

Planning Justification Report

**872 Sharpe Line
Lot 12, Concession 11
Township of Cavan Monaghan
County of Peterborough**

**Application for Official Plan
Amendment**

D.M. Wills Project Number 21-85151

D.M. Wills Associates Limited
Partners in Engineering, Planning and
Environmental Services
Peterborough

August 2021

**Prepared for:
Mark & Deborah Stewart**



Submissions Summary

Submission No.	Submission Title	Date of Release	Submissions Summary
1	Draft	August 20, 2021	Draft Submission for Client Review

This report / proposal has been formatted considering the requirements of the Accessibility for Ontarians with Disabilities Act.

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1.0 Introduction and Objectives

D.M. Wills Associates Limited (Wills) has been retained by Mark and Deborah Stewart (Client) to prepare this Planning Justification Report (Report) in support of an application for an Official Plan Amendment (OPA) for the property located in Lot 12, Concession 11, municipally known as 872 Sharpe Line (Subject Property) in the Township of Cavan Monaghan (Township), in the County of Peterborough (County).

The Project seeks to obtain planning approvals in the form of an Official Plan Amendment (OPA), which would facilitate subsequent Consent Applications and a Zoning By-law Amendment (ZBA) in order to permit the creation of two (2) new non-farm residential lots on the Subject Property.

1.1 Official Plan Amendment Objectives

The purpose of the OPA is to redesignate a portion of the Subject Property from Agricultural to Hamlet, thereby bringing such lands into the urban area for the hamlet of Ida. The objective of the OPA is to permit the lands to be severed, creating two (2) new non-farm residential lots. As proposed, each of the lots would provide for approximately 50 metres of frontage on Sharpe Line, and would comprise an area of 1 acre.

1.1.1 Pre-consultation Meeting

The application benefits from a pre-consultation meeting, which was circulated by the Township of Cavan Monaghan on January 7th, 2020. The final comments from the pre-consultation meeting, attached as **Appendix A**, direct that an OPA to the Township's Official Plan, together with a Planning Justification Report are required to facilitate the proposed severances. Comments received from the pre-consultation meeting also confirmed that no additional studies (i.e. traffic, hydrogeological) are required.

1.1.2 Purpose of Planning Justification Report

This Planning Justification Report (Report) serves to provide a background description of the property and proposed development, and justification of the subject OPA application in context of relevant provincial, county and local planning policy. This Report has therefore been prepared to outline the nature of the proposed OPA and justify the application with respect to the Provincial Policy Statement, 2020, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, the County of Peterborough Official Plan, The Township of Cavan Monaghan Official Plan and the Township of Cavan Monaghan Comprehensive Zoning By-law 2018-58. This Report is submitted in support of and otherwise forms part of the subject OPA and application.

2.0 Property Description

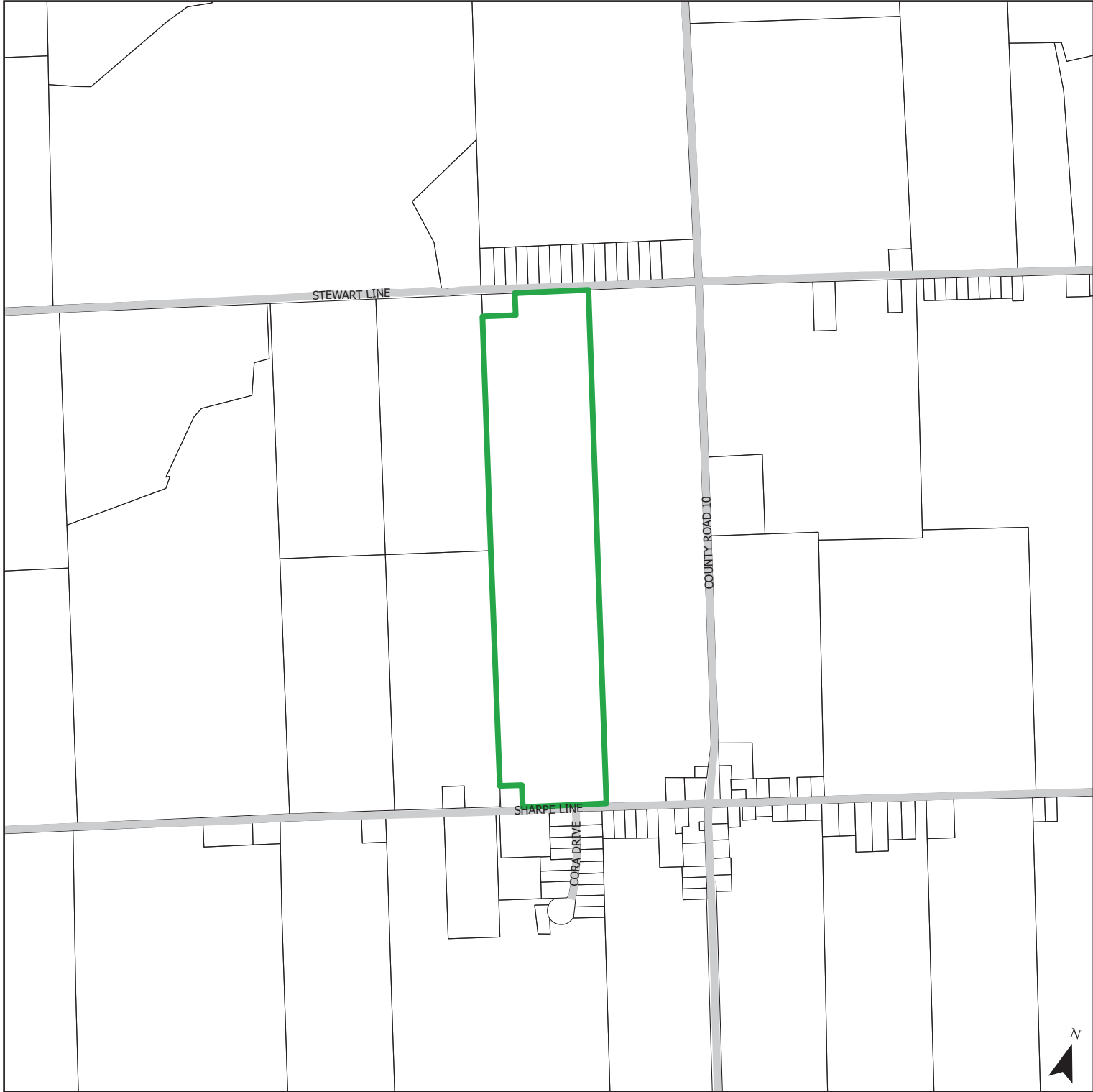
2.1 Site Location

The Subject Property is located in Part Lot 12, Concession 11, municipally known as 872 Sharpe Line in the Township of Cavan Monaghan. The Subject Property is located immediately adjacent to the boundaries of the hamlet of Ida, approximately 275 metres west of the intersection of County Road 10 and Sharpe Line. Refer to **Figure 1 – Key Map**.

The Subject Property comprises an area of approximately 40.83 hectares (100.88 acres) with frontage of 231 metres on Sharpe Line. The property, being what is typically referred to as a “long 100” also provides for frontage of approximately 200 metres on Stewart Line. Access to the property is provided from Sharpe Line.

Currently, the Subject Property is predominantly used for agricultural purposes, with an associated residential use. One single residential dwelling with an attached garage, as well as one shed and one converted barn comprise the extent of development on the Subject Property. The barn was previously used as part of a swine operation on the Subject Property, but has since been renovated and is no longer functional for the keeping of livestock. The associated liquid manure tank has since been converted for use as an irrigation pond.

The existing buildings are located in a cluster in the south-central portion of the Subject Property. The remainder of the Subject Property is actively used for crop production as part of the cash crop operation, save and except for a small woodland / brush area along the eastern property boundary.



KEY MAP
 PART 1, 2, & 3 OF RP 9R531
 PART OF LOT 12, CON. 11 (CAVAN)
 TOWNSHIP OF CAVAN MONAGHAN
 COUNTY OF PETERBOROUGH

Figure 1

Legend

 Subject Property


Scale: 1:15,000

0 95 190 380 570 760
 Meters

NAD 1983 UTM Zone 17N

Data Sources
 County of Peterborough Online GIS

Created In:	ArcMap 10.7
Drawn By:	JW
Checked By:	ED
Map Date:	July 2021
Project Number:	85151
Map Number:	1

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2.2 Surrounding Land Uses

The Subject Property is located within a predominantly rural and agricultural area, however as noted herein abuts the hamlet area of Ida to both the east and south. Directly north of the Subject Property, a cluster of residential properties are established on the north side of Stewart Road. Further north, surrounding land uses are largely agricultural in nature, traversed in part by Cavan Bog Provincially Significant Wetland (PSW) Complex.

Directly to the east, the hamlet of Ida abuts the boundary of the Subject Property. Beyond County Road 10, surrounding uses consist primarily of agricultural operations, with some residential clusters being located along Sharpe and Stewart Line.

To the south, residential uses within the hamlet of Ida border Sharpe Line and the southern boundary of the Subject Property. Extending beyond the hamlet boundary, agricultural uses again predominate.

Land uses to the west of the property also primarily consist of agricultural operations, with more fragmented rural residential development. The Cavan Bog PSW Complex also extends across Stewart Line, traversing the landscape to the east, but being more than 120 metres from the Subject Property.

To note, majority of the livestock operations in the surrounding area appear to be cash crop operations, with unoccupied livestock barns. However, the property immediately abutting the Subject Property to the west does keep a limited number of horses, donkeys and chickens as part of a hobby operation. A mixed use agricultural operation raising beef cattle was also identified west of east of the Subject Property, across County Road 10.

Refer to **Figure 2 – Surrounding Land Uses**.

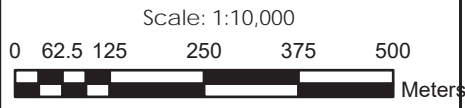


SURROUNDING LAND USE
 PART 1, 2, & 3 OF RP 9R531
 PART OF LOT 12, CON. 11 (CAVAN)
 TOWNSHIP OF CAVAN MONAGHAN
 COUNTY OF PETERBOROUGH

Figure 2

Legend

Subject Property



NAD 1983 UTM Zone 17N

Data Sources
 City of Peterborough Open Data
 County of Peterborough Online GIS
 Maxar Aerial Basemap

Created In:	ArcMap 10.7
Drawn By:	JW
Checked By:	ED
Map Date:	July, 2021
Project Number:	85151
Map Number:	2

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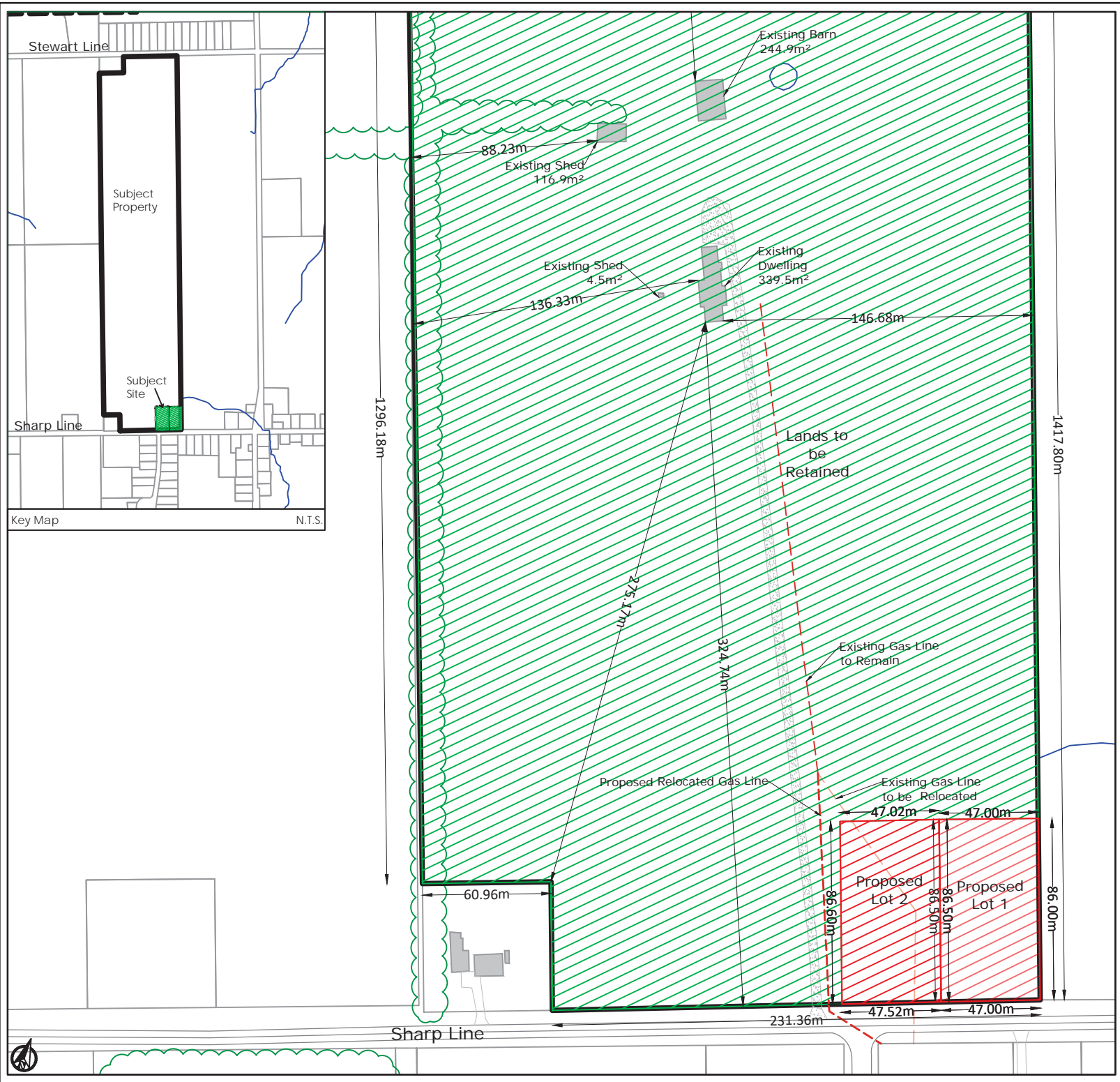
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3.0 Proposal Summary

As herein described, the OPA application seeks to redesignate a portion of the Subject Property from Agricultural to Hamlet in the Township's Official Plan. The objective of the OPA is to facilitate the creation of two (2) new non-farm residential lots on the Subject Property.

As proposed, the two new lots would be established on the existing south-east corner of the Subject Property. The proposed lots would be approximately 1 acre in size, and each have approximately 50 metres of frontage on Sharpe Line. Access to each of the proposed severed lots would also be via Sharpe Line. It is anticipated that each of the lots would provide for a private individual well and septic system. **Refer to Figure 3 – Proposed Severance Sketch.**

The proposed retained property would maintain the existing Agricultural designation as per the Township's Official Plan and likewise is not proposed for any further development. The proposed retained property would maintain all structures as existing.



PROPOSED SEVERANCE SKETCH OVERALL

PART 1, 2, & 3 OF RP 9R531
PART OF LOT 12, CON. 11 (CAVAN)
TOWNSHIP OF CAVAN MONAGHAN
COUNTY OF PETERBOROUGH

Figure 3

- Legend**
- Subject Property
 - Existing Treeline
 - Existing Gas Line Location
 - Proposed Gas Line Re-location
 - Existing Buildings
 - Existing Gravel Driveway

- Lot Information**
- Lands to be Severed- Lot 1 (1.00ac/ 0.41ha)
 - Lands to be Severed- Lot 2 (1.00ac/ 0.41ha)
 - Lands to be Retained (98.62c/39.91 ha)

Scale 1:1600m
NAD 1983 UTM Zone 17N

Data Sources:
Land Information Ontario 2020
Queens Printer for Ontario, 2018
CKL Online GIS

Created In:	AutCAD 2019
Drawn By:	JW
Checked By:	CC/ED
Map Date:	Revised September 2021
Project Number:	85151
Map Number:	1



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4.0 Policy Framework

The following provincial and municipal land use policy documents contain policies that relate to the proposed OPA: the Provincial Policy Statement (PPS), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), the County of Peterborough Official Plan (COP), the Township of Cavan Monaghan Official Plan (COP) and the Township Cavan Monaghan Comprehensive Zoning By-law 2018-58 (Zoning By-law). The applicable policies of each of these documents are provided in the proceeding sections.

4.1 Provincial

4.1.1 Provincial Policy Statement, 2020

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

In general, the PPS seeks to promote the development of communities that are socially, economically and environmentally resilient. Given the Subject Property's designation and features identified onsite, Section 1, which provides policy direction on building strong, healthy communities, applies to the proposed development and subject OPA application.

The following policies from Section 1 of the PPS are relevant to the Subject Property:

“1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- d) Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*

1.1.3 Settlement Areas

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.8 A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review...

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of settlement area boundaries outside a comprehensive review provided:

- a) there would be no net increase to land within settlement areas;
- b) the adjustment would support the municipality's ability to meet intensification and redevelopment targets established by the municipality;
- c) prime agricultural areas are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
- d) the settlement area to which the lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands."

With respect to rural and agricultural areas, the PPS provides the following direction:

"1.1.4 Rural Areas in Municipalities

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- c) accommodating an appropriate range and mix of housing in rural settlement areas;

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

2.3 Agriculture

2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.

2.3.5.1 Planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas in accordance with policy 1.1.3.8."

4.1.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides additional Provincial policy for lands within one of the fastest growing regions in North America.

The Growth Plan policies are intended to support growth and development while ensuring that it occurs in an orderly and well-planned fashion, in order to protect the social, economic, and environmental interests of Ontario and its residents.

The Growth Plan builds upon and is reflective of the policies of the PPS, providing more detailed policy direction for growth and development within the Greater Golden Horseshoe. Section 1.2.3 of the Growth Plan directs that:

“The policies of this Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. Where the policies of this Plan address the same, similar, related, or overlapping matters as policies in the PPS, applying the more specific policies of this Plan satisfies the requirements of the more general policies in the PPS.”

Policies pertinent to the subject OPA are provided as follows:

“2.2.8 Settlement Area Boundary Expansions

2. A settlement area boundary expansion may only occur through a municipal comprehensive review...

2.2.9 Rural Areas

7. Notwithstanding policy 2.2.8.2, minor adjustments may be made to the boundaries of rural settlements outside of a municipal comprehensive review, subject to the following:

- a) the affected settlement area is not in the Greenbelt Area;*
- b) the change would constitute minor rounding out of existing development, in keeping with the rural character of the area;*
- c) confirmation that water and wastewater servicing can be provided in an appropriate manner that is suitable for the long-term with no negative impacts on water; and*
- d) Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS are applied.*

4.2.6 Agricultural System

3 Where agricultural uses and non-agricultural uses interface outside of settlement areas, land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed. Where appropriate, this should be based on an agricultural impact assessment.

4. The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network will be maintained and enhanced."

4.2 Municipal

4.2.1 County of Peterborough Official Plan

The County of Peterborough Official Plan (COP) directs and guides the actions of local municipalities and the County in planning and development at a high-level. The COP establishes the vision in which planning and stewardship protect and enhance the diverse landscape, lifestyle and sense of community within the County.

Within the COP, the Subject Property is designated "Rural and Cultural Landscape". General policies of the COP, as well as the specific guiding policies for the "Rural and Cultural Landscape" are listed below.

"4.2 Settlement Areas

4.2.3 - Policies

- *The County Official Plan identifies growth areas as identified in the local official plans, and further that changes to those areas will require amendments to the local official plan and County Official Plan. These growth areas consist of the Settlement Areas listed below.*

Cavan Monaghan – Millbrook, Cavan, Mount Pleasant, Ida, Springville, Fraserville, South Monaghan, Bailieboro, Five Mile Turn, Cedar Valley

- *A municipal comprehensive review is required in order to expand settlement area boundaries. However, where proposals to change the settlement area boundaries do not result in a net increase of settlement area within a Township, planning justification shall be required for the adjustment at the time of application to ensure targets and forecasts contained in this Plan are achieved.*

4.3 Rural and Cultural Landscape

4.3.3.2 – Agriculture

- *Where a local plan is amended to designate or change the boundaries of prime agricultural areas, in considering approval of the amendment, the County must be satisfied that:*
 - *resource data available from the Ministry of Agriculture and Food have been fully considered and are fairly reflected;*
 - *any variances from the data available from the Ministry are justified by other data provided by and to the local municipality, and by the local*

municipality's interpretation of all the data available to it based on its knowledge of local conditions;

- *A local plan may exclude a prime agricultural area from designation, or may be amended to remove a prime agricultural area from being so designated, only in the following circumstances:*
 - *expansion of or identification of a settlement area in accordance with the Settlement Area policies in Section 4.2;*

In such circumstances, the local plan or amendment will ensure that impacts from the new non-agricultural uses on surrounding farm operations and lands will be mitigated;

- *All development near livestock barns and manure storage must comply with the Minimum Distance Separation Formula as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time;"*

4.2.2 Township of Cavan Monaghan Official Plan

The Township of Cavan Monaghan Official Plan (TOP) provides an up-to-date policy framework for guiding growth and development within the municipality, while taking into consideration important social, economic and environmental matters. The TOP incorporates local land use directions and required Provincial policies.

The Subject Property is designated Agricultural on Schedule A – Land Use of the TOP. Refer to **Figure 4 – Official Plan Excerpt**.

Policies pertaining to the current designation and proposed development as outlined in the TOP are provided below:

"2.1 Community

2.1.1 Residential Growth Targets

The Township will manage population growth in a sustainable manner. This goal will be achieved by:

d) Accommodating limited growth in the Hamlets through minor rounding out and infilling on private services that is sustainable and maintains the character of these small communities;

2.2 Natural Heritage and Resource Management

2.2.2 Agriculture

2.2.2 Agricultural lands are an integral part of the economy of the Township. As such, the Township will continue to protect agriculture and promote value-added agricultural operations and resources. This goal will be achieved by:

- a) *Protecting Prime Agricultural lands and ensuring that non-agricultural uses that may have an impact on the viability of farm operations are not permitted;*
- b) *Prohibiting fragmentation of agricultural lands and encouraging the consolidation of farming parcels to improve efficiency and productivity;*

3.27 Minimum Distance Separation (MDS) Formulae

New land uses, including the creation of lots, and new or expanding livestock operations, shall comply with the Minimum Distance Separation I (MDS I) and the Minimum Distance Separation II (MDS II) Formulae contained in the publication Minimum Distance Separation (MDS) Document – Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks, Publication 853, Ministry of Agriculture, Food and Rural Affairs, as amended from time to time (the MDS Document).

Unless specifically identified, the default approach to the application of MDS as outlined in the MDS Document shall apply.

b) For clarity, (MDS 1) is always required in the following situations:

- i) for all proposed amendments to rezone or redesignate land to permit development in prime agricultural areas and rural lands presently zoned or designated for agricultural use.*

4.9 Hamlets

The Hamlet designation applies to lands within the boundaries of Ida, Cavan, Mount Pleasant, Five Mile Turn (North Monaghan), Springville, Fraserville, Bailieboro and South Monaghan. The Hamlets are identified generally on Schedule A and more specifically on Schedule F, Maps 1 through 8. The Hamlets are small scale settlement areas that provide an important residential, commercial and social focus in the Rural area. The boundaries of the Hamlets are further delineated in maps provided in Schedule F to the Plan.

4.9.1 Objectives

It is the objective of this designation to:

- c) Direct the majority of non-farm rural development to areas where similar development currently exists;*
- e) Ensure that new development in the Hamlets are sustainable on the basis of private services.*

5.1 Agricultural Areas

5.1.1 Objectives

It is the objective of this designation to:

- a) Recognize agriculture as the primary activity and land use;*
- b) Maintain and preserve the agricultural resource base of the Township and encourage the consolidation of agricultural farm parcels;*
- c) Protect land suitable for agricultural production from fragmentation, development and land uses unrelated to agriculture;*
- e) Preserve and promote the agricultural character of the Township and the maintenance of the natural countryside as an open space area; and,*

8.2 Amendments to the Plan

b) The following general criteria shall apply to the review of all Official Plan Amendment applications and the proponent of an amendment may be required to submit reports from qualified professionals to address such matters, including but not necessarily limited to:

- i) Conformity to the strategic directions and policies of this Plan;*
 - ii) Suitability of the location of the proposed use;*
 - iii) Compatibility with existing and planned land uses in the surrounding area;*
 - iv) The impact on the natural environment having regard for natural heritage features and hydrologic features;*
 - v) Need for the proposed use;*
 - vi) Availability of supporting capital works and services;*
 - vii) Fiscal impact on municipal capital works and services;*
 - viii) Comments of public agencies;*
 - ix) Any other specific requirements of Council; and*
 - x) In the case of lands within identified vulnerable areas, demonstration of how the proposal conforms to the policies of Section 3.19 where applicable.*
- d) If a request for an amendment is received to change the land use designation or zone from an Agricultural or Rural land use designation or zone to*

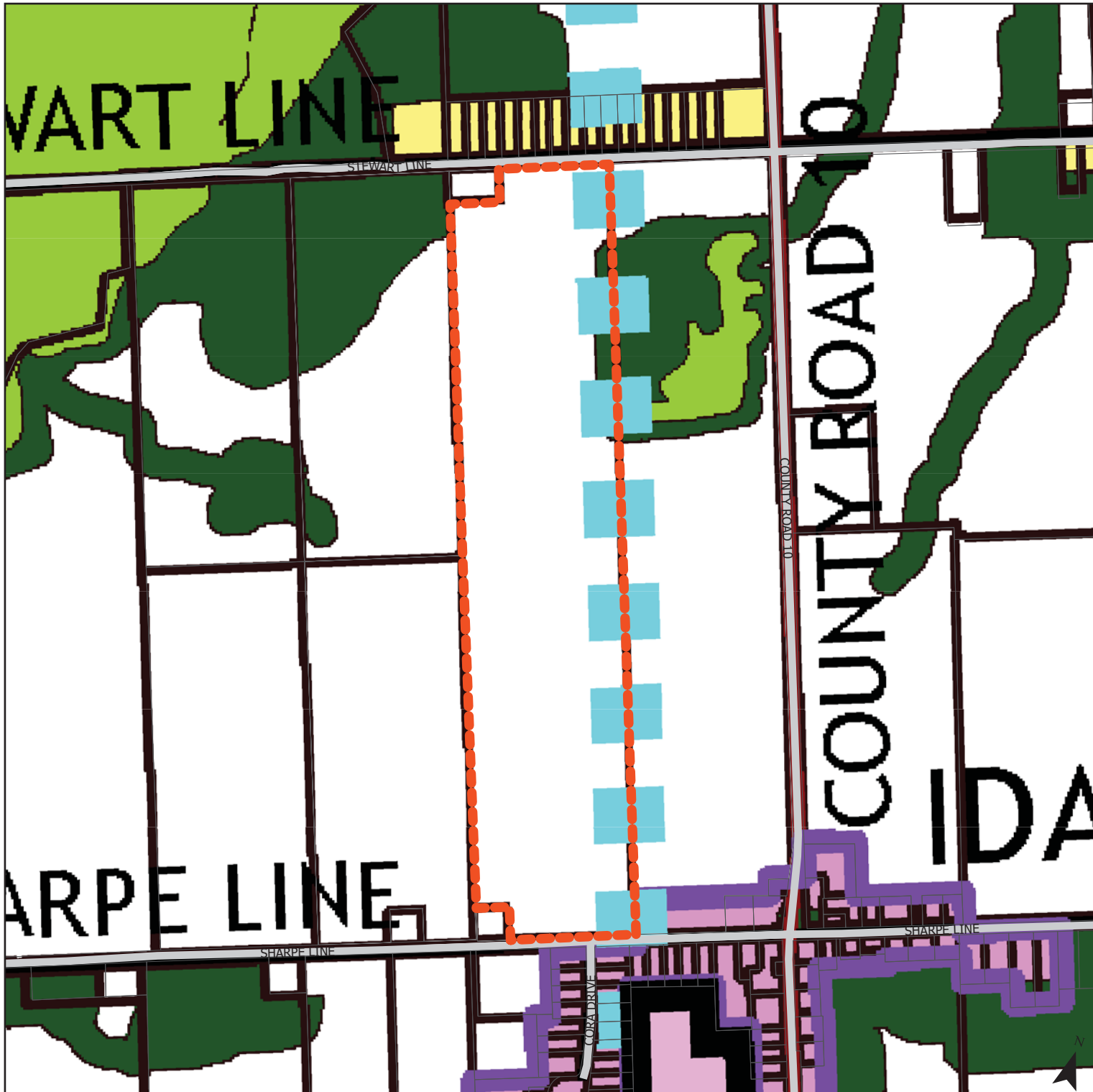
a designation or zone which will permit development, the amendment will be required to meet Minimum Distance Separation Formulae (MDS) as outlined in Section 3.27.

8.3 Settlement Area Expansions

The external boundaries of the Settlement Area and Hamlet designations as shown on the Schedules to this Plan are fixed and inflexible. Expansions to these areas are not permitted by the policies of and within the life of this Plan unless a comprehensive Official Plan Review is undertaken by Council.

The expansion of any Settlement Area through an Official Plan Amendment shall only be considered at the time of a comprehensive review of this Official Plan. Further expansions of Settlement Areas within the Township will not be considered unless and until appropriate studies have been completed including a consideration of settlement expansion in the SSA-1 in accordance with section 2.6. In considering the expansion of Settlement Areas, Council shall be satisfied that:







- a) A sufficient opportunity for growth is not available through intensification, redevelopment and within existing designated growth areas to accommodate growth projections over the identified planning horizon;*
- b) The infrastructure and public service facilities that are planned or available are suitable for the development over the long term and protect the public health and safety of the Municipality;*
- c) In Agricultural areas:
 - i) The lands do not comprise specialty crop areas;*
 - ii) There is no reasonable alternatives to avoid prime agricultural areas; and,*
 - iii) There are no reasonable alternatives of lower priority agricultural lands in prime agricultural areas.**
- d) Impacts from new or expanding Settlement Areas on agricultural operations which are adjacent or close to the Settlement Area are mitigated to the extent possible."*





EXCERPT FROM SCHEDULE 'A' -
 LAND USE OF THE TOWNSHIP OF
 CAVAN MONAGHAN OFFICIAL PLAN
 PART OF LOT 12, CON. 11 (CAVAN)
 TOWNSHIP OF CAVAN MONAGHAN
 COUNTY OF PETERBOROUGH

Figure 4

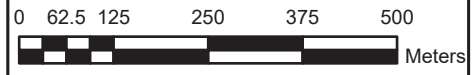
Legend

-  Subject Property
- Land Use**
-  Agricultural
-  Hamlet
-  Rural
-  Settlement Area
-  Special Study Area No. 1
(See Section 2.6)

Natural Heritage System

-  Natural Core Area
-  Natural Linkage Area

Scale: 1:10,000



Data Sources
 County of Peterborough Online GIS

Created In:	ArcMap 10.7
Drawn By:	JW
Checked By:	ED
Map Date:	July 2021
Project Number:	85178
Map Number:	4



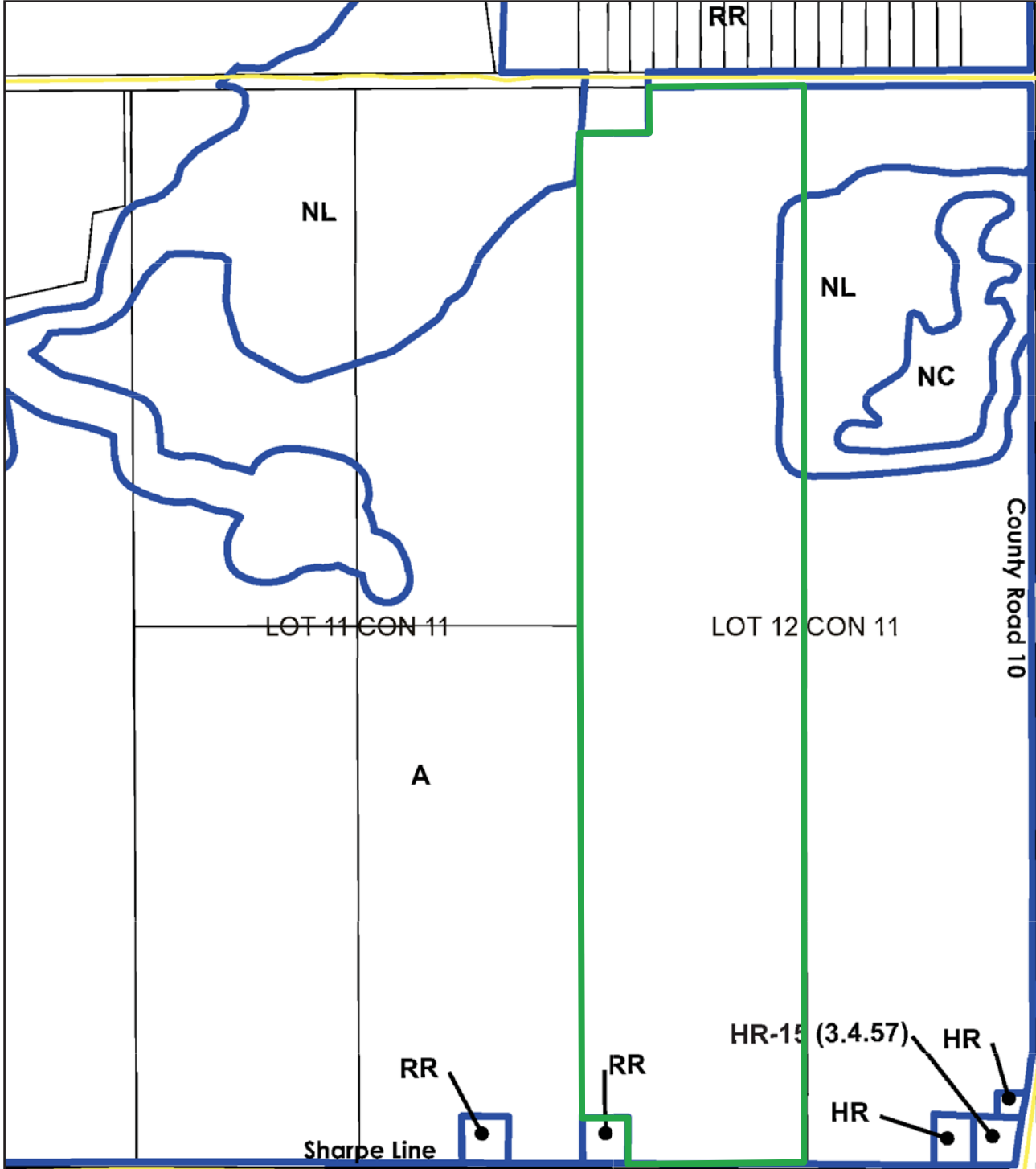
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4.2.3 Township of Cavan Monaghan Comprehensive Zoning By-law

The Subject Property is zoned Agricultural (A) Zone on Schedule B-2 of the Township of Cavan Monaghan Zoning By-law 2018-58. Refer to **Figure 5 – Township of Cavan Monaghan Zoning By-law Excerpt**.

Permitted uses in the Agricultural (A) Zone are provided in *Section 7* of the Comprehensive Zoning By-law, and include a farm. Permitted uses within the Agricultural (A) Zone include a variety of agricultural farm uses, as well as one (1) single detached dwelling. The proposed use of land for both of the parcels of land to be severed from the retained property are to be used for non-farm residential purposes.

While the Agricultural (A) Zone does permit one single residential dwelling unit, there are still some limitations for development within the agricultural area. It is recognized that a Zoning By-law Amendment will be required rezone the proposed severed lots as a condition of consent. The proposed retained lands will otherwise continue to meet the provisions of the Agricultural (A) Zone.



EXCERPT FROM SCHEDULE 'A'
 MAP B-2 OF THE TOWNSHIP
 OF CAVAN MONAGHAN
 ZONING BY-LAW No. 2018-58
 PART OF LOT 12 , CON. 11 (CAVAN)
 TOWNSHIP OF CAVAN MONAGHAN
 COUNTY OF PETERBOROUGH

Figure 5

Legend

Subject Property

Zoning Description

- A Agricultural
- HR Hamlet Residential
- NC Natural Core
- NL Natural Linkage
- RR Rural Residential

Scale: 1:8,000



Data Sources

County of Peterborough Online GIS

Created In:	ArcMap 10.7
Drawn By:	JW
Checked By:	JT/MS
Map Date:	July 2021
Project Number:	85178
Map Number:	1

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5.0 Proposed Official Plan Amendment

The following is the proposed Official Plan Amendment for the Subject Property located at located in Lot 12, Concession 11, in the Township of Cavan Monaghan, municipally known as 872 Sharpe Line in the County of Peterborough.

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

That Schedule A - Land Use Designations is hereby further amended by amending the land use designation on certain lands as shown of Schedule A attached hereto and forming part of this amendment from 'Agricultural' to 'Hamlet'."

6.0 Planning Rationale

The proposed Official Plan Amendment will redesignate a portion of the Subject Property from Agricultural to Hamlet. This will allow for a portion of the Subject Property directly abutting the Ida hamlet area to be included into the settlement boundary, facilitating the approval of the proposed severances to be developed for non-farm residential purposes.

The location of the lands to be redesignated and likewise severed and developed for residential use is immediately adjacent to the existing boundary of the Hamlet of Ida. The proposed development of these lands represents an efficient development and logical expansion pattern that will bolster the growth of the hamlet area, consistent with the policies of the PPS, Growth Plan, COP and TOP which recognize settlement areas as the focus of growth and development. The development proposal will likewise contribute to the availability of housing options in the area, in a manner and form similar to the established residential pattern and being consistent with the character of the community.

In essence, the redesignation of the lands represents a settlement area boundary expansion. Under the policies of the PPS and COP, as provided herein, a settlement area boundary expansion occurring outside of a municipal comprehensive review is typically only permitted where it represents an adjustment to the boundary and there is no net increase of land within the settlement area. Notwithstanding, the policies of the Growth Plan do permit minor rounding out of settlement areas. As per Section 1.2.3 of the Growth Plan, the policies of the Growth Plan take precedence over the policies of the PPS in this regard. Further, the COP has not been updated to reflect the new direction of the Growth Plan. Therefore, it is our opinion that a minor expansion to the settlement areas as proposed through the subject OPA is intended to be permitted via the direction of the Growth Plan. As per Section 2.2.9.7 of the Growth Plan, such an expansion may be permitted provided that the lands are not within the Greenbelt, the minor rounding out is in keeping with the rural character, appropriate servicing can be provided and the policies of Section 2 and 3 of the PPS are applied. This is reinforced by the policies of the TOP which while generally requiring a comprehensive review for

settlement area expansions, also promote growth in hamlets through minor rounding out which maintains the character of the communities.

The Subject Property is not located within the Greenbelt Plan area, and there are no known limitations that would impact the ability to appropriately provide private individual septic systems and wells, consistent with the existing built form of the hamlet. No environmental or hazard features have been identified which would trigger the policies of Section 2 and 3 of the PPS; notwithstanding the policies for agricultural lands, which are discussed further below. The lots proposed which would follow the subject OPA are of a size, configuration and proposed land use which are consistent with the land uses to the east and south, being within the hamlet of Ida boundaries and would maintain the rural character established in Ida. The proposed development is also at a scale which is appropriate to the area, and would not extend development past the existing westerly boundary of the hamlet, as is reflected on the south side of Sharpe Line.

With respect to the established agricultural uses and the agricultural land base, redesignation of the lands will effectively remove approximately 2 acres of functional agricultural land from development. This represents approximately 2% of the area of the Subject Property. Removal of these lands from agriculture is not anticipated to impact the overall agricultural viability of the retained lands, as such will continue to be of a size which is feasible for economic cash crop production.

Moreover, the location of the lands proposed for redesignation, being at the south-east corner of the Subject Property and immediately adjacent to the existing hamlet boundaries will not overly fragment the land base and will provide for additional development where similar development already exists. Any conflicts that would be expected from the interface of the settlement area and the agricultural uses are already existing, though noted to be limited, and will not be aggravated by this minor rounding out. The proposed redesignation and location of the severed lots also greatly exceeds all required MDS setbacks; owing in part to the lack of established livestock operations in the area. Refer to **Appendix C**. It is also noted that these lands specifically do not comprise a specialty crop area and given the prevalence of agricultural lands throughout the Township, there are limited reasonable opportunities to accommodate growth in the Township outside of or on lower priority agricultural lands. All of this being noted, it is our opinion that there will be no significant adverse impacts anticipated on the agricultural system. Surrounding agricultural productions will continue to be viable and the overall agricultural character of the area will be upheld. The subject OPA and proposed settlement area expansion therefore does not conflict with the applicable agricultural policies of the Province, County and Township.

The OPA would not adversely impact the implementation of the strategic directions of the TOP which include accommodating growth in hamlets and ensuring provision of housing while ensuring on-going viability of agricultural operations. The location is appropriate and compatible, being immediately adjacent and contingent to the existing hamlet of Ida boundaries, with public road access.

7.0 Discussion and Conclusions

This Planning Justification Report has been prepared in support of the OPA to permit the change in land designations on a portion of the Subject Property from Agricultural to Hamlet, in order to facilitate the proposed severances for non-farm residential purposes.

The Official Plan Amendment as proposed will provide for additional lots to be created for residential purposes on the Subject Property. The proposed Official Plan Amendment would provide a benefit to the area through the creation of growth for the rural settlement, while ensuring that the rural character of the area is maintained and agricultural nature remains viable.

Based on our review, it is our opinion that the subject Official Plan Amendment application is consistent with the PPS and does not conflict with the Growth Plan and the general intent of the local planning legislation.

All of which is respectfully submitted.

Prepared By:

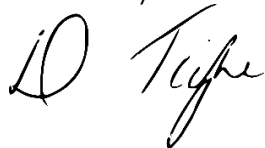


Claire Champagne, B.ES. (Hons.)
Junior Land Use Planner



Emma Drake, M. Sc.
Land Use Planner

Review By:



Darryl Tighe, M.Sc., RPP
Senior Land Use Planner

CC/ED/hd

Appendix A

Record of Pre-Consultation



Record of Pre-Consultation



Prepared by the Township of
Cavan Monaghan Planning Department

Name: Mark Stewart

Agent:

Lot: 12 Concession: 11

Municipality: Cavan Ward
Township of Cavan Monaghan

Municipal Address: 872 Sharpe Line

Roll No.(s) 1509-010-040-230-00

Phone:
705-944-5377

Email:
markstew52@hotmail.com

Office Phone:

Communication Sent To: **Owner:**

Agent:

Meeting Date: 2020-01-07 (yyyy-MM-dd)

Meeting Location:

- Township of Cavan Monaghan Zoom
Municipal Office
988 County Rd 10
Millbrook, ON

Attendees:

- Karen Ellis, Township of Cavan Monaghan
- John Connolly, Township of Cavan Monaghan
- Brigid Ayotte, Township of Cavan Monaghan
- Wayne Hancock, Township of Cavan Monaghan
- Mark Stewart, Proponent
- Caitlin Robinson, County of Peterborough
- Iain Mudd, County of Peterborough

A copy of the complete Record of Pre-Consultation will be sent to all attendees

Existing Parcel Description	
Municipal O.P. Designation	Agricultural
Municipal Zoning	Agricultural (A) and Natural Linkage (NL)
Area/Lot Dimensions	40.83 hectares (100.88 acres)
Existing Use/Buildings	1 SFD with attached garage, 3 barns and 1 outdoor pool

Pre-consultation completed for:

- Plan of Subdivision (*Application submitted to County*)
- Plan of Condominium (*Application submitted to County*)
- Official Plan Amendment for
 - County Official Plan (*Application submitted to County*)
 - Local Component of County Official Plan (*Application submitted to County*)
 - Municipal Official Plan (*Application submitted to Township*)
- Zoning By-law Amendment (*Application submitted to Township*)
- Severance (Consent) (*Application submitted to County*)
- Site Plan (*Application submitted to Township*)
- Part Lot Control (*Application submitted to Township*)

Proposal Summary/Description:

Official plan amendment application to change the designation on a portion of the subject lands from Agricultural to Hamlet to permit the creation of 2 new non-farm residential lots. Sketch of proposed severed lots provided by Mr. Stewart.

Discussion:

Mr. Stewart is looking to create 2 new residential lots from his property. One of those lots will be a retirement lot. Each of the proposed lots will be about 0.4 hectares (1 acre) in size. Proposed lots are in area already included in Hamlet designation and lots have been created in the area over the last several years.

Official Plan Amendment required to change existing Agricultural designation to Hamlet designation to permit consideration of severance applications. The current planning policy framework permits the consideration of a site specific official plan amendment.

Minor adjustment to hamlet boundary must satisfy 4 criteria (provincial requirements) - not in Greenbelt, must be considered minor rounding out, appropriate water and wastewater servicing must be available and Sections 2 and 3 of the Provincial Policy Statement (PPS) must be applied. Impacts to agricultural lands must be addressed.

Justification for the official plan amendment is required. Retaining a planning consultant to help address the policy requirements is recommended.

- Traffic Impact Study not necessary at this time
- Hydrogeological not required at this time as there is no documented history of water problems in the area.
- No ORCA regulated area on site. A Species at Risk assessment may be required. Requires further investigation.

The role of a planning consultant was outlined. Planner needs to address Provincial, County and Township policy frameworks to justify OPA. The Township and County are willing to have a second pre-consultation session with Mr. Stewart and Planner, if requested.

County OP update process and schedule was discussed. Mr. Stewart can proceed with a site specific OPA or have the redesignation of the lands considered as part of the OP process. It was noted that the provincial legislation keeps changing but the new OP needs to be approved by summer 2022. The goal is to have the OP in its final form

by the end of 2021. More consultation and studies required between now and then (i.e. growth management and land needs assessment).

The site specific OPA process will take at least 6 months to complete. If Mr. Stewart is keen to get the OPA done now, he could get in ahead of the County process.

Cost for amendment applications (\$3,000), re-zoning application (\$1700); County processing fee (\$1100); severance application fees and fees for supporting documentation are additional costs to be borne by Mr. Stewart.

Fees: A copy of the current Township User Fee By-law is attached with applicable planning fees emphasized (i.e. highlighted or circled).

Other applicable fees should be confirmed through staff at the County of Peterborough, Conservation Authority and/or Peterborough Public Health.

Record Completed By: Karen Ellis

Appendix B

Photographic Log



Project Name: Official Plan Amendment	Site Location: 872 Sharpe Line
--	---------------------------------------

Photo Number: 1
Date: July 26, 2021
Direction Photo Taken: North
Description: Converted sow barn.



Photo Number: 2
Date: July 26, 2021
Direction Photo Taken: North
Description: Inside of converted sow barn.

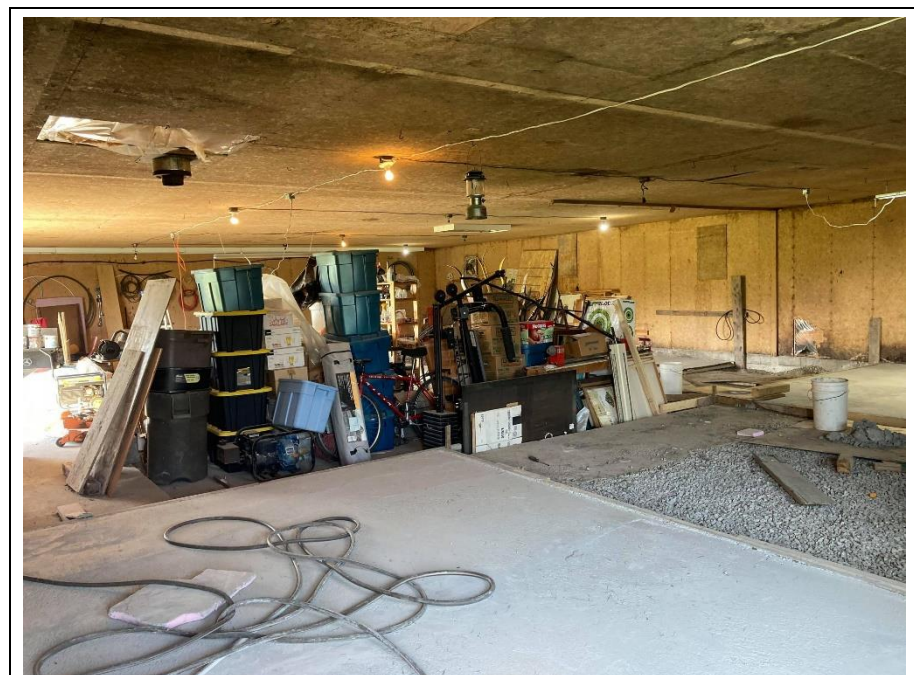


Photo Number: 3
Date: July 26, 2021
Direction Photo Taken: North
Description: Existing storage shed.



Photo Number: 4
Date: July 26, 2021
Direction Photo Taken: South-east
Description: Surrounding residential land uses.



Photo Number: 5
Date: July 26, 2021
Direction Photo Taken: South-west
Description: Surrounding residential land uses south of proposed lots.



Photo Number: 6
Date: July 26, 2021
Direction Photo Taken: North
Description: Location of proposed severed lots.



Appendix C

MDS Calculations



Description:
Application Date: Friday, August 6, 2021

Municipal File Number:
Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information

 Deborah Stewart
 872 Sharpe Line
 Ida, ON, Canada

Location of Subject Lands

 County of Peterborough, Township of Cavan-Millbrook-North Monaghan
 CAVAN, Concession: 11, Lot: 12
 Roll Number: 150901004023000

Calculation Name: *Farm 1*
Description: 1911 Cty Rd 10

Farm Contact Information


Not Specified

Location of existing livestock facility or anaerobic digester

 County of Peterborough, Township of Cavan-Millbrook-North Monaghan
 CAVAN, Concession: 11, Lot: 13
 Roll Number: 150901004022800
 Total Lot Size: 40.86 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	162.7 m ²	8.1	163 m ²
Solid	Unoccupied Livestock Barn, -	45.9 m ²	2.3	46 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)


Design Capacity (NU): 10.4

Potential Design Capacity (NU): 20.9

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	Building Base Distance 'F' (actual distance from livestock barn)
1.0	X 201.72	X 0.7	X 1.1	=	155 m (510 ft)	TBD

Storage Base Distance 'S'
(minimum distance from manure storage)

No storage present

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

Calculation Name: *Farm 2*
Description: 1911 Cty Rd 10

Farm Contact Information


Not Specified

Location of existing livestock facility or anaerobic digester

 County of Peterborough, Township of Cavan-Millbrook-North Monaghan
 CAVAN, Concession: 11, Lot: 13
 Roll Number: 150901004022525
 Total Lot Size: 18.45 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	405.5 m ²	20.3	406 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)


Design Capacity (NU): 20.3

Potential Design Capacity (NU): 40.6

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	Building Base Distance 'F' (actual distance from livestock barn)
1.0	X 241.1	X 0.7	X 1.1	=	186 m (609 ft)	TBD

Storage Base Distance 'S'
(minimum distance from manure storage)

No storage present

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

Calculation Name: *Farm 3*

Description: 957 Stewart Line

Farm Contact Information
Not Specified

Location of existing livestock facility or anaerobic digester

County of Peterborough, Township of Cavan-Millbrook-North Monaghan


CAVAN, Concession: 11, Lot: 13

Roll Number: 150901004022600

Total Lot Size: 36.77 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	483.25 m ²	24.2	483 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)


Design Capacity (NU): 24.2

Potential Design Capacity (NU): 48.3

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	Building Base Distance 'F' (actual distance from livestock barn)
1.0	X 256.65	X 0.7	X 1.1	=	198 m (648 ft)	TBD

Storage Base Distance 'S'
(minimum distance from manure storage)

No storage present

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

Calculation Name: *Farm 4*
Description: 1020 Sharpe

Farm Contact Information
 Not Specified

Location of existing livestock facility or anaerobic digester
 County of Peterborough, Township of Cavan-Millbrook-North Monaghan


CAVAN, Concession: 11, Lot: Pat Lot 13 & 14

Roll Number: 150901004022300

Total Lot Size: 41.78 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	91	91.0	423 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 91.0

Potential Design Capacity (NU): 273.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	448.74	X		0.7	X
					1.1	
					242 m (794 ft)	TBD

					Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
					242 m (794 ft)	TBD

Calculation Name: *Farm 5*
Description:

Farm Contact Information
 Not Specified

Location of existing livestock facility or anaerobic digester
 County of Peterborough, Township of Cavan-Millbrook-North Monaghan


CAVAN, Concession: 11, Lot: 14

Roll Number: 150901004022100

Total Lot Size: 57.5 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	450.81 m ²	22.5	451 m ²
Solid	Unoccupied Livestock Barn, -	242.96 m ²	12.1	243 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)


Design Capacity (NU): 34.7

Potential Design Capacity (NU): 104.1

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
1.0	X	320.18	X		0.7	X
					1.1	
					=	247 m (809 ft)
						TBD

Storage Base Distance 'S'
(minimum distance from manure storage)

No storage present

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

Calculation Name: *Farm 6*


Description: 1844 Cty Rd 10

Farm Contact Information
Not Specified

Location of existing livestock facility or anaerobic digester
County of Peterborough, Township of Cavan-Millbrook-North Monaghan
CAVAN, Concession: 10, Lot: 12
Roll Number: 150901004015500
Total Lot Size: 22.24 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	123.13 m ²	6.2	123 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)


Design Capacity (NU): 6.2

Potential Design Capacity (NU): 12.3

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
1.0	X	174.37	X		0.7	X
					1.1	
					=	134 m (441 ft)
						TBD


Storage Base Distance 'S'
(minimum distance from manure storage)

No storage present

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.


Calculation Name: *Farm 7*
Description: 774 Sharpe Line

Farm Contact Information
 Not Specified

Location of existing livestock facility or anaerobic digester
 County of Peterborough, Township of Cavan-Millbrook-North Monaghan
 CAVAN, Concession: 11, Lot: 10
 Roll Number: 1509 
 Total Lot Size: 58.88 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	427.08 m ²	21.4	427 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)


Design Capacity (NU): 21.4

Potential Design Capacity (NU): 64.1

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	Storage Base Distance 'S' (minimum distance from manure storage)
1.0	X	283.63	X	0.7	X
		1.1	=	218 m (717 ft)	TBD

Storage Base Distance 'S'
 (minimum distance from manure storage)

No storage present

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.


Calculation Name: *Farm 8*
Description:

Farm Contact Information
 Not Specified

Location of existing livestock facility or anaerobic digester
 County of Peterborough, Township of Cavan-Millbrook-North Monaghan
 CAVAN, Concession: 11, Lot: 11
 Roll Number: 150901004023100
 Total Lot Size: 20.19 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Horses, Large-framed, mature; > 680 kg (including unweaned offspring)	2	2.9	60 m ²
Solid	Chickens, Layer hens (for eating eggs; after transfer from pullet barn), floor run	25	0.2	2 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 3.0

Potential Design Capacity (NU): 3.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)	
0.7	X 150	X 0.7	X 1.1		81 m (265 ft)	TBD	
Storage Base Distance 'S' (minimum distance from manure storage) (actual distance from manure storage)							
						81 m (265 ft)	TBD

Calculation Name: *Subject Farm*

Description: 872 Sharpe Line

Farm Contact Information

Not Specified

Location of existing livestock facility or anaerobic digester

County of Peterborough, Township of Cavan-Millbrook-North Monaghan


CAVAN, Concession: 11, Lot: 12

Roll Number: 150901004023000

Total Lot Size: 40.8 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	193.81 m ²	9.7	194 m ²


 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)

Design Capacity (NU): 9.7

Potential Design Capacity (NU): 19.4

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
1.0	X 197.93	X 0.7	X 1.1		152 m (500 ft)	TBD
Storage Base Distance 'S' (minimum distance from manure storage)						
No storage present						

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.



Minimum Distance Separation I

85151 MDS

Prepared By: Jodi Whalen, Land Use Planning/GIS Technician, D.M. Wills Associates

Preparer Information

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Email: jwhalen@dmwills.com

Signature of Preparer: _____ Date: _____
Jodi Whalen, Land Use Planning/GIS Technician

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.



MINIMUM DISTANCE SEPARATION (MDS) MAP

PART 1, 2, & 3 OF RP 9R531
 PART OF LOT 12, CON. 11 (CAVAN)
 TOWNSHIP OF CAVAN MONAGHAN
 COUNTY OF PETERBOROUGH

- Legend**
- Subject Property
 - Proposed Severed Lot Location
 - Minimum Distance Separation Study Area
 - 5** Farm Identification (Refer to MDS Report)
 - Minimum Distance Separation (MDS) Requirement (Refer to MDS Report)

Scale 1:1600m
 NAD 1983 UTM Zone 17N

Data Sources:
 Land Information Ontario 2020
 Queens Printer for Ontario, 2018
 CKL Online GIS:

Created In:	AutCAD 2019
Drawn By:	JW
Checked By:	CC/ED
Map Date:	August 2021
Project Number:	85151
Map Number:	



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