



Regular Council Meeting

To:	Mayor and Council
Date:	February 3, 2025
From:	Matt Wilkinson, Planner
Report Number:	PEB 2025-05
Subject:	Official Plan and Zoning By-law Amendments 2166 North Monaghan Parkway Report File Nos. OPA-02-24 and ZBA-10-24

Recommendations:

1. That Council review and consider all verbal and written comments received at the public meeting;
2. That Council approve By-law No. 2025-06 to adopt Official Plan Amendment No. 18 to the Township of Cavan Monaghan Official Plan;
3. That Council authorize the submission of the adopted Official Plan Amendment to Peterborough County for review and approval; and
4. That Council approve By-law No. 2025-07 to implement the policies of Official Plan Amendment No. 18, as presented.

Overview:

On behalf of Robb Bennett, Jessica Rae Reid of Ecovue Consulting Services Inc., submitted Official Plan and Zoning By-law Amendment Applications to the Township of Cavan Monaghan. The Applications pertain to an existing lot of record at 2166 North Monaghan Parkway in Part of Lot 4, Concession 11 (North Monaghan). A key map showing the location of the subject property and an aerial image of the surrounding area are provided as Attachment Nos. 1 and 2 to this Report.

The Amendments are required to permit a second dwelling on the subject property.

Background:

The property subject to the Applications is approximately 28 hectares (69 acres) in size with approximately 385 metres (1,263 feet) of lot frontage on North Monaghan Parkway.

The property currently contains one (1) existing detached dwelling connected to a private well and septic system, and one (1) accessory detached garage. The dwelling is set back approximately 370 metres (1210 feet) from North Monaghan Parkway. The approximately 4 hectares (10 acres) of land immediately surrounding the residential dwelling are grassed and/or landscaped. The balance of the property (approximately 24 hectares (60 acres)) is used for agricultural purposes. A Site Plan of the proposed development is provided as Attachment No. 3 to the Report.

An informal pre-consultation meeting was held with Mr. Bennett, Township Planning and Public Works Staff on August 14, 2024. Township Planning Staff confirmed the need for official plan and zoning by-law amendment applications supported by a planning justification report that addresses Provincial, County and Township policies.

A Planning Justification Report was submitted by EcoVue Consulting in support of the Applications. The Report is provided as Attachment No. 4 to this Report.

Official Plan Amendment

The subject property is designated Rural as shown on Schedule ‘A’ to the Township Official Plan. A single detached dwelling is permitted in the Rural designation. An Official Plan Amendment is required to permit a second detached dwelling on the property.

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

1. Schedule A to the Official Plan for the Township of Cavan Monaghan is amended by adding a text box reference for Section 5.2.6 b) as it applies to lands located at 2166 North Monaghan Parkway in Part of Lot 4, Concession 11 (North Monaghan) as shown on Schedule “1”, attached.
2. Section 5.2.6 of the Official Plan for the Township of Cavan Monaghan is amended by adding a new subsection, namely subsection 5.2.6 b) that shall read as follows:

- b) 2166 North Monaghan Parkway
Part of Lot 4, Concession 11 (North Monaghan)

In addition to the uses permitted in Section 5.2.2, a second dwelling may be permitted.

A complete copy of Official Plan Amendment No. 18 is provided as Attachment No. 5 to this Report.

Zoning By-law Amendment

The subject property is zoned Rural (RU) as shown on Map B-5 to By-law No. 2018-58, as amended. A single detached dwelling is permitted in the RU Zone. A zoning by-law

amendment is required to permit a second detached dwelling. As drafted, the Zoning By-law Amendment reads as follows:

1. Map B-5 of Schedule “A” to By-law No. 2018-58, as amended, is hereby amended by rezoning certain lands in part of Lot 4, Concession 11 (North Monaghan), from the Rural (RU) Zone to the Rural Exception Eleven (RU-11) Zone as shown on Schedule “1” attached hereto and forming part of the By-law.
2. Section 7.4 of By-law No. 2018-58, as amended, is further amended by the addition of Section 7.4.30 that reads as follows:

“7.4.30 RU-11 Map B-4 on Schedule A (2025-07 2166 North Monaghan Parkway)

- a) Additional permitted use: second dwelling.
- b) Second dwelling minimum front yard setback 365 metres
- c) Second dwelling minimum eastern side yard setback 275 metres
- d) Second dwelling minimum rear yard setback 280 metres
- e) Notwithstanding the provisions section 11.2, the maximum number of permitted accessory apartments for the property is one (1).”

A copy of By-law No. 2025-07 is provided as Attachment No. 6 to this Report.

Notice

Notice of the Amendment Applications was circulated, by first class prepaid mail, to all assessed persons within 120 metres (400 feet) of the lands affected by the Official Plan Amendment and Zoning By-law Amendment applications, to all required ministries and agencies and to all Township Department Directors. A sign was posted on the North Monaghan Parkway frontage of the property. The Notice of Public Meeting was posted on the Township website. The notice complies with the requirements of the Planning Act.

Comments Received

The Township Building Department noted that a building permit will be required. Development Charges will not be applied for the proposed second dwelling. Section 3.5 e) of Township By-law No. 2022-43 states that the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to restrictions, development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.

The Township Fire Department does not object to the Applications.

Enbridge Gas does not object to the Applications. This response does not signify an approval for the site/development.

Ministry of Transportation (MTO) reviewed the proposal in accordance with the Public Transportation and Highway Improvement Act (PTHIA) and Highway Corridor Management Manual. The subject lands are not within MTO's permit control area and have no objection to the Applications.

Nexicom does not object to the Applications.

The City of Peterborough does not object to the Applications.

The Peterborough County Public Works Department did not have any objection to the proposal, but they did stress that a second entrance to the property would not be permitted.

Otonabee Region Conservation Authority (ORCA) confirmed that the Applications are consistent with Section 5.1 of the Provincial Policy Statement (PPS) regarding natural hazards. The subject lands are not located in a vulnerable area as per the Source Protection Plan. A Section 51 Notice under the Clean Water Act is not required. A permit is not required from the Conservation Authority for the new development.

Comments from Hiawatha and Curve Lake First Nations have not been received as of the date of drafting this Report.

Analysis

Land use policies that affect the subject lands including the 2024 Provincial Planning Statement, the County of Peterborough Official Plan (CPOP), Township of Cavan Monaghan Official Plan (OP) and the regulations of the Township of Cavan Monaghan Comprehensive Zoning By-law No. 2018-58 were reviewed.

The Provincial Policy Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The following section presents the applicable policies of the PPS.

The Provincial Policy Statement, 2024 (PPS)

Section 2 of the PPS contains policies designed to build strong and healthy communities in the Province of Ontario. According to Section 2.1.4 (Planning for People and Homes) of the PPS, municipalities are to provide for an appropriate range and mix of housing options and densities to meet the projected requirements of current and future residents of the regional market area.

Section 2.2.1 b) and c) states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating:

- b) all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
- c) all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;

The subject property is within 320 metres (1000 feet) of the City of Peterborough Settlement Area and Sir Sandford Fleming College to the east and 70 metres (225 feet) of urban industrial lands to the south. The regional market area includes a range of land uses including residential, agriculture, institutional and industrial uses. The addition of a second dwelling provides residential intensification and a mix of housing options. The Applications are consistent with Section 2.2 of the PPS.

Section 2.5.1(a) states that: healthy, integrated and viable rural areas should be supported by...building upon rural character and leveraging rural amenities and assets.

The subject lands currently contain an existing residential dwelling and active agricultural uses (crop farming and horses). The proposed Amendments will permit the construction of a second detached residential dwelling on private individual well and septic that will build upon the existing rural character of the area. The Applications are consistent with Section 2.5 of the PPS

Section 2.6 of the PPS speaks to Rural Lands in Municipalities. Rural Lands are defined as lands which are located outside settlement areas and outside prime agricultural areas.

Residential development, where site conditions are suitable, is permitted in rural lands (S. 2.6.1) provided the development can:

- be sustained by rural services (S. 2.6.2),
- shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (S. 2.6.3),
- support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses (S. 2.6.4), and
- comply with the minimum distance separation formulae (S. 2.6.5).

The site conditions are suitable for a second dwelling. The development can be serviced with a private well and septic sewage system while minimizing the impact to the active farming operation.

A Minimum Distance Separation One (MDS I) Report was submitted with the Applications. The Report concluded that a minimum distance of 162 metres (531 feet) is required to comply with provincial policy. The proposed second dwelling is located approximately 273 metres (895 feet) from a livestock facility. As such, the proposed dwelling complies with the necessary MDS I setback. The MDS Report is provided as Attachment No. 7 to this Report. The Applications are consistent with section 2.6 of the PPS.

Section 4 of the PPS outlines policies regarding the wise use and management of resources. Specifically, Section 4.1.8 speaks to land adjacent to natural heritage features. Development and site alteration are not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Based on the identification of a possible watercourse on the subject lands, Township Staff requested that the property owner contact the Otonabee Region Conservation Authority (ORCA) to provide a desktop ecological and hydrologic assessment of the area and determine if the proposal would have a negative impact on natural features.

Correspondence was received from ORCA on August 23, 2024 stating that as the agricultural ditching does not contain a streambed, banks or sides, it is not a watercourse. The area is not hydrologically connected to a natural watercourse nor drains any upstream hydrologic features. As the feature is purely anthropogenic in nature and is not regulated as a watercourse by the Conservation Authority, the proposed development will not have a negative impact on natural heritage or hydrologic features in the area. The Applications are consistent with Section 4.1 of the PPS.

The policies of Section 4.3 of the PPS speak to prime agricultural areas. Section 4.3.1 states: *as part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.* The Township of Cavan Monaghan Official Plan designates the subject lands as Rural therefore, the lands are not located within a prime agricultural area, as defined in the PPS.

Section 5.1 of the PPS presents the general policies for natural and human-made hazards. The subject property is not within an area of flooding or erosion. The Applications are consistent with Section 5 of the PPS.

County of Peterborough Official Plan (CPOP)

The subject lands are designated Rural and Cultural Landscape according to Section 4.3 to the County of Peterborough Official Plan (CPOP).

The objectives of the Rural and Cultural Landscape as presented in Section 4.3.2 of the CPOP are:

- To permit an amount and type of development in the rural area consistent with maintaining its rural and cultural landscape;

The property will contain two residential dwellings with ancillary structures on a parcel that is approximately 28 hectares (69 acres) in size. The proposed amount and type of development will maintain the rural and cultural landscape.

- To reinforce the historical relationship between settlement areas and the surrounding farm community to which the settlement areas provide basic services.

The proposal will provide residential intensification in close proximity to other types of uses including residential, rural employment, agriculture, recreational, etc. It also should be noted that the subject lands are west of the City of Peterborough settlement area.

- To provide for limited rural development and to ensure that such development does not threaten the quality or quantity of ground and surface water;

Both dwellings will be serviced via private individual well and septic; there are no anticipated impacts to surrounding wells.

- To ensure that the agricultural industry remains viable.

The existing agricultural use on the balance of the subject property will continue to be maintained and will not be impacted by the proposed second dwelling.

- To preserve prime agricultural soils and protect farms, where possible, from activities and land uses which would limit productivity or efficiency.

The subject lands are designated Rural in the Township Official Plan.

- To preserve the farm community as an important social resource

The existing agricultural use on the balance of the lands will continue to be maintained and will not be impacted by the proposed second dwelling.

The Applications conform to Section 4.3.2 of the CPOP.

Section 4.3.3.1 of the CPOP contains one applicable bullet. The bullet states that rural areas will generally be the focus of resource activity, resource based recreational activity and other rural land uses. The County, recognizing the need for growth on a limited basis, will permit non-agricultural related uses in the rural community outside prime agricultural areas and other agricultural areas designated in local plans in accordance with Section

4.3.3.2 which reflect the cultural and rural character of the area, promote a variety of living and employment opportunities for the rural community and do not negatively impact on the natural environment that cannot be located in settlement areas.

The Applications propose a second dwelling on a rural property approximately 28 hectares (69 acres) in size, outside a prime agricultural area and that supports the cultural and rural character of the area. The proposed Applications conform to Section 4.3.3.1 of the CPOP.

Section 4.3.3.2 of the CPOP speaks to how agriculture shall be encouraged and protected as an identifiable industry and cultural resource in Peterborough County. The existing agricultural use on the balance of the lands will continue to be maintained and will not be impacted by the proposed second dwelling.

Section 4.3.3.2 also states that new land uses, including the creation of lots, shall comply with Minimum Distance Separation One (MDS I) formulae and with the Source Water Protection policies of Section 5.7 (if applicable).

As stated earlier in this Report, the proposed dwelling location complies with the required MDS I setbacks and is in an area where Source Water Protection policies do not apply. The proposed Applications conform to Section 4.3.3.2 of the CPOP.

Section 5.5.3.2 contains policies to protect the airport from incompatible development. The section states that redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above the 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long term function of the airport.

The property is located within the Airport Obstacle Limitation Outer Surface and requires consultation with Airport Staff. Airport Staff were circulated notice of the Application. No comments from Airport Staff have been received to date. The lands are located outside the 30 NEF/NEP area. The Applications conform to Section 5.5.3.2.

Section 5.6.2 of the CPOP requires development in close proximity to the City of Peterborough to have regard for the urban/rural transition area surrounding the City of Peterborough when considering any and all development proposals in the neighbouring municipalities and to have regard for the rural way of life as set out in the County Vision.

The Applications permit a form of development which is compatible with the urban/ rural transition area. The Applications conform to Section 5.6.2.

Cavan Monaghan Official Plan (OP)

The subject property is designated Rural as shown on Schedule 'A' to the Cavan Monaghan Official Plan (OP). Policies applicable to the Rural designation are contained in Section 5.2 of the OP.

The Rural designation represents soils within Classes 4 and higher according to the Canada Land Inventory of Soil Capability for Agriculture, and organic soils; Class 1 to 3 soils which are adjacent to the Classes listed above and form part of a large and contiguous block of poorer agricultural land and, areas where previous non-farm development and lot creation has effectively limited the future of intensive farm activity.

A single detached dwelling is permitted in the Rural designation. The proposed Official Plan Amendment seeks to amend the Township Official Plan to permit a second detached dwelling on the property.

The policies of Section 5.2.1 permit compatible, non-agricultural development, and encourage non-farm growth within the Rural area provided it does not interfere with neighbouring agricultural activity.

The proposed second detached dwelling will be on a rural parcel of land approximately 28 hectares (69 acres) in size and will not interfere with the existing agricultural use on the property or the agricultural uses on the surrounding properties.

New land uses, including the creation of lots, and new or expanding livestock operations, shall comply with the Minimum Distance Separation (Section 3.27).

As stated earlier in the Report, a Minimum Distance Separation One (MDS I) Report was submitted with the Applications. The Report concluded that a minimum distance of 162 metres (531 feet) is required to comply with provincial policy. The proposed second dwelling is located approximately 273 metres (895 feet) from this facility. As such, the proposed second dwelling complies with the necessary MDS I setback.

The Applications conform to the Cavan Monaghan Official Plan.

Township Zoning By-law

The subject property is zoned Rural (RU) as shown on Map B-5 to By-law No. 2018-58, as amended. Regulations applicable to the RU Zone are contained in Section 7.2 of the By-law.

A single detached dwelling is permitted in the RU Zone. A rezoning is required to permit a second dwelling on the property.

As drafted the proposed Zoning By-law Amendment will permit a second detached dwelling on the property through a site-specific RU-11 Zone.

The Zone establishes setbacks to identify the location and development limits for second dwelling and limit the number accessory apartments to one (1) for the property.

Financial Impact:

The Applicant paid the Official Plan Amendment and Zoning By-law Amendment fees as required by the User Fee and Charges By-law.

Attachments:

- Attachment No. 1: Key Map
- Attachment No. 2: Aerial Image
- Attachment No. 3: Site Plan
- Attachment No. 4: Planning Justification Report (EcoVue Consulting)
- Attachment No. 5: Draft Official Plan Amendment No. 18
- Attachment No. 6: Draft Zoning By-law No. 2025-07
- Attachment No. 7: MDS Report

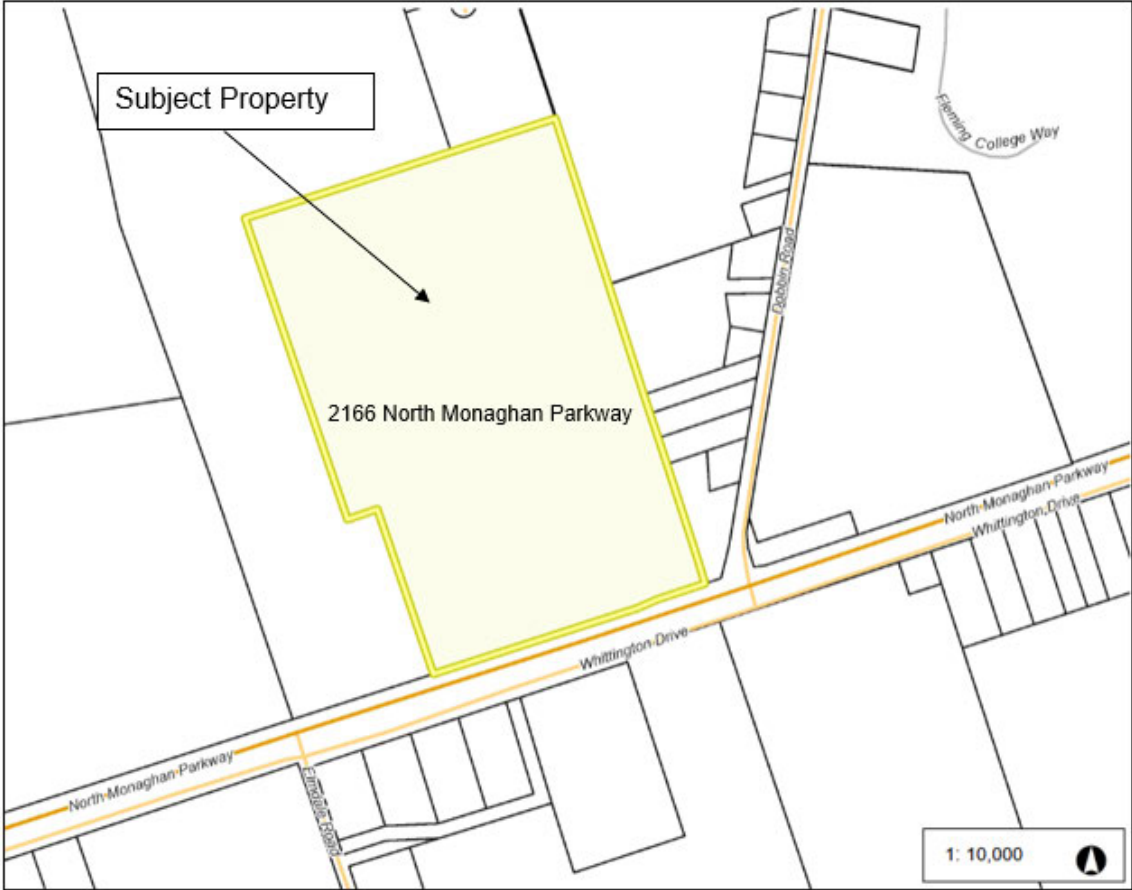
Respectfully Submitted by,

Reviewed by,

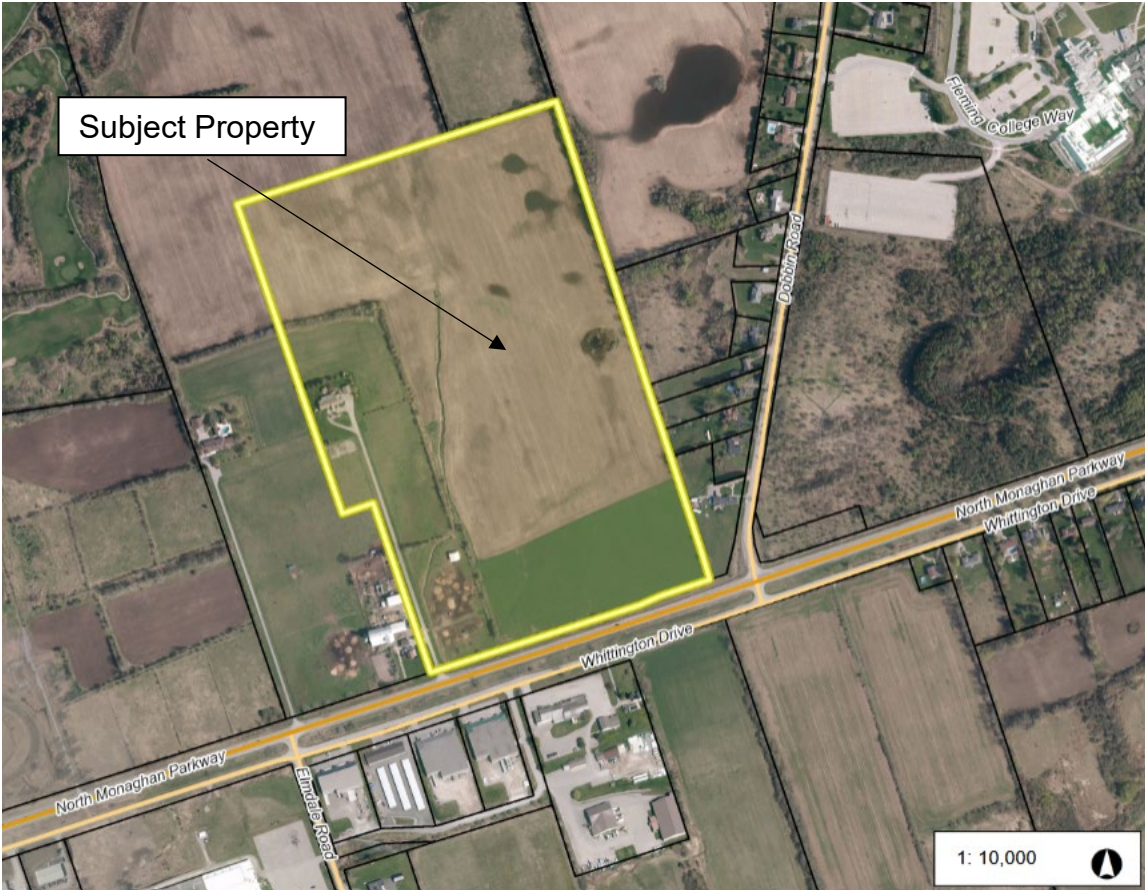
Matt Wilkinson
Planner

Yvette Hurley
Chief Administrative Officer

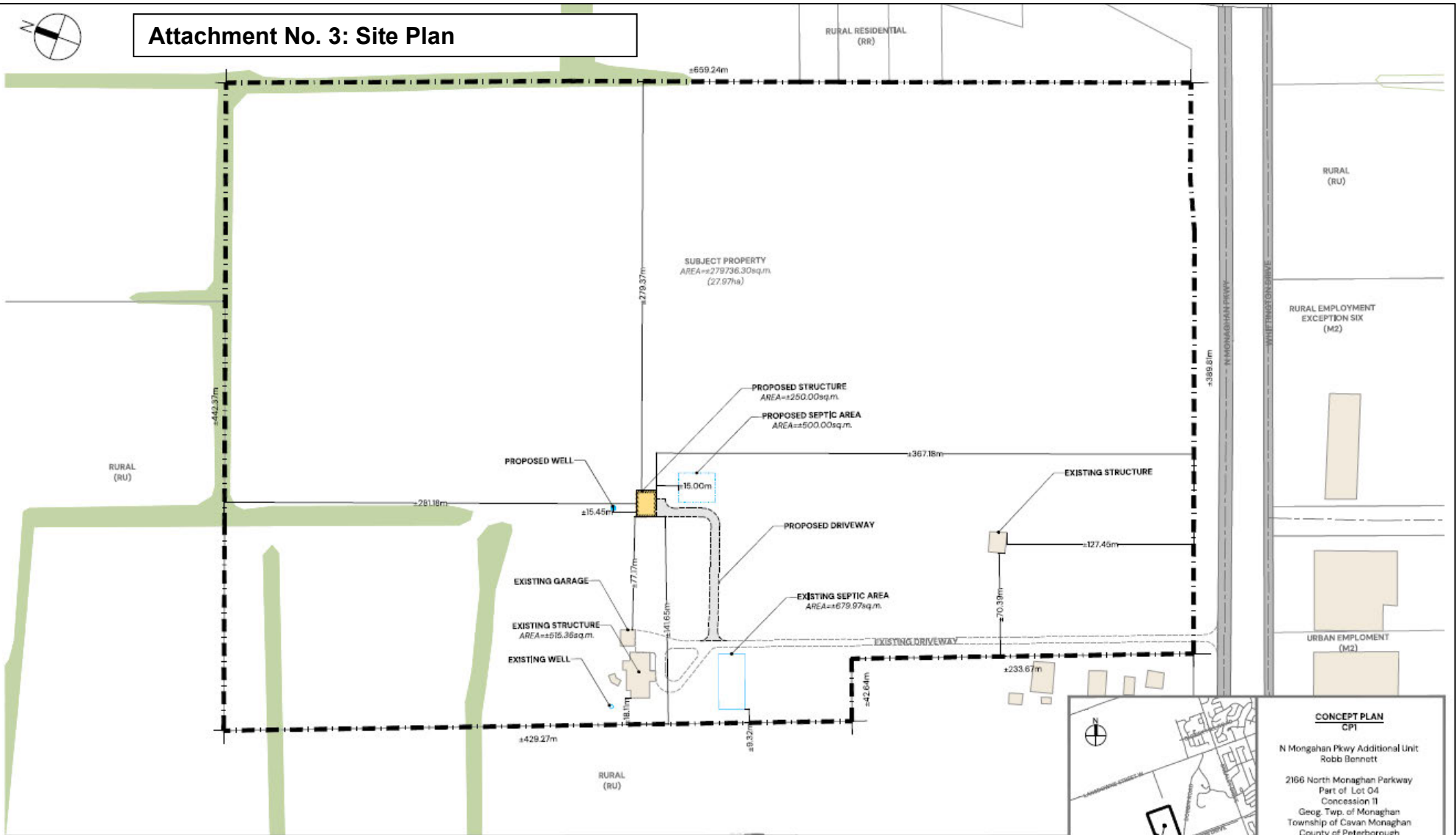
Attachment No. 1: Key Map



Attachment No. 2: Aerial Image of the Surrounding Area



Attachment No. 3: Site Plan



LEGEND

- Subject Property
- Existing Parcel
- Existing Structure
- Existing Driveway
- Existing Septic Area
- Existing Well
- Proposed Structure
- Proposed Driveway
- Proposed Septic Area
- Proposed Well
- Existing Woodland

NOTES:
Property boundaries are approximate.

ZONING STATISTICS

RURAL ZONE	REQUIRED	PROPOSED
RURAL (RU)	20ha	29.97ha
MIN. LOT AREA	130m	369.81m
MIN. BUILDING SETBACK		
FRONT LOT LINE	30m	367.18m
INT. SIDE LOT LINE	15m	141.65m
EXT. SIDE LOT LINE	5m	N/A
REAR LOT LINE	5m	281.18m
MAX. BUILDING HEIGHT	12(1)m	<12m



CONCEPT PLAN
CPI

N Mongahan Pkwy Additional Unit
Robb Bennett

2166 North Monaghan Parkway
Part of Lot 04
Concession II
Geog. Twp. of Monaghan
Township of Cowan Monaghan
County of Peterborough

Project Number: 22-2404
Drawn By: RP
Horiz. Scale: 1:100
Revision Date: October 28, 2024

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LAND USE PLANNING & DEVELOPMENT

Planning Justification Report

2166 North Monaghan Parkway,
PL 4 CON 11 Monaghan
Township of Cavan Monaghan, County
of Peterborough
Prepared For Robb Bennett
November 1, 2024

This Planning Justification Report has been prepared in support of an Application for Official Plan Amendment and Zoning By-law Amendment affecting the subject lands, known legally as: 2166 North Monaghan Parkway, Geographic Township of Monaghan, Township of Cavan Monaghan, County of Peterborough

EcoVue Project No: [22-2404]



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Table of Contents

- 1.0 BACKGROUND..... 1**
- 1.1 Description of Subject Property and Surrounding Lands2
- 1.2 Description of the Proposed Official Plan and Zoning By-law Amendments 4
- 1.3 Pre-Consultation with the County of Peterborough and Township of Cavan Monaghan
– August 14, 2024..... 5
- 2.0 POLICY REVIEW 8**
- 2.1 Provincial Planning Statement (2024)..... 9
 - 2.1.1 Building Homes, Sustaining Strong and Competitive Communities..... 9
 - 2.1.2 Rural Areas in Municipalities10
 - 2.1.3 Rural Lands in Municipalities.....11
 - 2.1.4 Sewage, Water and Stormwater Policies12
 - 2.1.5 Natural Heritage.....12
 - 2.1.6 Natural Hazards and Human Made Hazards14
- 2.2 Local Planning Documents15
 - 2.2.1 County of Peterborough Official Plan15
 - 2.2.2 Township of Cavan Monaghan Official Plan.....16
 - 2.2.3 Township of Cavan Monaghan Comprehensive Zoning By-law No. 2018-58.....19
- 3.0 SUMMARY 22**
- 4.0 APPENDICES24**
- 4.1 Appendix A: Pre-Consultation Summary: County of Peterborough and Township of
Cavan Monaghan..... 25
- 4.2 Appendix B: Minimum Distance Separation I Calculations: EcoVue Consulting Services
Inc. 26

4.3 Appendix C: Correspondence with Otonabee Region Conservation Authority and Township of Cavan Monaghan27

Figures

FIGURE 1 – SITE LOCATION..... 3
FIGURE 2 – CONCEPT PLAN 7
FIGURE 3 – TOWNSHIP OF CAVAN MONAGHAN OFFICIAL PLAN SCHEDULE 'A' 17
FIGURE 4 – TOWNSHIP OF CAVAN MONAGHAN COMPREHENSIVE ZONING BY-LAW NO. 2018-58 21

Tables

NO TABLE OF FIGURES ENTRIES FOUND.



1.0 Background

The following Planning Justification Report (PJR) is being submitted in support of Applications for Official Plan Amendment and Zoning By-law Amendment under the *Planning Act*, affecting lands located at 2166 North Monaghan Parkway, Geographic Township of Monaghan, Township of Cavan Monaghan, County of Peterborough (**Figure 1 – Site Location**).

An application for Official Plan Amendment is required to redesignate the subject lands to a Special Policy Area in order to permit the construction of a second detached residential dwelling on the subject lands.

The lands are currently designated Rural Areas in the Township of Cavan Monaghan Official Plan. According to the policies contained in the Township of Cavan Monaghan Official Plan, the property is not permitted to contain two (2) fully serviced detached residential dwellings; as such, a site-specific Official Plan amendment is required to permit the future residential dwelling.

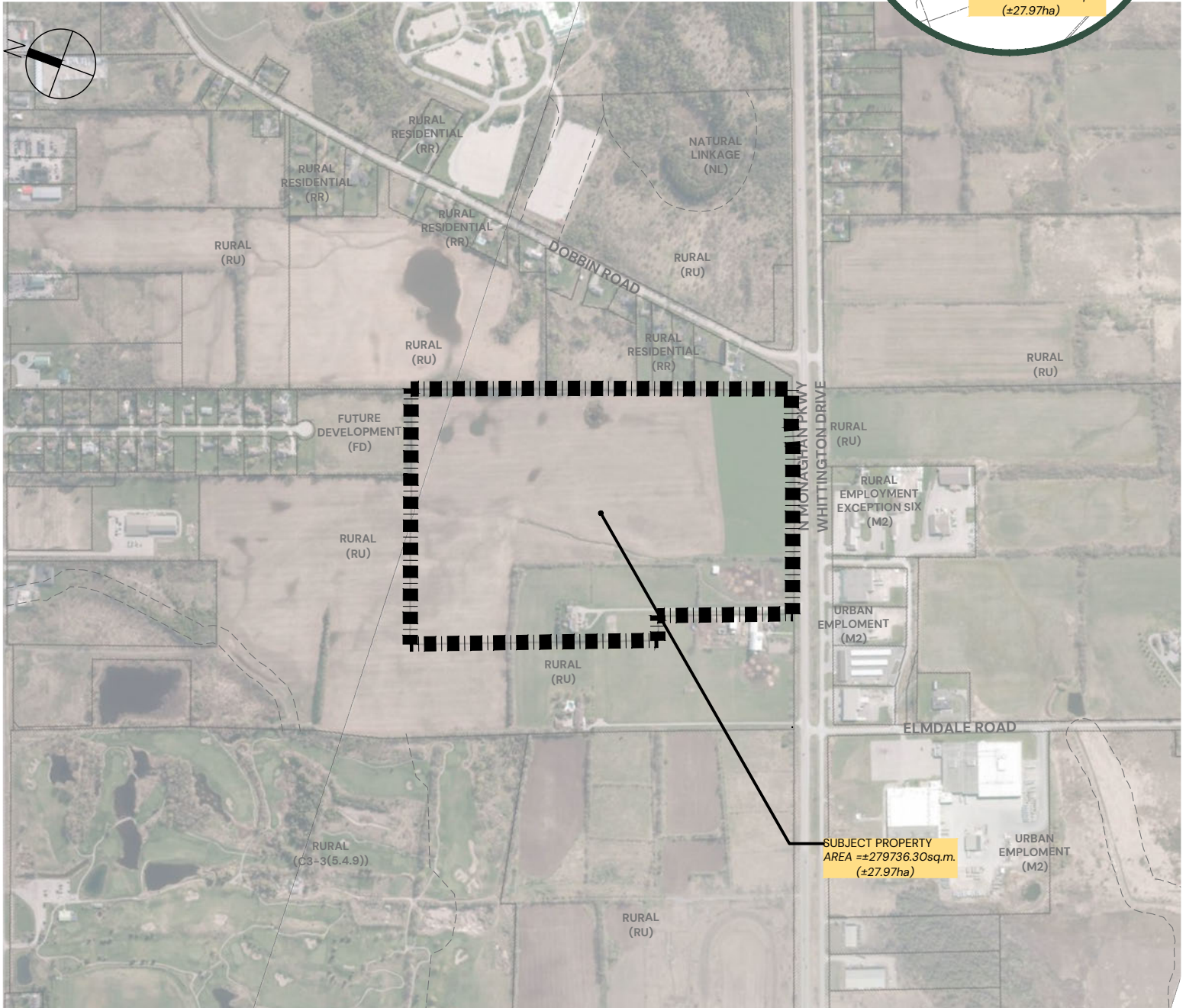
This report will provide details of the site characteristics, a summary of the amendment and future residential development of the subject lands, and an explanation of how each application is consistent with and conforms to the applicable Provincial and local land use planning documents.

1.1 Description of Subject Property and Surrounding Lands

The subject property is located at 2166 North Monaghan Parkway in the Monaghan Ward of the Township of Cavan Monaghan in the County of Peterborough. The property is located on the north side of North Monaghan Parkway and is approximately 27.81 hectares (68.72 acres) with ~385 metres (1,263 feet) of municipal frontage on North Monaghan Parkway.

The property currently contains one (1) existing detached residential dwelling connected to private individual well and septic system, as well as one (1) accessory detached garage. The residential dwelling is set back approximately 370 metres from North Monaghan Parkway; the lands immediately surrounding the residential dwelling (within 100 metres; approximately 4 hectares total) are grassed and/or landscaped with minor vegetation. The balance of the lands (approximately 20 hectares) is used for agricultural purposes.

Figure 1 – Site Location



N Mongahan Pkwy Additional Unit

Robb Bennett

2166 North Monaghan Parkway

Part of Lot 04

Concession 11

Geog. Twp. of Monaghan

Township of Cavan Monaghan

County of Peterborough

Project Number: 22-2404

Horiz. Scale: 1:1,000

Date: October 28, 2024

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The subject property is designated Rural Areas in the Township of Cavan Monaghan Official Plan and currently zoned Rural (RU) according to Map B-5 of the Township of Cavan Monaghan Comprehensive Zoning By-law No. 2018-58.

The surrounding land uses are primarily rural, low density residential, and agricultural. Lands within the immediate vicinity of the proposed development are zoned Rural (RU), Rural Residential (RR), Future Development (FD), and Rural Employment (M2). The property is bound by:

- Residential uses to the north and east;
- Rural employment uses to the south; and
- Rural and agricultural uses to the west.

1.2 Description of the Proposed Official Plan and Zoning By-law Amendments

The property owner, Mr. Robb Bennett, is proposing to construct a second detached residential dwelling unit on individual private services on the subject property. However, due to policies contained in the Township of Cavan Monaghan Official Plan (CMOP), the subject lands are not permitted to contain more than one (1) detached residential dwelling.

More specifically, Section 5.2.2 states that within the Rural Areas:

“Limited residential uses, recreational uses and small-scale commercial or industrial uses such as the following are also permitted:

- a) **Single dwelling houses on existing lots of record** or lots created by a consent to a land severance are permitted provided they are compatible with adjacent land uses; [...].”

It should be noted that the Township of Cavan Monaghan Official Plan permits “secondary suites” in two forms:

- Accessory Apartments, which are intended to be contained within the existing residential dwelling; and

- Garden Suites, which are applied for under Section 39.2 of the *Planning Act* and are intended to be detached, temporary, and portable.

As the property owner is proposing to construct a second permanent, detached, residential dwelling on the subject lands where an existing residential dwelling exists, an amendment to the Official Plan is being requested.

Additionally, the Rural (RU) Zone does not permit the construction of a second residential dwelling on the subject lands. As such, an amendment to the Township's Zoning By-law is also required to permit the second residential dwelling.

The proposed location of the second detached residential dwelling is shown in **Figure 2 – Concept Plan**.

1.3 Pre-Consultation with the County of Peterborough and Township of Cavan Monaghan – August 14, 2024

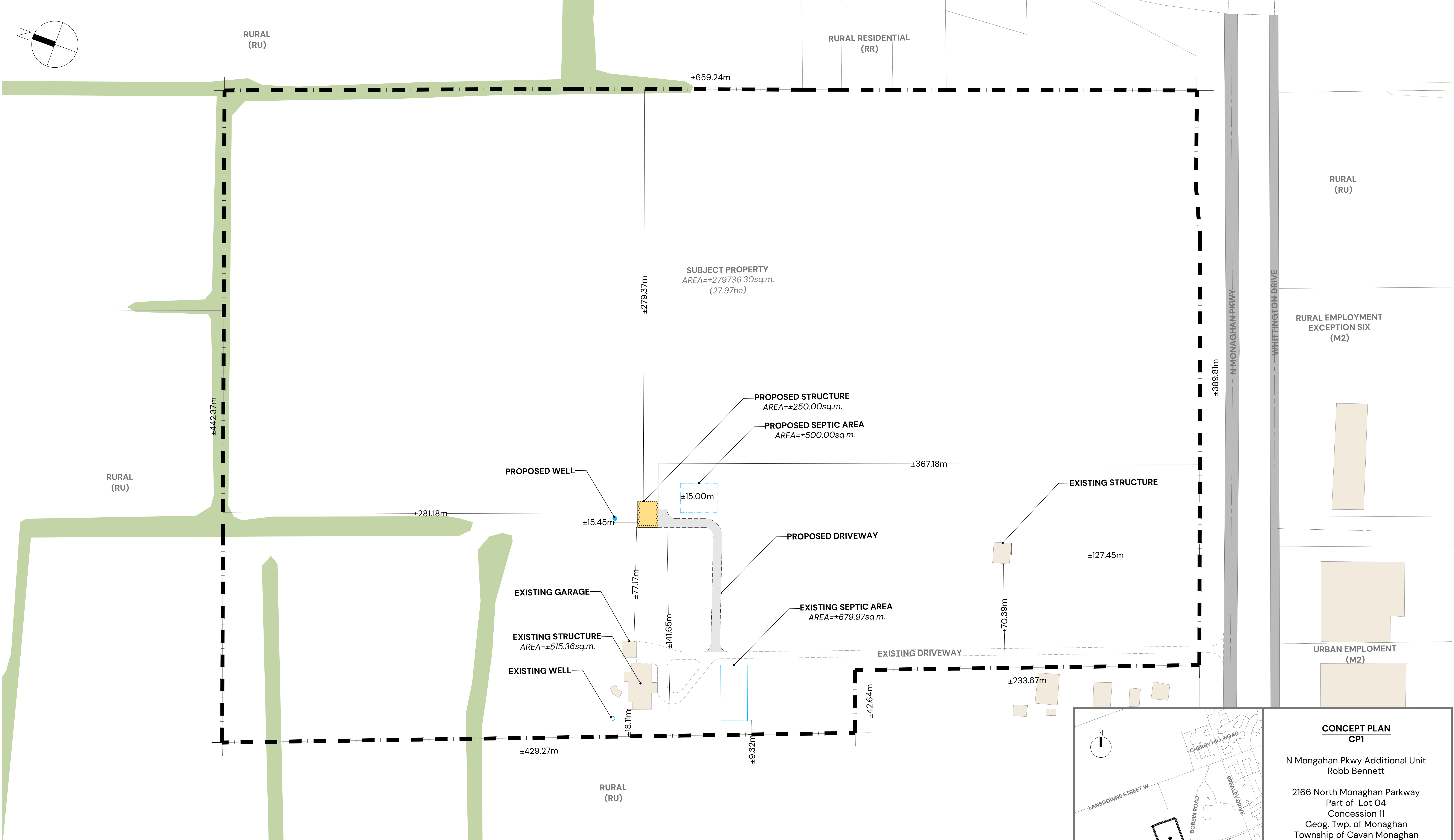
An in-person Pre-Consultation meeting was attended by the property owner and Township of Cavan Monaghan staff on August 14, 2024. A copy of the Pre-Consultation Summary has been provided in **Appendix A** to this Report.

Township of Cavan Monaghan staff provided their review of the proposal and outlined the supporting materials required to be submitted in support of the application for Official Plan and Zoning By-law Amendment. Specifically, the Township requested that a Minimum Distance Separation I (MDS I) Calculation (**Appendix B**) be completed and submitted with the required applications:

The MDS I Calculation was completed by EcoVue Consulting and concluded that the minimum required setback distance from the nearest neighbouring livestock facility is 162 metres. The proposed second dwelling is located approximately 273 metres from this facility. As such, the proposed dwelling complies with the necessary MDS I setback.

Additionally, the Township had requested that the property owner confirm the requirement for an Environmental Impact Study (EIS) with the Otonabee Region Conservation Authority (ORCA). As per correspondence received from Donald Allin (ORCA – Manager, Plan Review

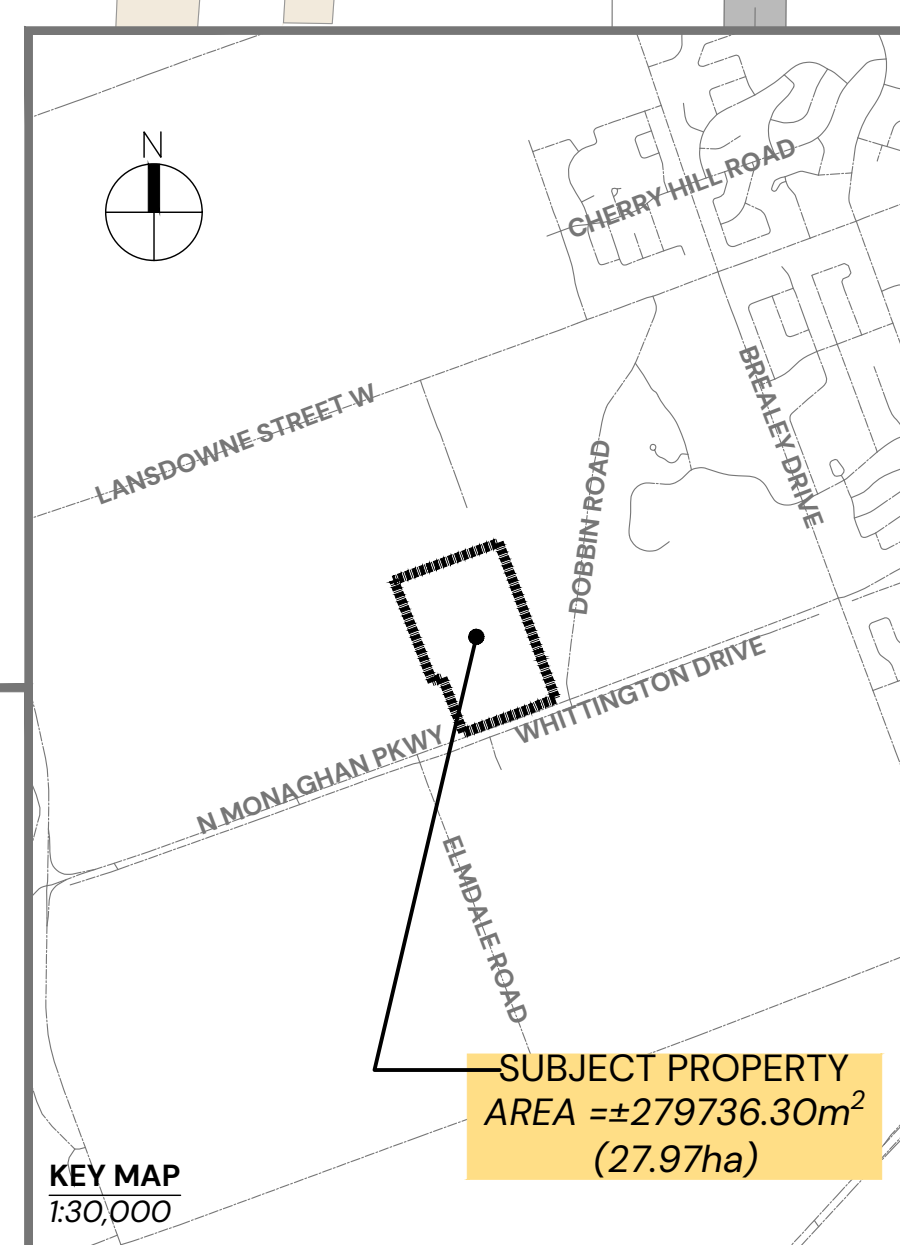
and Permitting Services), and further correspondence received from the Township's Planning Department, an EIS was determined to not be required. A copy of this correspondence has been provided in **Appendix C** to this Report.



LEGEND

Subject Property	Existing Well	Proposed Well
Existing Parcel	Existing Woodland	
Existing Structure	Proposed Structure	
Existing Driveway	Proposed Driveway	
Existing Septic Area	Proposed Septic Area	

NOTES:
Property boundaries are approximate.



**CONCEPT PLAN
CP1**

N Mongahan Pkwy Additional Unit
Robb Bennett

2166 North Monaghan Parkway
Part of Lot O4
Concession 11
Geog. Twp. of Monaghan
Township of Cavan Monaghan
County of Peterborough

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www.ecovueconsulting.com



2.0 Policy Review

Land use policies and regulations at the provincial level that affect the subject lands include the *Planning Act* and the associated 2020 Provincial Policy Statement (PPS) and 2020 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). However, it should be noted that the Province of Ontario and Ministry of Municipal Affairs and Housing have recently approved the new Provincial Planning Statement (PPS), which is to come into effect on October 20, 2024, and is to replace the current 2020 PPS and Growth Plan. As such, only the policies of the new 2024 Provincial Planning Statement are being reviewed.

At the municipal level, the County of Peterborough Official Plan (CPOP), Township of Cavan Monaghan Official Plan (CMOP), and the Township of Cavan Monaghan Comprehensive Zoning By-law No. 2018-58 (CMZBL) are applicable.

In this section of the Report, the application is reviewed in the context of the policies and provisions contained within these documents.

2.1 Provincial Planning Statement (2024)

The new 2024 Provincial Planning Statement (PPS) came into effect on October 20, 2024. This document replaces the 2020 Provincial Policy Statement and the 2020 A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

This new document provides policy direction on matters of provincial interests as they are related to land use planning. The PPS is issued by the Province under Section 3 of the *Planning Act* and it is required that all decisions affecting planning matters “*shall be consistent with*” policy statements issued under the *Act*. Consideration has been given to the relevant provisions of the PPS with respect to the subject planning application.

2.1.1 BUILDING HOMES, SUSTAINING STRONG AND COMPETITIVE COMMUNITIES

Chapter 2 of the PPS contains policies designed to build strong and healthy communities in the Province of Ontario. According to Section 2.1.4 (Planning for People and Homes) of the PPS, municipalities are to:

“provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) *maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and*
- b) *maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.”*

Furthermore, Section 2.1.6 a) states that: “[p]lanning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, [...]”. The PPS defines the term “housing options” as follows:

“Housing options: *means a range of housing types such as, but not limited to single-detached, semidetached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low-and mid-rise apartments [...]*”

The proposed development is located within the rural area of the Township of Cavan Monaghan; according to the applicable PPS and Official Plan policies (discussed in greater detail later in this Section and Report), limited, compatible residential development is permitted within the rural area of the Township. It is our opinion that, although development is typically directed to the settlement areas, the entirety of single-detached dwelling development cannot be located exclusively within the Township’s settlement areas. As such, a portion of this development is required to occur within the rural areas.

Furthermore, it is our opinion that the construction of a second detached residential dwelling on a 27-hectare lot, which will be serviced via private individual well and septic and will be setback a minimum of 370 metres from North Monaghan Road, can be considered limited, compatible development. The balance of the lands (~20 hectares) will continue to be used for agricultural purposes, and no removal of vegetation is required to accommodate the proposed dwelling.

2.1.2 RURAL AREAS IN MUNICIPALITIES

It is stated in Section 2.5.1(a) that “[h]ealthy, integrated and viable rural areas should be supported by...building upon rural character and leveraging rural amenities and assets”. The subject lands currently contain an existing residential dwelling. The proposed amendment

will permit the constructing of a second detached residential dwelling on private individual well and septic that will maintain the existing rural character of the area.

2.1.3 RURAL LANDS IN MUNICIPALITIES

Section 2.6 of the PPS speaks to rural lands in municipalities. It is stated in Section 2.6.1 that permitted uses within rural lands shall include:

- a) *The management or use of resources;*
- b) *Resource-based recreational uses (including recreational dwellings not intended as permanent residences);*
- c) ***Residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;***
- d) *Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) *Home occupations and home industries;*
- f) *Cemeteries; and,*
- g) *Other rural land uses.*

As per the above-noted policy, residential development is permitted within the rural areas where individual private servicing can be provided. As noted, the second dwelling can be accommodated on the subject property on private services without negative impacts. Therefore, it is our opinion that the proposed OPA is consistent with Section 2.6.1 of the PPS.

Section 2.6.2 of the PPS states that “*development that can be sustained by rural service levels should be promoted*”, and Section 2.6.3 states that “*development shall be appropriate to the infrastructure which is planned or available and avoid the need for the uneconomical expansion of this infrastructure*”.

The future detached residential dwelling is proposed to be serviced via private individual well and septic system. As the existing residential dwelling on the subject lands is currently connected to private individual well and septic, there is no concern relating to establishing servicing for the future detached residential dwelling. Furthermore, the proposed

development will not impact any current agricultural uses and does not require an uneconomical expansion of infrastructure as private services will be utilized.

Therefore, it is our opinion that the proposed OPA on the subject lands is consistent with Section 2.5 and 2.6 of the PPS.

2.1.4 SEWAGE, WATER AND STORMWATER POLICIES

Policies related to Sewage, Water and Stormwater are found in Section 3.6 of the PPS. Section 3.6.4 states that:

“Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts [...]”

As stated, the future detached residential dwelling will be serviced via private individual well and septic. Based on the size of the property and proximity to adjacent dwellings, it is anticipated that a future septic system will have no negative impacts. The existing residential dwelling will continue to be serviced via existing individual private individual well and septic, and there is no anticipated increase in usage or consumption to the existing system.

2.1.5 NATURAL HERITAGE

Chapter 4 of the PPS outlines policies regarding the wise use and management of resources. Specifically, Section 4.1 speaks to natural heritage. The applicable Subsections under Section 4.1 are listed below:

“4.1.1 Natural features and areas shall be protected for the long term.

[...]

4.1.5 Development and site alteration shall not be permitted in: [...] d) significant wildlife habitat; [...] unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

- 4.1.6 *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*
- 4.1.7 *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
- 4.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.”*

According to the available Provincial aerial mapping and the County of Peterborough GIS, there appears to be signs of trenching and/or an intermittent stream through the southern portion of the subject lands, within 120 metres of the proposed second dwelling location. The balance of the lands do not contain any natural heritage or hydrologic features.

Based on the identification of the watercourse on the subject lands, County of Peterborough and Township of Cavan Monaghan staff requested that the property owner correspond with the Otonabee Region Conservation Authority (ORCA) to determine the hydrologic importance to the feature, if any.

Correspondences received from ORCA on August 23, 2024, stated the following:

“We have completed a historical analysis of this drainage area. Trenching was carried out sometime between 2002 and 2013 to accommodate agricultural practices and tile drainage of the fields and surrounding area. Prior to this modification, no watercourse, containing a bed, banks or sides existed in the area. The area is not hydrologically connected to a natural watercourse, nor drains any upstream hydrologic features. As the feature is purely anthropogenic in nature and not regulated as a watercourse by the Authority, it would not qualify as a Key Hydrologic Feature.”

Based on the above assessment from ORCA, and further correspondence from Township Planning staff stating that additional technical works related to natural heritage would not be

required, it is our opinion that the proposed development will have no negative impact on natural heritage or hydrologic features.

Therefore, it is our opinion that the proposed Official Plan and Zoning By-law Amendments are consistent with Section 4.1 of the PPS.

2.1.6 NATURAL HAZARDS AND HUMAN MADE HAZARDS

Chapter 5 of the PPS address developments that occur within natural and human-made hazards. Section 5.2.2 states that “[d]evelopment shall generally be directed to areas outside of:

- a) *hazardous lands adjacent to the shorelines of the Great Lakes –St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
- b) *hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
- c) *c) hazardous sites.”*

The lands proposed to be developed as a result of this amendment do not contain any natural or human-made hazards such as steep slopes or floodplains.

As such, it is our opinion that the proposal is consistent with Chapter 5 of the PPS.

2.2 Local Planning Documents

In addition to demonstrating consistency with Provincial planning policies, it is necessary that the proposal conforms to the policies and provisions of the municipal planning documents. The County of Peterborough Official Plan and the Township of Cavan Monaghan Comprehensive Zoning By-law No. 2018-58 are reviewed in the sections below.

2.2.1 COUNTY OF PETERBOROUGH OFFICIAL PLAN

The County of Peterborough Official Plan (CPOP) is a high-level document intended to direct all forms of development to appropriate lands within the County, while protecting important natural features, such as lakes, rivers, woodlands, and species habitat. Applicable policies within the CPOP are addressed below.

The subject lands are designated Rural and Cultural Landscape according to Section 4.3 to the County of Peterborough Official Plan (CPOP).

As stated in Section 4.2.2 of the CPOP, some of the objectives of the Rural and Cultural Landscape include:

“to permit an amount and type of development in the rural area consistent with maintaining its rural and cultural landscape; [...] and

to provide for limited rural development and to ensure that such development does not threaten the quality or quantity of ground and surface water; [...]”

It is our opinion that the proposed Official Plan Amendment (OPA) to permit a second permanent detached residential dwelling, which will be supported via private individual well and septic, within the rural area of the Township, aligns with the County’s goals for the Rural and Cultural Landscape areas.

The General Development policies for the Rural and Cultural Landscape (Section 4.3.3.1) state that:

*“Rural areas will generally be the focus of resource activity, resource based recreational activity and **other rural land uses**. The County, recognizing the need for growth on a limited basis, **will permit non-agricultural related uses in the rural***

community outside prime agricultural areas and other agricultural areas designated in local plans **in accordance with Section 4.3.3.2** which reflect the cultural and rural character of the area, **promote a variety of living and employment opportunities for the rural community** and do not negatively impact on the natural environment that cannot be located in settlement areas; [...]

Furthermore, this Section states that new land uses, including the creation of lots, shall comply with Minimum Distance Separation (MDS I) formulae, and with the Source Water Protection policies of Section 5.7 (if applicable). As summarized in Section 1.3 of this Report, the proposed dwelling location complies with the required MDS I setbacks.

Section 4.3.3.2 of the CPOP states that “[l]ocal plans, except those of the Townships of Trent Lakes and North Kawartha, will designate on map schedules prime agricultural areas”. This Section proceeds to provide policies for prime agricultural areas, including what is permitted in these areas and how municipalities will evaluate proposed development within these areas.

Although the Township of Cavan Monaghan Official Plan contains a Prime Agricultural designation, the subject lands are not located within this designation.

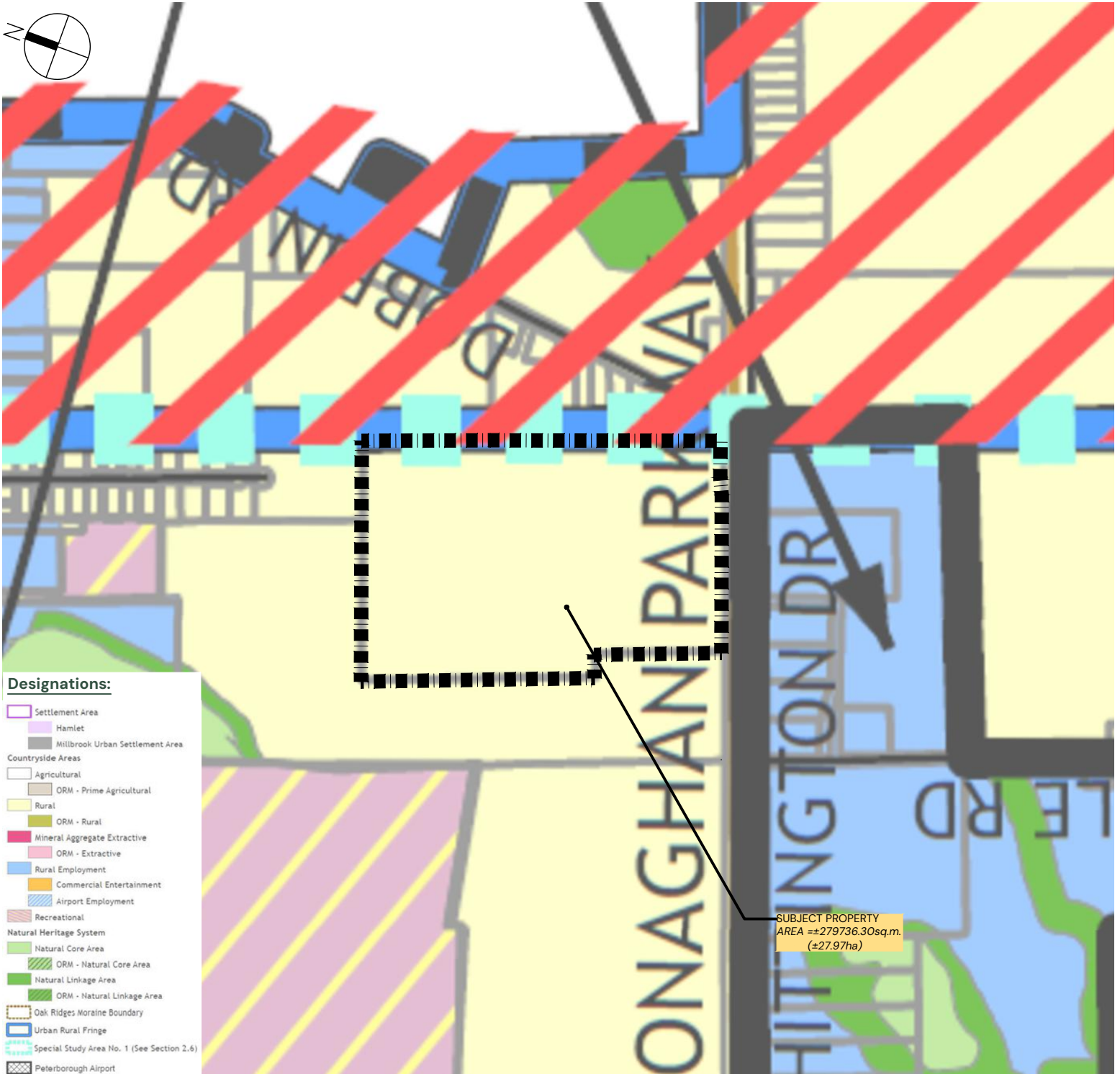
Therefore, the addition of an additional residential unit on the subject lands conforms to Section 4.3.3.1 of the CPOP. Each detached residential dwelling will be privately serviced, will not impact natural heritage features, and will continue to maintain the existing agricultural use occurring on the balance of the lands (i.e. ~20 hectares).

Based on the above, it is our opinion that the proposed Official Plan and Zoning By-law Amendments to permit a second detached residential dwelling on the subject lands conforms to the policies of the CPOP.

2.2.2 TOWNSHIP OF CAVAN MONAGHAN OFFICIAL PLAN

According to Schedule ‘A’ of the Township of Cavan Monaghan Official Plan (CMOP), the subject lands are designated within the Rural Areas. Policies applicable to the Rural Areas are contained in Section 5.2 of the CMOP.

Figure 3 – Township of Cavan Monaghan Official Plan Schedule 'A' Land Use



N Mongahan Pkwy Additional Unit
 Robb Bennett
 2166 North Monaghan Parkway
 Part of Lot 04
 Concession 11
 Geog. Twp. of Monaghan
 Township of Cavan Monaghan
 County of Peterborough

Project Number: 22-2404

Horiz. Scale: 1:1,000

Date: October 28, 2024

ECOVUE
 LAND USE PLANNING & DEVELOPMENT

416 Chambers Street
 Peterborough, ON K9H 3V1
 T 705.876.8340 | F 705.742.8343
 www.ecovueconsulting.com

SUBJECT PROPERTY
 AREA =±279736.30sq.m.
 (±27.97ha)

2.2.2.1 RURAL AREAS DESIGNATION

Section 5.2.1 states that the goal of the Rural Areas designation to:

- a) Protect land suitable for agricultural production from scattered development and land uses which are unrelated to agriculture;*
- b) Direct limited non-farm growth to the Rural designation provided it will not interfere with or limit surrounding farm activity; and,*
- c) Encourage rural economic activity [...]"*

Section 5.2.2 proceeds to detail the permitted uses within the Rural Areas, which includes

"[l]imited residential uses, recreational uses and small-scale commercial or industrial uses such as the following are also permitted:

- a) Single dwelling houses on existing lots of record or lots created by a consent to a land severance are permitted provided they are compatible with adjacent land uses; [...]"*

The proposed Official Plan Amendment is being submitted in order to seek relief from Section 5.2.2a) of the CMOP. As stated in the above policy, only single dwelling houses are permitted on existing lots of record, where compatible; there is no consideration for additional detached residential dwellings.

The proposed OPA would place subject lands into a Special Policy in Rural Area designation, limiting subject lands to two (2) detached residential dwellings. A summary of the requested OPA is summarized in the following Subsection of this Report.

It is our opinion that the Official Plan Amendment to permit a second dwelling on the subject lands is in keeping with the spirit and intent of the CMOP.

The policies of Section 5.2.1 permit compatible, non-agricultural development, and encourage non-farm growth within the Rural area, provided it does not interfere with neighbouring agricultural activity. It is our opinion that the addition of a second detached residential dwelling on a large rural parcel of land (~27 hectares) will not interfere with the existing agricultural use occurring on the balance of the lands, nor surrounding agricultural uses, and complies with applicable MDS I setbacks, all of which meets the Township's goals for the Rural Areas.

2.2.3 TOWNSHIP OF CAVAN MONAGHAN COMPREHENSIVE ZONING BY-LAW NO. 2018-58

According to Schedule B-5 of the Township of Cavan Monaghan Comprehensive Zoning By-law No. 2018-58 (CMZBL), the property is entirely zoned Rural (RU) (**Figure 4**).

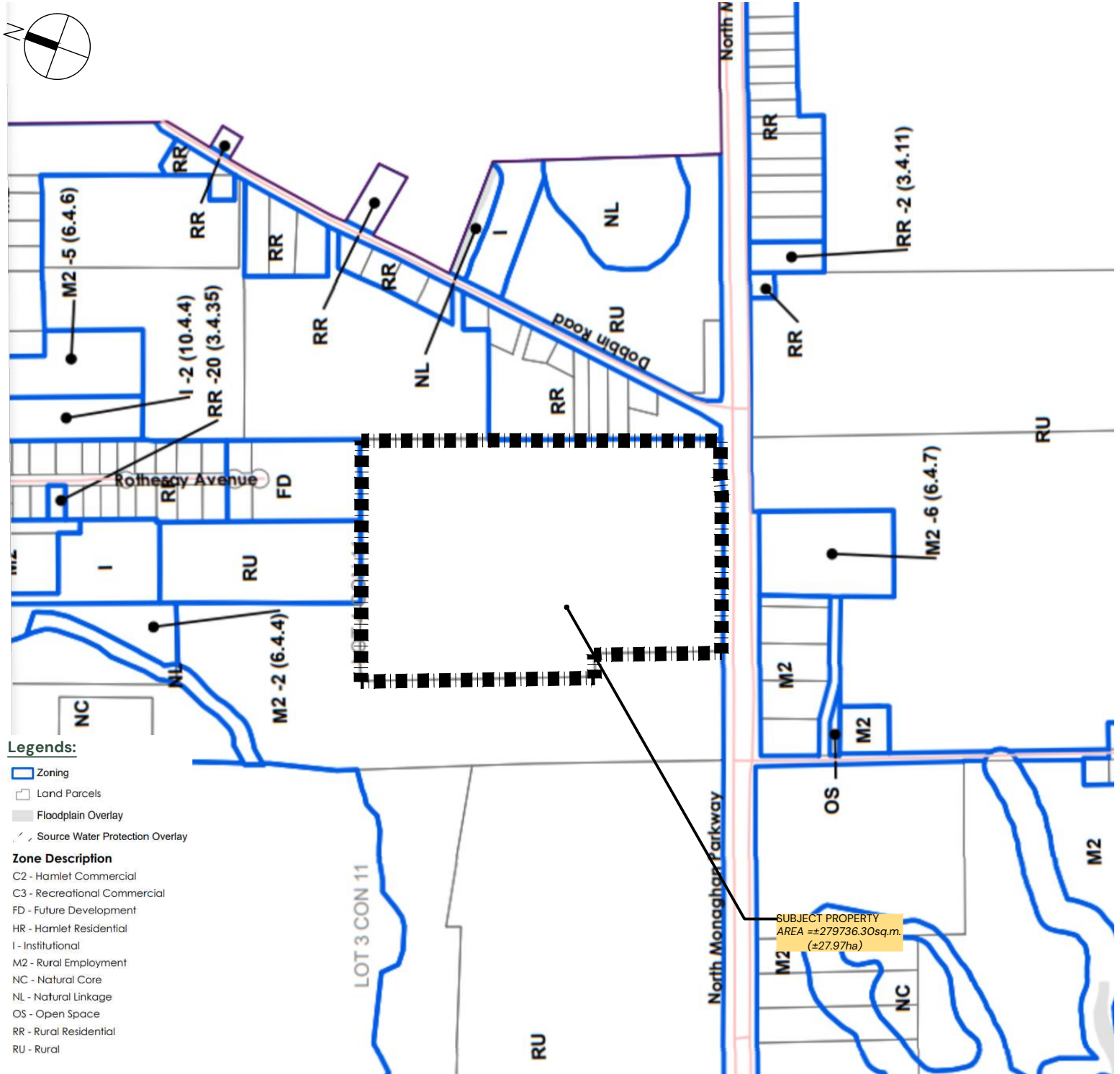
According to Section 7.2, the RU Zone permits a maximum of one (1) accessory apartment and/or single detached dwelling. The RU Zone therefore does not currently permit the construction of a second detached residential dwelling; as such, an amendment is required in order to permit the proposed development.

Table 1 below shows the provisions of the RU Zone as they compare to the subject lands before and after the proposed development of a second detached residential dwelling.

	Rural (RU) Zone Requirement	Existing	Proposed
Minimum Lot Area	20.0 hectares	27.81 hectares	Unchanged
Minimum Lot Frontage	130.0 metres	~385 metres on North Monaghan Parkway	Unchanged
Minimum Front Yard	30.0 metres	~ 370.0 metres	> 370.0 metres
Minimum Interior Side Yard	5.0 metres	18.11 metres	141.65 metres
Minimum Side Yard if adjacent to any Residential Zone boundary	15.0 metres	> 279.37 metres	279.37 metres
Minimum Exterior Side Yard	6.0 metres	N/A	N/A
Minimum Rear Yard	6.0 metres	~ 280 metres	281.18 metres
Minimum Rear Yard if adjacent to any Residential Zone boundary	15.0 metres	~ 280 metres	281.18 metres
Maximum Building Height (of dwellings)	12.0 metres	12.0 metres	12.0 metres

As seen in the above Table, the subject lands will continue to exceed the lot regulations of the RU Zone. Notwithstanding, a Zoning By-law Amendment (ZBA) is required in order to permit the construction of the second detached residential dwelling. The proposed ZBA would rezone the subject lands to a site-specific Rural Exception-XX (RU-XX) Zone, which would allow a second permanent residential dwelling on the property.

Figure 4 – Township of Cavan Monaghan Zoning Bylaw Schedule A Map B-5



N Mongahan Pkwy Additional Unit
 Robb Bennett

2166 North Monaghan Parkway
 Part of Lot 04
 Concession 11
 Geog. Twp. of Monaghan
 Township of Cavan Monaghan
 County of Peterborough

Project Number: 22-2404

Horiz. Scale: 1:1,000

Date: October 28, 2024

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3.0 Summary



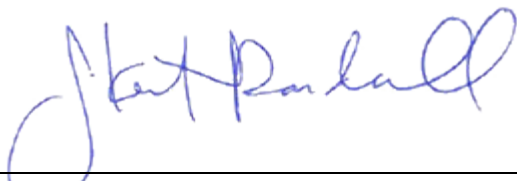
This planning report describes the proposed Official Plan and Zoning By-law Amendment applications in order to permit the construction of a second detached residential dwelling on the subject lands and provides analysis for the application in the context of the Provincial Planning Statement, the County of Peterborough Official Plan, the Township of Cavan Monaghan Official Plan, and the Township of Cavan Monaghan Comprehensive Zoning By-law No. 2018-58.

It is the opinion of the author that:

- The proposed development is consistent with the applicable provisions of the 2024 Provincial Planning Statement;
- The proposed development conforms to the purpose and intent of the County of Peterborough Official Plan and Township of Cavan Monaghan Official Plan;
- An amendment to the Township's Zoning By-law is required to permit the site-specific features of the development;
- The proposed development represents good planning and is in the public interest.
- The applications for Official Plan Amendment and Zoning By-law Amendment to permit the second detached residential dwelling on the subject lands should be approved.

Respectfully submitted,

ECOVUE CONSULTING SERVICES INC.



J. Kent Randall B.E.S., MCIP, RPP
Principal Planner



Jessica Rae Reid, B.A
Planner





4.0 Appendices

4.1 Appendix A:

Pre-Consultation Summary: County of Peterborough and Township of Cavan Monaghan

From:
To:
Subject: FW: OPA + ZBA (2166 North Monaghan Parkway)
Date: August 26, 2024 11:48:03 AM

From:
Sent: Saturday, August 17, 2024 9:57 AM
To:
Subject: FW: OPA + ZBA (2166 North Monaghan Parkway)

Morning Ashlyn, as discussed see the attached email. I can ask a fellow I know at ORCA if the EIS is in fact needed since the trench/water course was man made {if you want me too} I'll get the approx. barn size for you also & there are 8 stalls in it.

Talk soon,

RB

From: Jessica Auchterlonie
Sent: August-16-24 4:06 PM
To: Robb Bennett
Cc: Karen Ellis ; [Matthew Wilkinson](#)
Subject: OPA + ZBA (2166 North Monaghan Parkway)

Good morning Robb,

Following our meeting on Wednesday 14th August, 2024 at the Township Office please see the relevant information below relating to the proposed second single detached dwelling on the property located at 2166 North Monaghan Parkway.

[Official Plan Amendment Application \(OPA\)](#)
[Zoning By-law Amendment Application \(ZBA\)](#)

The OPA fee is \$3000.00 and the ZBA fee is \$1700. You will need to confirm the ORCA Planning Act Application review fees: [ORCA Planning Fees](#)

In addition to the OPA and ZBA, a scoped Environmental Impact Study (EIS) will be required as the proposed location of the single detached dwelling is within 120 metres of a natural feature. You may wish to consult with ORCA on an appropriate scope for the EIS.

For the justification of the Planning Act Applications you may wish to consider the following sections of the [Township's Official Plan](#):

Section 2.2.2 (Agriculture)

Section 5.1.4 – General Development Policies in the Agricultural Designation (these policies do not apply but may provide some direction to help justify the proposal)

Section 5.2 – Rural Areas

5.2.1 b)

8.2 – Amendments to the Plan

And the following sections of [By-law No. 2018-58, as amended](#):

Section 7- Agricultural and Rural Zones

Section 8.4 – Complete Application

Section 11.2

Section 11.3

Please also have an MDS I Calculation completed and provide the following information regarding the barn located at 2236 North Monaghan Parkway: [MDS I - Data Sheet](#) (Please note this is a Township of Wellesley Form – we are borrowing it until I have time to create one for the Township of Cavan Monaghan).

Please also include the side of the barn and the number of livestock that can be kept in it.

If you have any further questions please let me know.

Thanks for your time,
Jess

Jessica Auchterlonie
Planning, Building and By-Law Administrator
Phone : 705-932-9347
Fax : 705-932-3458
Email : jauchterlonie@cavanmonaghan.net



We are currently experiencing an extremely high volume of land use inquiries. If you have submitted a land use inquiry you should receive a confirmation email and then you will be placed in the land use inquiry queue.

If you have an inquiry about a property in the Township of Cavan Monaghan please submit a land use inquiry for by visiting our website. [Land Use Inquiry Form - Township of Cavan Monaghan](#)

Please note we continue to respond to inquiries about planning application notices as quickly as possible.

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4.2 Appendix B:

Minimum Distance Separation I Calculations: EcoVue Consulting Services Inc.

MDS I

General information

<p>Application date Sep 16, 2024</p>	<p>Municipal file number</p>	<p>Proposed application Building permit for the construction of a dwelling (farm or non-farm)</p>
<p>Applicant contact information Robb Bennett 2166 North Monaghan Parkway Township of Cavan-Monaghan, ON [REDACTED]</p>	<p>Location of subject lands County of Peterborough Township of Cavan Monaghan MONAGHAN Concession 11 , Lot 4 Roll number: 1509</p>	

Calculations

2166 N. Monaghan Pkwy Add'l Un

<p>Farm contact information Robb Bennett 2166 North Monaghan Parkway Township of Cavan-Monaghan, ON [REDACTED]</p>	<p>Location of existing livestock facility or anaerobic digester County of Peterborough Township of Cavan Monaghan MONAGHAN Concession 11 , Lot 4 Roll number: 1509</p>	<p>Total lot size 27.97 ha</p>
---	--	---

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	27	27 NU	627 m ²

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	27 NU		
Potential design capacity	81 NU		
Factor A (odour potential)	0.7	Factor B (design capacity)	298.77
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1

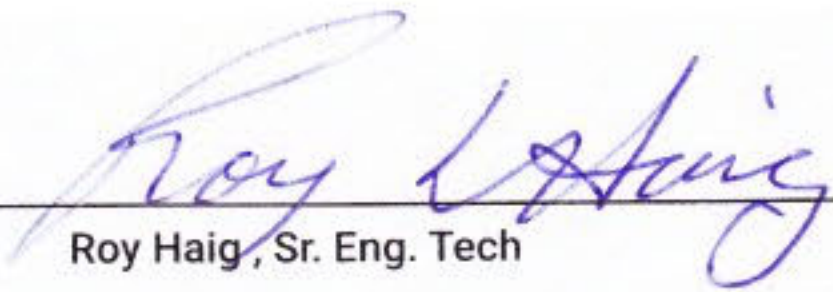
Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)	162 m (531 ft)
Actual distance from livestock barn	NA
Storage base distance 'S' (minimum distance from manure storage)	No existing manure storage
Actual distance from manure storage	NA

Preparer signoff & disclaimer

Preparer contact information

Roy Haig
EcoVue Consulting Services Inc.
51 Piatt Rd
Warkworth, ON
K0K 3K0

Signature of preparer



Roy Haig, Sr. Eng. Tech

SEP 16, 2024

Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

4.3 Appendix C:

Correspondence with Otonabee Region Conservation Authority and Township of Cavan Monaghan

From: [Matthew Wilkinson](#)
To: [Jessica Rae Reid](#); [Karen Ellis](#); [Jessica Auchterlonie](#)
Cc: [Ashlyn Kennedy](#)
Subject: RE: Bennett - 2166 North Monaghan Parkway - Drainage Trench
Date: September 4, 2024 3:03:56 PM
Attachments: [image004.png](#)
[image005.png](#)

Hi Jessica,

I hope you're doing well.

Yes, based on the email provided by ORCA we wouldn't require any additional environmental studies, at this time. Please speak to it in the justification report.

Sincerely,



Matt Wilkinson | **Planner**
988 County Road 10 | Direct: 705-932-9321
Millbrook, ON L0A 1G0 | Fax: 705-932-3458
www.cavanmonaghan.net | Email: mwilkinson@cavanmonaghan.net
@CavanMonaghanTwp | @CavanMonaghan | @CavanMonaghanTownship

Legitimate emails from **Matt Wilkinson** will always come from mwilkinson@cavanmonaghan.net. Always verify the sender's email address and be cautious of phishing scams. Any agreement to change a wire or Electronic Funds Transfer (EFT) request must be confirmed in writing with the Finance Department. To cancel, change or update your account information please email your request to payables@cavanmonaghan.net

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From: Jessica Rae Reid <jreid@ecovueconsulting.com>
Sent: September 3, 2024 11:02 AM
To: Karen Ellis <kellis@cavanmonaghan.net>; Matthew Wilkinson <mwilkinson@cavanmonaghan.net>; Jessica Auchterlonie <jauchterlonie@cavanmonaghan.net>
Cc: Ashlyn Kennedy <akennedy@ecovueconsulting.com>
Subject: Bennett - 2166 North Monaghan Parkway - Drainage Trench

Some people who received this message don't often get email from jreid@ecovueconsulting.com. [Learn why this is important](#)

Good morning, Karen, Matt, and Jessica,

I hope you are all keeping well and had a lovely long weekend.

I am assisting Ashlyn on this file while she is away, and I had a quick question about the email below. Can I just confirm that, if we were to submit the required applications prior to the new PPS coming into place, no environmental works will be required related to the historical trenching on-site, based on the email below from Don @ ORCA?

Happy to chat any time.

Kind regards,
Jess

Jessica Rae Reid, BA (she/her)
Planner



EcoVue Consulting Services Inc.
416 Chambers Street
Peterborough, Ontario K9H 3V1
705.876.8340 office
705.482.9812 direct
705.742.8343 fax
877.652.1466 toll free
www.ecovueconsulting.com

From: Donald Allin [<mailto:dallin@otonabeeconservation.com>]
Sent: August-23-24 4:04 PM
To: Robb Bennett [REDACTED]
Cc: Karen Ellis <kellis@cavanmonaghan.net>; mwilkinson@cavanmonaghan.net; Jessica Auchterlonie <jauchterlonie@cavanmonaghan.net>
Subject: RE: Bennett - 2166 North Monaghan Parkway - Drainage Trench

Hi Robb,

We have completed a historical analysis of this drainage area. Trenching was carried out sometime between 2002 and 2013 to accommodate agricultural practices and tile drainage of the fields and surrounding area. Prior to this modification, no watercourse, containing a bed, banks or sides existed in the area. The area is not hydrologically connected to a natural watercourse, nor drains any upstream hydrologic features. As the feature is purely anthropogenic in nature and not regulated as a watercourse by the Authority, it would not qualify as a Key Hydrologic Feature.

Please note that studies required by the Growth Plan will no longer be required after October 20th when that guidance document is revoked and replaced by the Provincial Planning Statement 2024 (PPS).



Don Allin
Manager, Plan Review & Permitting Services
Otonabee Region Conservation Authority
250 Milroy Drive, Peterborough, ON, K9H 7M9
705-745-5791 x225
dallin@otonabeeconservation.com

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Official Plan Amendment No. 18
(2166 North Monaghan Parkway)

to the

Official Plan for the Township of Cavan Monaghan

January 2025

Certificate

**Official Plan Amendment No. 18
Township of Cavan Monaghan Official Plan**

The attached map and explanatory text, constituting Amendment No. 18 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. 2025-06 in accordance with the provisions of Section 21 of the Planning Act, R.S.O., 1990, as amended, on the 3rd day of February, 2025.

Matthew Graham, Mayor

**Corporate Seal
of Municipality**

Cindy Page, Clerk

This Amendment to the Township of Cavan Monaghan Official Plan which has been prepared and adopted by the Council of the Township of Cavan Monaghan is hereby approved in accordance with the provisions of Section 17 of the Planning Act, R.S.O., 1990, as amended, as Amendment No. 18 to the Township of Cavan Monaghan Official Plan.

Date

**Iain Mudd
Director of Planning, Development
and Public Works
County of Peterborough**

Adoption By-law for Official Plan Amendment No. 18

By-law No. 2025-06

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. 18 to the Township of Cavan Monaghan Official Plan consisting of the attached text and map (Schedule "1") 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. 18 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 3rd day of February, 2025.

Matthew Graham
Mayor

Cindy Page
Clerk

The Statement of Components

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

Part B – The Amendment constitutes Amendment No. 18 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. 18 to the Official Plan for the Township of Cavan Monaghan is to add a special policy to the Rural designation to permit a second dwelling on the subject property.

2. Location:

The Amendment applies to the property located at 2166 North Monaghan Parkway in part of Lot 4, Concession 11 (North Monaghan) as shown on the Key Map attached hereto.

3. Basis:

i) Proposal

The property subject to the Applications is approximately 27.97 hectares (69 acres) in size with approximately 385 metres (1,263 feet) of lot frontage on North Monaghan Parkway.

The property currently contains one (1) existing detached residential dwelling connected to private individual well and septic system as well as one (1) accessory detached garage. The residential dwelling is set back approximately 370 metres (1210 feet) from North Monaghan Parkway. The lands immediately surrounding the residential dwelling (within 100 metres; approximately 4 hectares total) are grassed and/or landscaped with minimal vegetation. The balance of the lands (approximately 20 hectares) is used for agricultural purposes.

Official Plan Amendment No. 18 adds a special policy to the Rural designation, as it affects the subject lands, to permit a second dwelling. A Planning Justification Report was prepared by Ecovue Consulting in support of the Application. The Report is provided as Attachment No. 1 to this Amendment.

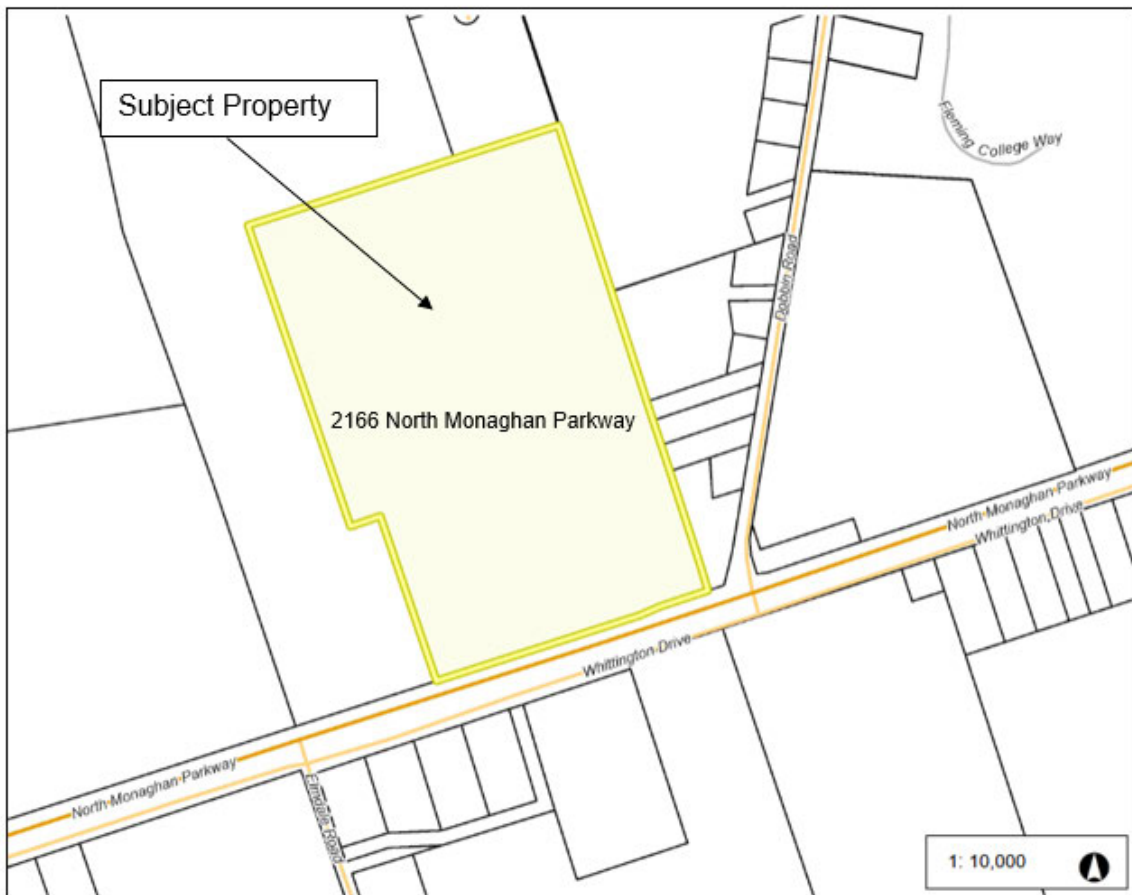
ii) Public Consultation

A public meeting is required to be held under Sections 17 and 22(b) of the Planning Act, R.S.O. 1990, as amended, as a minimum toward the fulfillment of the requirements for public consultation. The public meeting was held on the 3rd day of February, 2025.

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 map designated as Schedule “1” constitute Amendment No. 18 to the Official Plan for the Township of Cavan Monaghan.

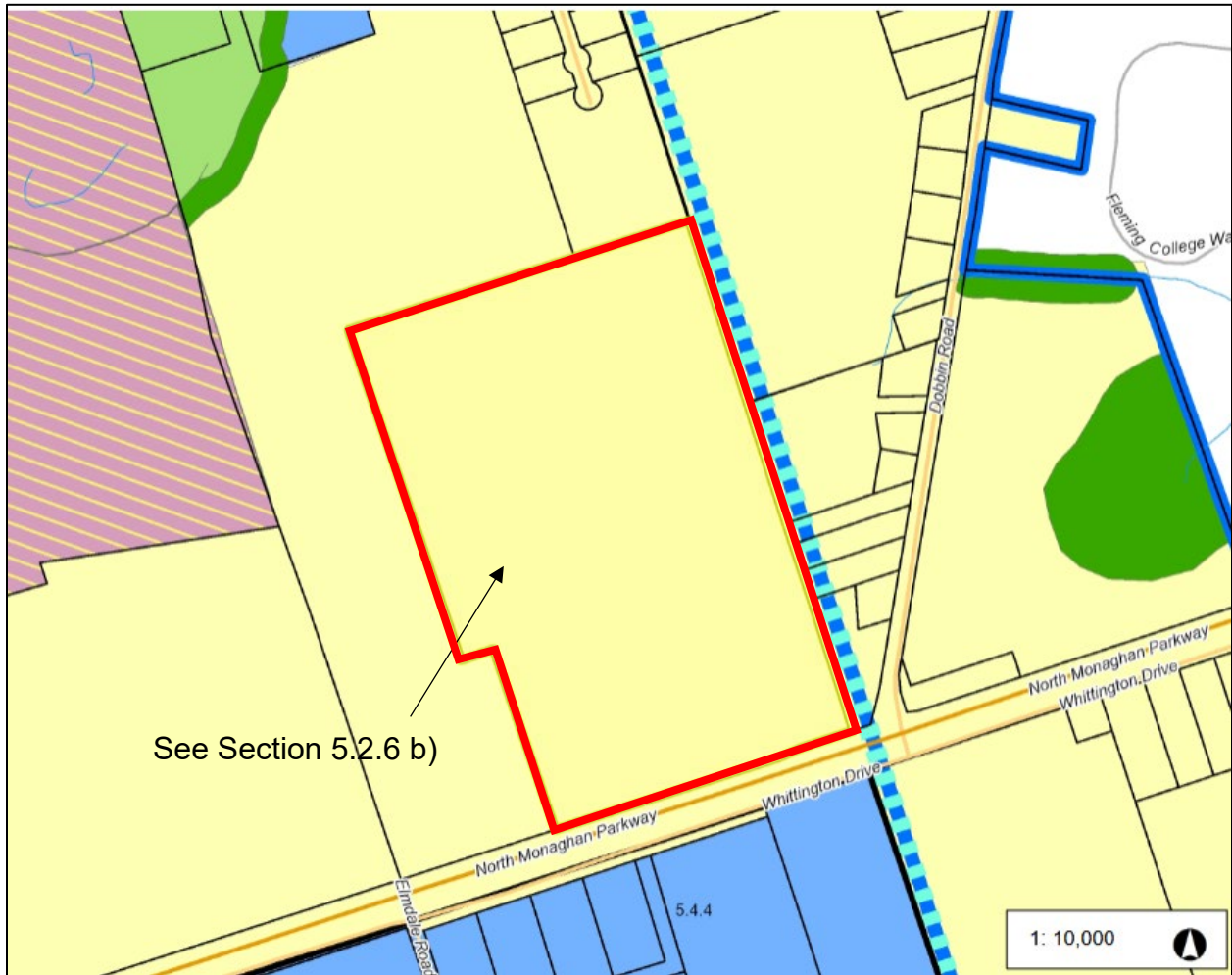
Details of the Amendment

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








1. Schedule A to the Official Plan for the Township of Cavan Monaghan is amended by adding a text box reference for Section 5.2.6 b) as it applies to lands located at 2166 North Monaghan Parkway in part of Lot 4, Concession 11 (North Monaghan) as shown on Schedule “1”, attached.
2. Section 5.2.6 of the Official Plan for the Township of Cavan Monaghan is amended by adding a new subsection, namely subsection 5.2.6 b) that shall read as follows:
“ b) 2166 North Monaghan Parkway
 Part of Lot 4, Concession 11 (North Monaghan)

In addition to the uses permitted in Section 5.2.2, a second dwelling may be permitted.

Schedule '1'



Legend

-  Rural
-  Employment
-  Recreational
-  Natural Linkage Area
-  Natural Core Area
-  Urban Rural Fringe
-  Special Study Area No. 1

The Township of Cavan Monaghan

By-law No. 2025-07

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

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

And Whereas, the Council of the Township of Cavan Monaghan adopted Official Plan Amendment No. 18 to the Township of Cavan Monaghan Official Plan to set the policy context for the proposed rezoning;

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

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

1. Map B-5 of Schedule “A” to By-law No. 2018-58, as amended, is hereby amended by rezoning certain lands in part of Lot 4, Concession 11 (North Monaghan), from the Rural (RU) Zone to the Rural Exception Eleven (RU-11) Zone as shown on Schedule “1” attached hereto and forming part of the By-law.
2. Section 7.4 of By-law No. 2018-58, as amended, is further amended by the addition of Section 7.4.30 that shall read as follows:

“7.4.30 RU-11 Map B-5 on Schedule A (2025-07 2166 North Monaghan Parkway)

- a) Additional permitted use: a second dwelling.
 - b) Second dwelling minimum front yard setback: 365 metres.
 - c) Second dwelling minimum eastern side yard setback: 275 metres.
 - d) Second dwelling minimum rear yard setback: 280 metres.
 - e) Notwithstanding the provisions of Section 11.2, the maximum number of permitted accessory apartments is one for the property.
4. All other relevant provisions of By-law No. 2018-58, as amended, shall apply.

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

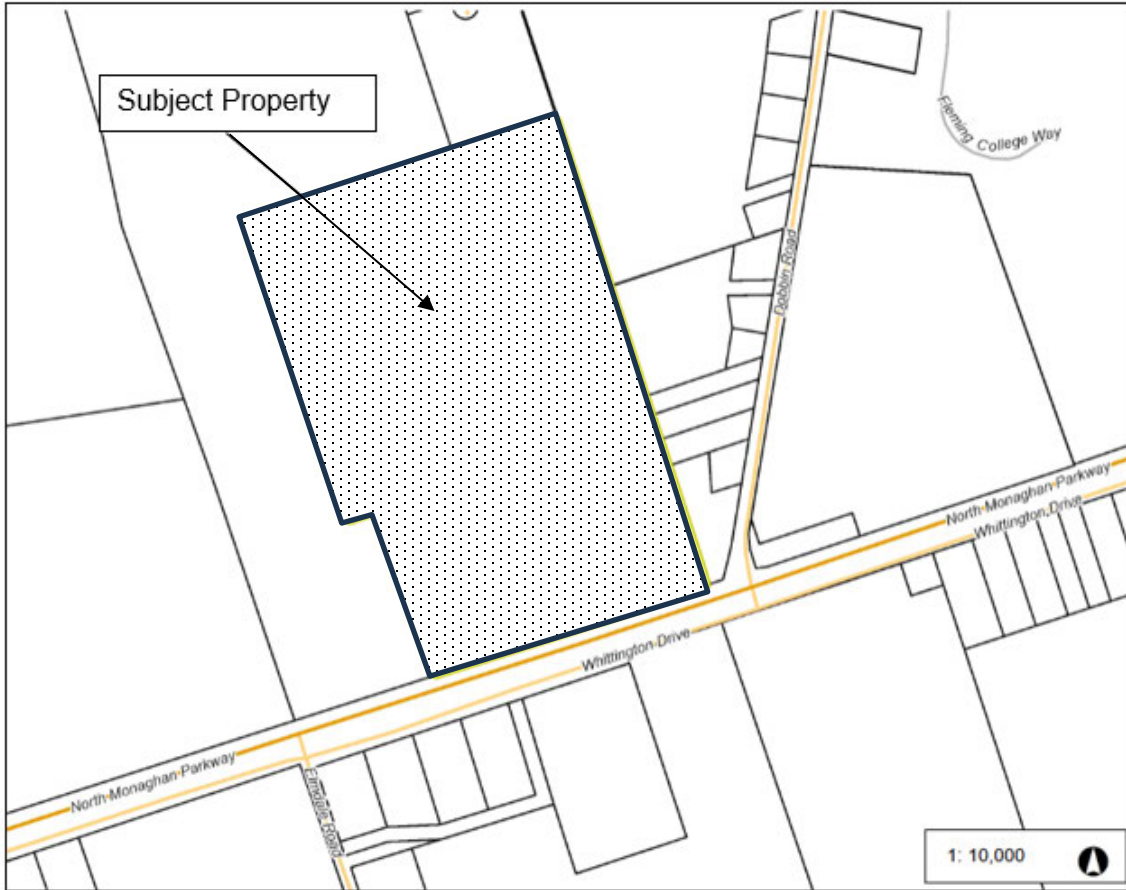
If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of passing hereof subject to the disposition of any appeals.

Read a first, second and third time and passed this 3rd day of February, 2025.

Matthew Graham
Mayor

Cindy Page
Clerk

Schedule '1' to By-law No. 2025-07



Area Affected by this By-law
2166 North Monaghan Parkway,
Part of Lot 4, Concession 11 (North Monaghan)
Township of Cavan Monaghan

Certificate of Authentication
This is Schedule "1" to By-law
No. 2025-07 passed this 3rd
day of February, 2025.



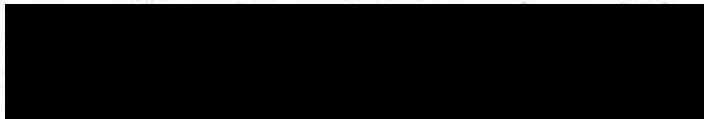
Rezone from the 'Rural (RU) Zone' to the 'Rural Exception Eleven (RU-11) Zone'.

Matthew Graham
Mayor

Cindy Page
Clerk

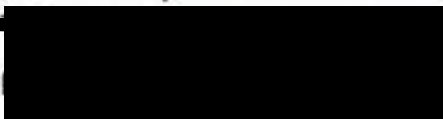
MDS I

General information

<p>Application date Sep 16, 2024</p>	<p>Municipal file number</p>	<p>Proposed application Building permit for the construction of a dwelling (farm or non-farm)</p>
<p>Applicant contact information Robb Bennett 2166 North Monaghan Parkway </p>	<p>Location of subject lands County of Peterborough Township of Cavan Monaghan MONAGHAN Concession 11 , Lot 4 Roll number: 1509</p>	

Calculations

2166 N. Monaghan Pkwy Add'l Un

<p>Farm contact information Robb Bennett 2166 North Monaghan Parkway Township of Cavan-Monaghan, ON </p>	<p>Location of existing livestock facility or anaerobic digester County of Peterborough Township of Cavan Monaghan MONAGHAN Concession 11 , Lot 4 Roll number: 1509</p>	<p>Total lot size 27.97 ha</p>
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Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	27	27 NU	627 m ²

Setback summary

Existing manure storage	No storage required (manure is stored for less than 14 days)		
Design capacity	27 NU		
Potential design capacity	81 NU		
Factor A (odour potential)	0.7	Factor B (design capacity)	298.77
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1

Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)	162 m (531 ft)
Actual distance from livestock barn	NA
Storage base distance 'S' (minimum distance from manure storage)	No existing manure storage
Actual distance from manure storage	NA

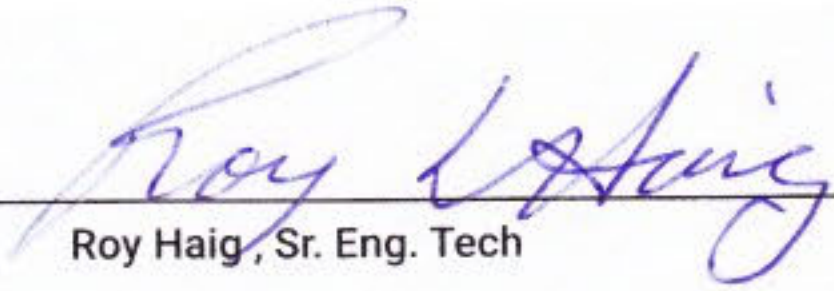
Preparer signoff & disclaimer

Preparer contact information

Roy Haig
EcoVue Consulting Services Inc.
51 Piatt Rd
Warkworth, ON
K0K 3K0



Signature of preparer



Roy Haig, Sr. Eng. Tech

SEP 16, 2024

Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.