” designation with the limits of Ministerial Zoning Order (O. Reg. 250/22 & Map 304) as shown on Schedule “1”, attached.
2. Schedule ‘A’ of the Township of Cavan Monaghan Official Plan is amended by changing the land use designation of the subject lands in part of Lot 11, Concession 5 (Cavan) from “Agricultural” to “Millbrook Urban Settlement Area” and amending the location of the “Settlement Area” to include all of the subject lands as shown on Schedule “2” attached.
3. Schedules ‘A’ and ‘A-1’ of the Township of Cavan Monaghan Official Plan are further amended by adding a text box reference for Section 4.1.8 c) as it applies to the subject lands in part of Lot 11, Concession 5 (Cavan) as shown on Schedules “1” and “2” attached.
4. Section 4.1 of the Township of Cavan Monaghan Official Plan is amended by adding a new subsection, namely subsection 4.1.8 c), immediately following subsection 4.1.8 b) that shall read as follows:

#### **“4.1.8 Site Specific Policies**

- c) 787 and 825 Fallis Line  
Part of Lot 11, Concession 5 (Cavan)  
CSU Subdivision

The lands subject to Ministerial Zoning Order (O. Reg. 250/22 & Map 304) are identified on Schedules ‘A’ and ‘A-1’ as subject to Policy 4.1.8 c). If there is a conflict between the policies of the Cavan Monaghan Official Plan and the regulations contained within the Ministerial Zoning Order, then the text and mapping of the Ministerial Zoning Order shall prevail. Development on the lands subject to a Ministerial Zoning Order shall occur within the terms of a Subdivision Agreement between the Township and the landowner, as appropriate.

Notwithstanding the provisions of Section 4.1.3 a) and 4.4.3 herein, the maximum building height for single, semi-detached and townhouse dwellings shall be three (3) storeys and the maximum building height for apartment buildings and mixed-use apartment buildings shall be four (4) storeys.

Development in the “Community Commercial” Designation shall be in accordance with the regulations associated with the “Commercial/Mixed Use Zone” of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304).

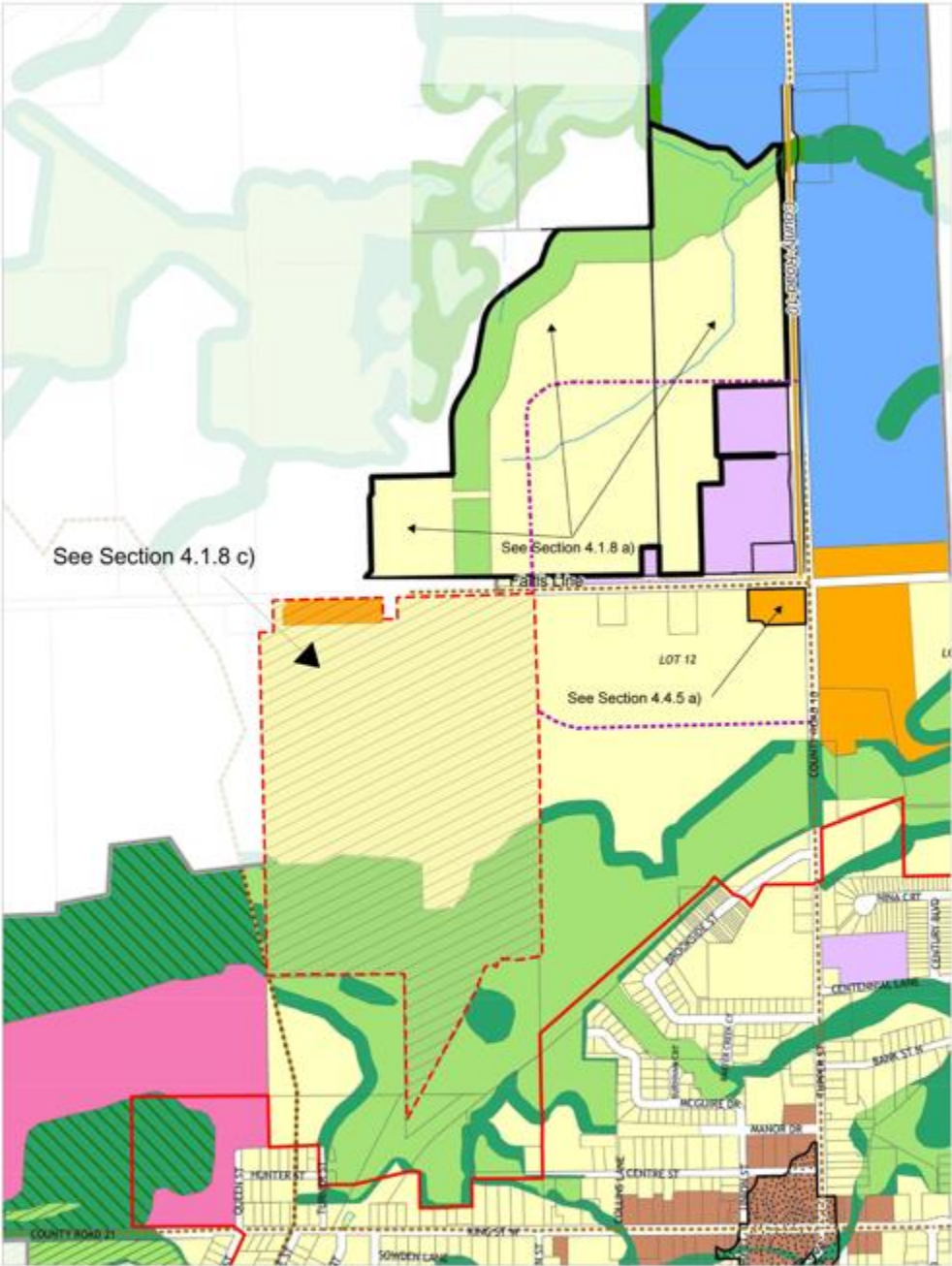
In addition to the uses permitted in Section 4.4.2 the following uses shall also be permitted: banks and financial institutions; liquor stores; post offices; personal services; business professional and medical offices as a primary use; and dwelling units in mixed-use buildings.



Policy 4.4.3 a) to d) shall not apply.

Those lands located outside of the “Community Zone” and “Commercial/Mixed Use Zone” of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304) shall be subject to the policies of the Natural Heritage System policies in Section 6 of the Official Plan.

Notwithstanding the policies of Section 8.3, the boundaries of the Millbrook Settlement Area shall be expanded to include all lands subject to the Ministerial Zoning Order (O. Reg. 250/22 & Map 304).”

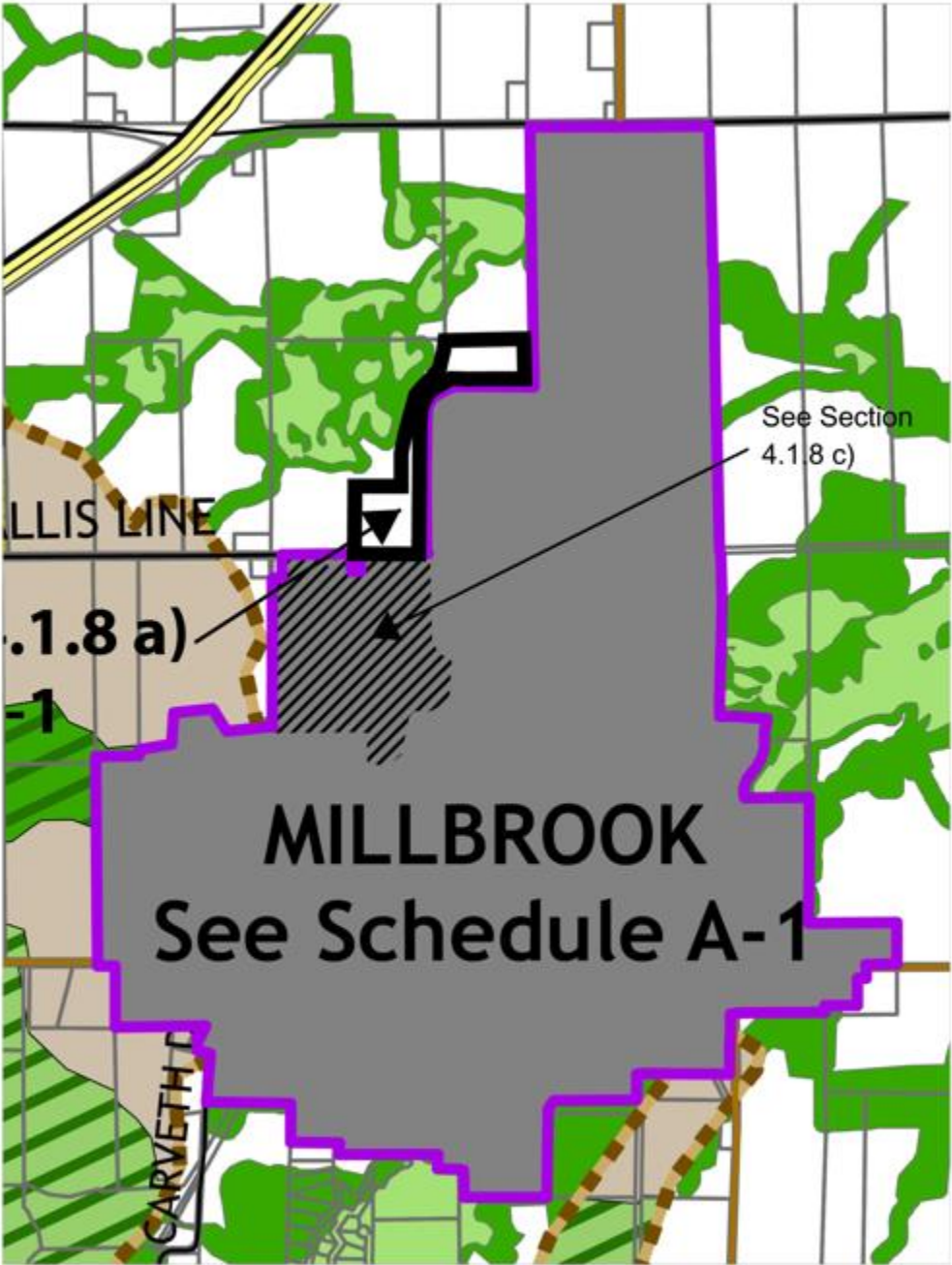
Schedule “1”



-  From Agricultural and Natural Linkage Area to Residential (yellow), Community Commercial (orange), and Natural Core Area (light green)
-  Subject Site



Schedule "2"



Added to MILLBROOK Area



## Regular Council Meeting

<b>To:</b>	Mayor and Council
<b>Date:</b>	August 2, 2022
<b>From:</b>	John F. Connolly, Executive Director, Planning & Development
<b>Report Number:</b>	Planning 2022-41
<b>Subject:</b>	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.

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### 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 proposed 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

Schedule of Land Use	Units	Blocks	Area (ha)
7.62m (24) Street Townhouse	148	372-375, 387-408	5.68
10.7m (307) Single Detached	C 201	1-8, 23, 24, 27-48, 51-68, 72, 75, 78, 79, 83-89, 93, 102-112, 121-131, 134, 135-142, 164-195, 197-198, 208-216, 226-228, 257, 276, 283-302, 305-308, 311-340, 343-349, 350-370	6.83
13.7m (45) Single Detached	B 113	9-22, 25, 45, 50, 59-71, 73, 74, 76, 77, 80-82, 100, 101, 113-120, 132, 133, 141-149, 156-158, 166-169, 174-177, 181-183, 196, 200, 201, 206-208, 217-218, 224, 225, 226, 240, 258, 259, 262-273, 284, 286, 290-292, 303, 304, 309, 310, 341, 342, 343, 345, 347, 150-155, 158-165, 110-113, 178-180, 202-205, 220-223, 229-235, 250-256, 260, 291, 274, 275, 277-283, 287-289	5.21
15.9m (52) Single Detached	A 57		3.51
Medium Density (4-Storey Building)	150	377	0.85
<b>TOTAL</b>	<b>669</b>		<b>20.20</b>
Parkland & Trails		381, 382, 383, 388	2.06
Natural Heritage System		384	16.31
Stormwater Management Pond		350, 355	2.39
Road Widening		378, 379	0.16
R.O.W.		PRISTINE TRAIL	7.68
Future Development		EXTENSION, STREETS A-M	0.39
<b>TOTAL SUBJECT SITE</b>		50-99, 376	<b>49.20</b>

**LEGAL DESCRIPTION:**  
 DRAFT PLAN OF PROPOSED SUBDIVISION  
 PART OF LOT 11, CONVEYANCE  
 TOWNSHIP OF CAVAN MONAGHAN  
 NORTH MONAGHAN  
 (PART OF THE TOWNSHIP)

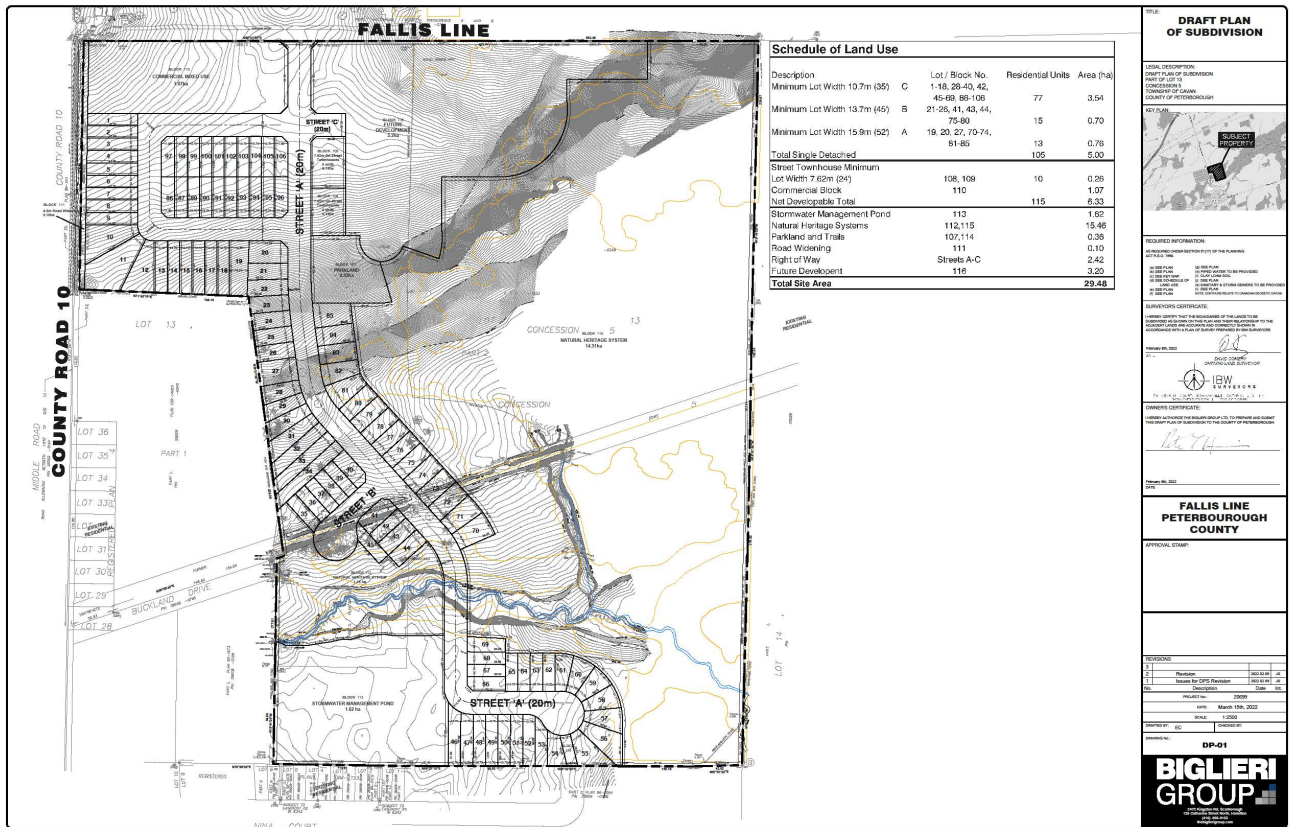
**787 - 825 Falls Line West**  
 Township of Cavan Monaghan

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THE INFORMATION ON THIS PLAN TO BE SUBMITTED AS EVIDENCE ON THIS PLAN AND IN THE RELATIONSHIP TO THE SUBDIVISION AND ACCORDINGLY SHOWN IN ACCORDANCE WITH THE SURVEY ACT (R.S.O. 1990, CHAPTER S.5)

**OWNER'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THE INFORMATION ON THIS PLAN TO BE SUBMITTED AS EVIDENCE ON THIS PLAN AND IN THE RELATIONSHIP TO THE SUBDIVISION AND ACCORDINGLY SHOWN IN ACCORDANCE WITH THE SURVEY ACT (R.S.O. 1990, CHAPTER S.5)

**REQUIRED INFORMATION**  
 AS REQUIRED UNDER SECTION 5(1) OF THE PLANNING ACT R.S.O. 1990:  
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## 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 e-Laws: April 1, 2022

Printed in *The Ontario Gazette*, April 16, 2022

### ZONING ORDER - TOWNSHIP OF CAVAN MONAGHAN

#### **Definition**

1. In this Order,

"zoning by-law" means the Township of Cavan Monaghan Zoning By-Law No. 2018-58.

#### **Application**

2. This Order applies to lands in the Township of Cavan Monaghan in the County of Peterborough, in the Province of Ontario, 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 shown as the Community Zone on the map referred to in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for,

- (a) the uses permitted in the Urban Residential One (UR1) Zone and the Urban Residential Two (UR2) Zone under section 3.2 of the zoning by-law;
- (b) townhome dwellings;
- (c) multiple dwellings;
- (d) apartment dwellings;
- (e) long-term care facilities;
- (f) retirement homes;
- (g) the uses permitted in the Open Space (OS) Zone set out in section 10.2 of the zoning by-law; and
- (h) infrastructure uses.

(3) The zoning requirements respecting setbacks set out in section 11.30 of the zoning by-law do not apply to the uses, buildings or structures permitted under subsection 3 (2).

(4) Despite the zoning by-law, the following requirements apply to the uses, buildings or structures permitted under clause 3 (2) (a):

1. The minimum lot area is 270 square metres for uses permitted in the Urban Residential One (UR1) Zone under the zoning by-law.
2. The minimum lot area is 162 square metres for uses permitted in the Urban Residential Two (UR2) Zone under the zoning by-law.

(5) Despite the zoning by-law, the following requirements apply to the uses, buildings or structures permitted under clause 3 (2) (b):

1. The minimum lot area is 250 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 lot 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.

4. The minimum landscaped open space is 20 per cent of the lot area.
5. The minimum front yard setback is 4.5 metres.
6. The minimum rear yard setback is 6 metres.
7. The minimum exterior side yard setback is 2.5 metres.
8. The minimum interior side yard setback is 1.2 metres on one side and 0.6 metres on the other side.
9. Despite paragraph 8, there is no minimum interior side yard setback for a common wall between dwelling units.
10. Clause (1) in the portion of the zoning 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 clause 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 cent of the lot area.
  4. The maximum building height is 14 metres not including mechanical penthouses, rooftop amenities and other structures set out in section 11.12.1 of the zoning by-law.
  5. The minimum front, rear, exterior side and interior side yard setback is 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 amenity area requirements, in the zoning by-law applies.
- (8) The zoning requirements set out in section 10.3 of the zoning by-law for the Open Space (OS) Zone apply to the uses, buildings or structures permitted under clause 3 (2) (g).

**Commercial/Mixed Use Zone**

4. (1) This section applies to the lands located in the area shown as the Commercial/Mixed Use Zone on the map referred to in section 2.
- (2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), except for,
  - (a) the uses permitted in the Community Commercial (CS) Zone under section 5.2 of the zoning by-law;
  - (b) art galleries;
  - (c) artists studios;
  - (d) building supply stores;
  - (e) financial institutions;
  - (f) mobile refreshment vehicles;
  - (g) personal service establishments;
  - (h) places of worship;
  - (i) postal or courier outlets;
  - (j) printing or publishing establishments;
  - (k) motor vehicle repair garages;
  - (l) business offices;
  - (m) beer, liquor, wine and cannabis stores;
  - (n) dwelling units in mixed-use buildings; and
  - (o) live/work dwelling units.
- (3) Despite the zoning by-law, 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, rear, exterior side and interior side yard setback is 3 metres.



3. Despite paragraph 2, there is no minimum interior side yard setback where two commercial uses are situated on adjoining lots.
4. Despite paragraph 2, there is no minimum rear yard setback where the building or structure is adjacent to a public or private laneway.
5. The maximum building height is 14 metres not including any mechanical penthouses, rooftop amenities or any of the structures listed in section 11.12.1 of the zoning by-law.
6. There is no maximum floor area requirement.
7. The zoning requirements respecting setbacks set out in section 11.30 of the zoning by-law do not apply.

**Terms of use**

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 Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

**Repealed by-law**

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

**Commencement**

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

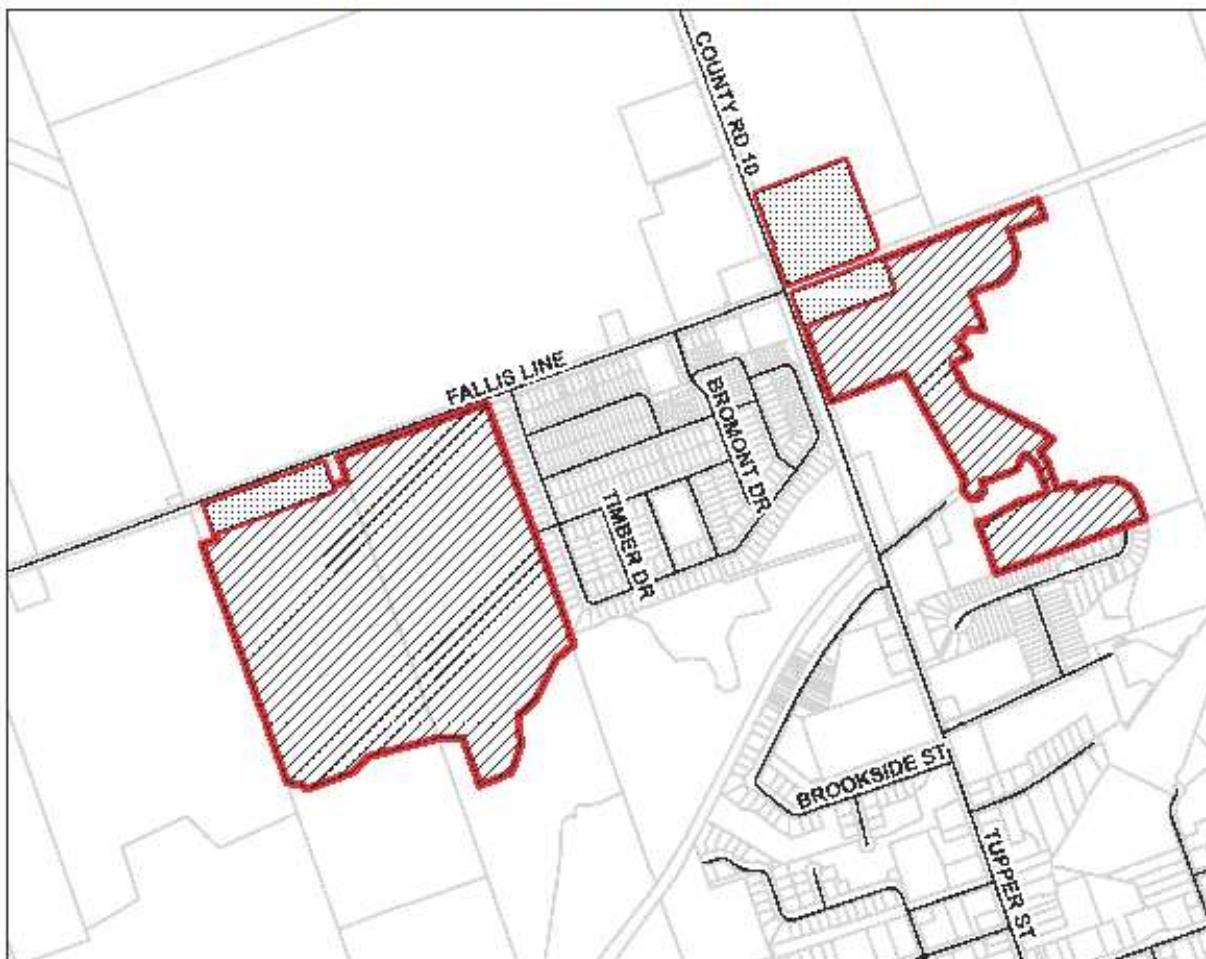
Made by:

**STEVIE CLARK**  
*Minister of Municipal 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 No. 304**

Map filed at the office of the  
Ontario Ministry of Municipal  
Affairs and Housing, 777 Bay St.,  
Toronto, Ontario,

Planning Act

Ontario Regulation: 250/22

Date: April 1, 2022

Original Signed By: Minister of  
Municipal Affairs and Housing

**LEGEND**

- Roads
- Subject Lands
- Commercial/Mixed Use Zone
- Community Zone
- Parcels



Map North (Degrees): 0°

0 75 150 300  
Metres

1 cm equals 110 metres

**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.

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**THIS IS NOT A PLAN OF SURVEY**

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Ontario



# Attachment No. 4 – Notice – Millbrook Advertisement

July 2022

THE MILLBROOK TIMES – SERVING CAVAN-MONAGHAN AND SURROUNDING COMMUNITIES SINCE 1987

PAGE 3



## 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 Zoning By-law Amendments ZBA-00-21 and ZBA-10-21 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-law Amendments for these applications were approved through Minister's Zoning Order (Ontario Regulation 250/22) filed on April 1, 2022.

### Purpose and Effect of the Applications

Subdivision Application 15T-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 49.2 hectares (121.6 acres) of land at 787 and 825 Falls 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, contain parkland and trails as well as a stormwater management pond block. This application applies to 29.48 hectares (72.8 acres) of land at southeast corner of Falls 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 and Community Zone. The 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 Urban Residential One (UR-1) and Urban 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 MZO. For the CSU subject lands, the OPA proposes to expand the Millbrook Settlement Area boundary by 31 hectares (76.6 acres) and change that portion of the current OP designation from Agricultural to Residential to the proposed development. The current portions 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 later 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 Cavan 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 [cpage@cavanmonaghan.net](mailto:cpage@cavanmonaghan.net) no later than 4:00 p.m. on the business day prior 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 Zoom for electronic meetings and it is the responsibility of the interested member of the public to have technology in place to connect to the meeting.

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](mailto: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/Uck8cGK2GuekFHWz\\_P\\_KaleQ?view\\_as=subscriber](https://www.youtube.com/channel/Uck8cGK2GuekFHWz_P_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 705-932-9326.

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 705-932-9326 or email the Township Clerk if you require an accommodation to ensure your needs are met prior to the meeting.

### The Right to Appeal

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 Notified

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. 15T-21007 (OPA-03-21) and/or 15T-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=29a3f6cc-831e-49e2-998c-635b0da7f655&page=3&newsid=ef60420-51cb-4ce2-935b-8daf26833ec>

<https://www.ptbocounty.ca/Modules/News/index.aspx?feedid=29a3f6cc-831e-49e2-998c-635b0da7f655&page=3&newsid=bedc38e3-3f08-473e-a54f-3cbb00e86c0f>

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

**Township of Cavan Monaghan**  
988 County Rd 10  
Millbrook ON  
L0A 1G0  
Tel: (705) 832-9326

Dated this 27<sup>th</sup> day of June, 2022



## **Attachment No. 5 – Draft Conditions of Approval – CSU Plan of Subdivision**

### **1) Draft Plan**

That this approval and conditions apply to the draft plan of subdivision (Project Number 20697, Plot Date: June 30, 2023), prepared by Biglieri Group and signed by the Owner and the Surveyor on June 30, 2023, showing a total of:

- Four Hundred Seventeen (417) lots and Blocks (1-417 inclusive)
- Three Hundred Seventy-Nine (379) – Residential Single Density (Lots 1-379)
- One Hundred Forty-One (141) – Residential Townhouse units (Blocks 376-401)
- Ninety (90) – Mixed Use Units (Block 406)
- Two (2) Stormwater Management Pond Blocks (Blocks 407, 408) – transfer to Township
- One (1) Natural Heritage System Block (Block 409) – transfer to Township
- Three (3) Parkland Blocks (Blocks 410, 411 and 412) – transfer to Township
- Three (3) Six Metre (6m) Walkways (Blocks 413-415) – transfer to Township
- Two (2) Road Widening Blocks (Blocks 416, 417) – transfer to Township
- Twelve (12) Internal Roads Streets (A – L, Pristine Trail Extension)

### **2) Water/Wastewater Allocation**

- a) The Developer/Owner shall acknowledge in the Subdivision Agreement that draft plan approval does not in itself constitute a commitment by the Township of Cavan Monaghan to provide servicing access to the Township's water supply. Plans may proceed to registration provided that there is sufficient residual capacity and capability to service the development. The Owner/Developer shall acknowledge in the Subdivision Agreement that plant capacity may be allocated for new development on a priority basis at the time of payment of Development Charges in accordance with the Act. The Township has completed its Master Water and Wastewater Servicing Study (completed by R.V. Anderson) and has been advised by its consultant that there is sufficient existing capacity available for only one hundred (100) of the proposed units. As a result, development and wastewater allocation will be

based on a phased approach to development whereby Phase 1 will be limited to one hundred units (100) units. Future development will only be granted as existing, new or expanded capacity is available.

- b) At all times, the granting of service allocation and the acceptance of a Development Charge payment is conditional on the continued availability of service capacity and the ability of the Township to provide same. Should service capacity no longer be available to commit to the development, in whole or in part, through whatever circumstances, the Township may remove or adjust the quantity of service allocation to this development, up to the time of registration of the Plan, by advising the Developer/Owner and refunding the applicable Development Charges.
- c) Prior to final approval and registration of the Plan or any Phase thereof, the Township shall confirm to the Approval Authority, in writing, that there is sufficient water capacity available to service the entire plan of subdivision or phase based on existing commitments, allocations, and actual usage as determined by the Township's monitoring of water flows.

### 3) Water Servicing

- a) The Developer/Owner shall agree in the Subdivision Agreement to design the water supply and distribution system to accommodate lateral connections to the existing resident fronting Fallis Line West to the satisfaction of the Township's Director of Public Works.
- b) The Developer/Owner shall agree in the Subdivision Agreement to use best efforts to install water laterals to the existing resident at the landowner's expense and direction to the satisfaction of the Township's Director of Public Works in accordance with the Township's Standards. The associated road repairs/resurfacing works shall be completed at the Developer's/Owner's expense.
- c) On the general plan, watermains are to be located within the road allowance to minimize road crossings for services. These are to be relocated and resubmitted for approval with detailed design.

### 4) Sanitary Sewage Services

- a) Prior to final approval and registration of the Plan, the Developer/Owner agrees to provide for an appropriate sanitary conveyance system, including the provision of servicing facilities external to the plan where required, to the satisfaction of the Township's Director of Public Works.
- b) The Developer/Owner agrees to grant an easement to the Township of Cavan Monaghan for access to the sanitary conveyance system, in terms satisfactory

to the Township of Cavan Monaghan, and that the easement shall be removed from title when it is no longer required by the Township of Cavan Monaghan.

5) External Services

- a) The Developer's consultant will provide overall engineering drawings of external sanitary drainage areas, water servicing areas, storm drainage areas. The plans will be submitted for approval prior to initiating detailed design of underground infrastructure for the subdivision.
- b) The Developer's consultant will provide an overall utility composite drawing, showing hydro, gas, cable and Canada mailboxes for approval. The consultant will also provide detailed designs for Hydro one, Enbridge & cable.

6) Phasing

- a) The Developer/Owner agrees to provide a Phasing Plan acceptable to the Township (see water servicing conditions). This plan will include servicing and phasing of registration.

7) Zoning

- a) The lands within this Draft Plan of Subdivision have been appropriately zoned through Minister's Zoning Order (MZO – 250/22) that has come into effect in accordance with the provisions of the Planning Act. The Approval Authority is to be advised, in writing, by the Township of Cavan Monaghan that the property has been rezoned with appropriate restrictions for the lands within the plan of subdivision.
- b) The Developer/Owner shall agree in the Subdivision Agreement that minor modifications to the Plan of Subdivision may be necessary to ensure compliance with the implementing Zoning By-law and the service standards of the Township of Cavan Monaghan, which may result in a redline revision or the reduction in the number of lots or their reconfiguration.

8) Parkland & Environmental Lands

- a) For all park blocks, confirmation of required works (i.e. servicing, grading and sodding) on site is required and date of the completion of these works is to be noted in the Subdivision Agreement. In addition, a concept plan will be approved as part of the approval process;
- b) The Developer/Owner shall dedicate Blocks 410-412 (Park) to the Township as parkland to the Township;

- c) The Developer/Owner shall also dedicate Blocks 413-415 (walkway) to the Township (as walkways with access to the trail system network as noted below);
- d) The Developer/Owner shall dedicate Blocks 409 (Natural Heritage System) to the Township;
- e) The Developer/Owner shall identify all trails and connections in the draft Plan of Subdivision;
- f) The Developer/Owner shall construct on lands dedicated to the Township and provided for in the Subdivision Agreement a trail walkway system along the Environmental Heritage System lands (Block 409) as shown on the Draft Plan of Subdivision. This trail walkway system will be constructed within the 30 metre buffer lands of the woodlands and interconnected to the proposed subdivision sidewalks.
- g) The parkland dedication for this subdivision may be more than the required amount. Any over dedication of parkland shall be recognized in the Subdivision Agreement with a provision that the over dedication of parkland amount may be used toward the parkland dedication requirements for other lands in the vicinity of the subject lands at the owner's discretion and if acceptable to the Township.
- h) The Developer/Owner shall dedicate Blocks 407, 408 (Stormwater Management) to the Township;
- i) All trails should be 3.0 metres wide coinciding with the former railway line and other connecting trails. Trail connections should be linear and connect to the system outside and adjacent neighbouring trails (refer to Cavan Monaghan Parks & Recreation Strategic Plan and Cavan Monaghan Trails Master Plan); and
- j) The Developer/Owner shall connect the trail system within the Plan of Subdivision to the existing rail trail system along the railway line. This connection shall be done in consultation with and to the satisfaction of the Township.

9) External Road Improvements

The Developer/Owner shall agree in the Subdivision Agreement to complete the following external road improvements at the Developer's/owner's expense and to the satisfaction of the Township's Director of Public Works. External works are subject to Development Charge Credits:

- a) dedication of a 3.0 metre road widening along the south side of Fallis Line West for the length of the subject lands to the Township of Cavan Monaghan (Block 416, 417);

- b) provision of a minimum paved width of 10 metres on Fallis Line; and
- c) urbanization of the south side of Fallis Line West, including the construction of a concrete sidewalk, lighting and landscaping as per the Township of Cavan Monaghan Servicing Standards, to the Township of Cavan Monaghan's satisfaction.

10) Internal Roads

The Developer/Owner shall agree in the Subdivision Agreement to complete the following at the Developer's/Owner's expense and to the satisfaction of the Township's Director of Public Works or designate:

- a) the road allowances included in this draft plan be shown and dedicated as public highways on the final plan;
- b) the roads included in this draft plan be named to the satisfaction of the Township of Cavan Monaghan;
- c) the Township is open to a list of suggested street names which will be reviewed with emergency services to ensure there are no other streets with same/similar names elsewhere in the Township/County;
- d) Plans showing any proposed phasing will be submitted to the Township of Cavan Monaghan for review and approval;
- e) any easements required to provide municipal services to the development shall be granted to the Township of Cavan Monaghan and these easements shall be in locations and of such widths as determined by the Township;
- f) the daylighting triangles be 15 metres by 15 metres for Arterial Roads and 5 metres by 5 metres for local and collector roads;
- g) any areas to be set aside for daylighting triangles shall be shown and dedicated as public roads on the face of the M Plan;
- h) road allowance widths for a portion of Pristine Trail and Street 'G' will be 20 metres. The Township requests sidewalks on both sides of these streets;
- i) All other internal road allowance widths (unless noted above) will be 18 metres wide;
- j) As per the geotechnical report, pavement structures shall be constructed as specified. The pavement structures outlined in the Geotechnical Report will meet Township standards; and



- k) Detailed engineering drawings for roads and infrastructure will need to be submitted for review and final sign off by the Township Director of Public Works.

11) Lot Layout

- a) Frontages on the south side of Fallis Line West need to be consistent with the lot frontages on the north side of Fallis Line West.

12) Sidewalks

The Developer/Owner shall agree in the Subdivision Agreement to install concrete sidewalks on every street. The sidewalk network must be continuous and connect to the existing sidewalk network.

- a) The sidewalk along Fallis Line West is to be located south side to join the trail/walkway to the east.
- b) Sidewalk locations will be detailed on overall general plan for approval by this Department and the Township. A detailed plan and full review is required prior to sign off for inclusion in the subdivision agreement.

13) Street Lighting

- a) The Developer/Owner shall agree in the Subdivision Agreement to provide dark sky compliant LED street lighting;
- b) The Township requires streetlights to be on the same side of the street as the sidewalks (i.e., Township of Cavan Monaghan Municipal Standard (decorative street lighting the same as or similar to the established lighting in the Towerhill South subdivision);
- c) The Developer/Owner will provide street lighting on Fallis Line adjoining the Plan of Subdivision; and
- d) Street lighting will be detailed on street lighting plan and forwarded for approval by this Department and the Township. Street lighting standard will be as per the approved standard in Towerhill South and shall be outlined in the urban design guidelines.

14) Fencing

- a) The Developer/Owner shall agree in the Subdivision Agreement to provide fencing in accordance with the Township of Cavan Monaghan standards;
- b) The Developer's consultant will provide an overall plan of all fencing (both Chain Link & Wood Screen Fence). This plan will be submitted for approval by the Township; and

- c) The Developer's consultant will provide detailed landscaping plans as required for the subdivision including all Streets as well as Blocks 407, 408, 409, 410, 411, 412, 413, 414 and 415. This plan will be approved by the Township and referenced in the Subdivision Agreement.

15) Sediment and Erosion Control

- a) Prior to any site alteration, construction or final approval of the Plan, the Developer/Owner shall prepare, to the satisfaction of the Township of Cavan Monaghan, the Otonabee Region Conservation Authority and the County of Peterborough, the following:
  - i. A sediment and erosion control plan that details the measures that will be implemented before, during and after construction to minimize soil erosion and sedimentation, to reduce potential post construction slope failures and/or erosion effects. The Sediment and Erosion Control Plan should also include measures for re-vegetation of disturbed soils immediately following site disturbance;
  - ii. A Final Grading Plan indicating elevations and lot drainage patterns;
- b) The Developer/Owner shall agree to construct and install all erosion and siltation control devices prior to the commencement of any building construction or the stripping of any soil on any lot. Erosion and siltation control devices shall be installed in accordance with Plans approved by the Township of Cavan Monaghan in consultation with the Otonabee Region Conservation Authority;
- c) The Developer/Owner shall inspect and repair such control devices at the end of each day to ensure that such devices remain in good repair during the construction period, to the satisfaction of the Township of Cavan Monaghan;
- d) The Developer/Owner agrees to provide the final lot grading plan, to the Township Director of Public Works and Chief Building Official or designates, prior to the issuance of any building permits; and
- e) The Developer/Owner agrees to provide lot grading plans for each lot at the time of building permit issuance and certification that the individual lot grading plans conform to the overall grading plan to the Township Director of Public Works and Chief Building Official or designates.

16) Stormwater Management

- a) Prior to any site alteration, construction or final approval of the Plan whichever occurs first, the Developer/Owner shall prepare, to the satisfaction of the Township of Cavan Monaghan, the Otonabee Region Conservation Authority

and Peterborough County, the following detailed design items pertaining to stormwater management:

- i. A detailed design submission of the proposed stormwater management system; and
  - ii. A complete drainage design plan including lot grading and drainage plans.
- b) The Developer/Owner agrees to transfer Blocks 407 and 408 to the Township at no cost at the time of registration.
- c) The Developer will be required to provide full stormwater management plans with a full report for final approval as a condition of the subdivision agreement. This will include full sediment control plan and location of all sediment control fencing.

#### 17) Architectural Control

Prior to final approval and registration of the development, the Developer/Owner agrees to submit Architectural Control Guidelines for the development, prepared by a qualified professional, and selected by the Township of Cavan Monaghan. The Developer/Owner shall agree in the subdivision agreement to the implementation of the approved Architectural Control Guidelines to ensure that municipal design objectives are achieved, including, but not limited to, the objective that a variety of dwellings are constructed within the Plan. The primary purpose of the Guidelines is to promote Millbrook's community values and expectations for housing design. Such designs are to be consistent with the policies of the Township of Cavan Monaghan Official Plan and have regard to existing residential development in the surrounding area.

#### 18) Urban Design Guidelines

The Developer/Owner shall agree to provide urban design guidelines acceptable to the Township for matters such as street name blades, entrance features, etc.

#### 19) Health and Safety

- a) The Developer/Owner agrees to ensure that access routes for the proposed buildings comply with articles 3.2.5.5 and 3.2.5.6 of the Ontario Building Code.
- b) The Developer/Owner agrees to satisfy the Township Fire Chief as to the requirements for fire breaks during building construction.

#### 20) Adjacent Agricultural Lands

The Developer/Owner agrees to place notice on all offers of purchase and sale advising property owners that the subject lands are located nearby agricultural lands and that from time to time normal agricultural practices may result in noises,

odours and dust that may adversely affect the enjoyment of the properties within the Plan of Subdivision.

## 21) Groundwater Monitoring

The Developer/Owner shall agree to undertake a groundwater monitoring program to the satisfaction of the Township of Cavan Monaghan to ensure that the development does not impact the water supply of the adjacent dwellings. The Developer will provide well monitoring for all wells as recommended by geotechnical and hydrogeological consultants.

In the event that there is a disruption in the water supply on adjacent lands during construction and development of the subdivision, upon being advised by the Township that there has been interference with an adjacent water supply, the Developer/Owner shall provide, to the Township's satisfaction, an alternate source of potable water to the dwelling within 24 hours until such time as it is determined that the development has not caused the interference.

## 22) Landscape Plans

- a) The Developer/Owner agrees to engage the services of a Landscape Architect to prepare comprehensive drawings including but not limited to streetscape, landscape, entrance features, fencing, restoration, naturalization, details and specifications, all to the satisfaction of the Township of Cavan Monaghan;
- b) The Developer/Owner shall provide a landscape plan for the entire plan of subdivision that will include all landscape strips along Fallis Line West. Specific landscaping will be required along the rear privacy fence of the existing single family residence fronting on Fallis Line (PIN 28012-0256);
- c) The Developer/Owner shall convey Blocks 410-412 to the Township of Cavan Monaghan for park or other recreational purposes in accordance with the provisions of the Planning Act. The parkland (Blocks 410-412) shall be serviced, graded, sodded, fenced and landscaped, to the Township's satisfaction, prior to being dedicated to the Township;
- d) The Developer/Owner agrees to complete the parkland grading, fencing and landscaping mentioned in part c) of Blocks 410-412 prior an agreed upon date as required to satisfy the requirements of the Planning Act, R.S.O. 1990 c.P.13, as amended;
- e) The Developer/Owner shall convey Block 409 to the Township of Cavan Monaghan for the purposes of natural heritage protection. Other than trail development, adjacent to the residential lots on Street 'K', no site alteration and soil disturbance may occur within this Block. Further, a clause will be included in the Subdivision Agreement specifying that no development, site alteration, or soil disturbance is permitted (without further archeological assessment) outside of the lands which were studied from an archeological perspective per

the Stage 1-2 Archaeological Assessment prepared by AECOM and dated August 23, 2023.

- f) The Developer/Owner agrees to provide indigenous trees on both sides of new streets with a minimum spacing of 10 metres or as shown in approved Landscape Plans prepared at detailed design.

#### 23) Signage

The Developer/Owner agrees to be responsible for posting signage on the property addressing Emergency Services Assistance, and posting all other required municipal signage to the satisfaction of the Township of Cavan Monaghan.

#### 24) Utility Distribution Plan

The Developer/Owner shall coordinate the preparation of an overall utility distribution plan to the satisfaction of all affected authorities and the Township of Cavan Monaghan. The Developer will provide an overall utility composite drawing, showing hydro, gas, cable and Canada mail boxes for approval. The consultant will also provide detailed designs for Hydro One, Enbridge & cable.

#### 25) Development Charges

- a) The Developer/Owner agrees that the Subdivision Agreement will contain provisions that development charges, processing and administration fees be paid in accordance with the current Township of Cavan Monaghan policies and By-law; and
- b) The Subdivision Agreement between the Developer/Owner and the Township of Cavan Monaghan shall include provisions whereby all Offers of Purchase and Sale will include information that satisfies Subsection 59(4) of the Development Charges Act.

#### 26) Final Plans

- a) The Developer/Owner agrees to provide to the Township of Cavan Monaghan, the registered Plan of Subdivision, and all other associated plans, referring to horizontal control surveys UTM (Zone 17) NAD83. These plans are to be provided in both hard copy (3 copies) and digital format;
- b) Ontario Land Survey certification at completion of subdivision; and
- b) The Developer/Owner shall submit complete and detailed engineering drawings, design and accompanying reports for review by the Township of Cavan Monaghan.

#### 27) Access to the Site (during Construction)

- a) Construction traffic shall not use Highlands Boulevard as access to the site. Access will be from Fallis Line West.

#### 28) Financial

- a) The Developer/Owner shall agree in writing to satisfy all development requirements of the Township, financial and otherwise, concerning the provision of roads, installation of services, drainage and landscaping. Without limiting the generality of the foregoing, the Developer/Owner shall provide such securities, in a form acceptable to the Township, as the Township may require to secure the performance of the obligations imposed by these conditions and the Subdivision Agreement.
- b) The Developer/Owner shall agree to register the Subdivision Agreement on title at the Developer's/Owner's expense.

#### 29) Fire Protection

- a) The developer will be required to confirm all data for the required fire flows, which will be required to accommodate this development;
- b) The Developer/Owner agrees to enter into an agreement to install a sprinkler system in the Mixed Use Block (Block 406). This agreement will be necessary to state that the hydrants will be operational and tested according to the NFPA Standards for Fire hydrants prior to the construction of any buildings and records will be supplied to the Director of Public Works and the Fire Chief; and
- c) The Township will consider four (4) storey development of the Mixed Use Block (Block 406) provided fire prevention and safety measures are implemented during construction.

#### 30) Mixed Use Block

Development of the Mixed Use Block (Block 406) will be considered at a future date through the Site Plan approval process consistent with the provisions of the Ministerial Zoning Order and Ontario Building Code. This Block will include a mixture of commercial and residential uses (a portion of which are to be affordable units).