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**Planning Justification Report (January 19, 2021) -
Zoning By-law Amendment Application
918 Highway No. 7A (Cavan)
Township of Cavan Monaghan, County of Peterborough**

Introduction

This Planning Justification Report has been prepared in support of Zoning By-law Amendment Application (ZBLA) regarding the property known municipally as 918 Highway No. 7A (Cavan Ward), Township of Cavan Monaghan. The original Report was filed on November 5, 2020 with the Township Planning Department. The "Revised" Report correctly references the current commercial zoning of the property.

The Property



Site

(Source: County Website, January 2021)

The property is located at the northwest corner of the intersection of Highway No. 7A and County Road No. 10.

Surrounding land uses include the following:

Direction	Land Use/s
North	Residential

South	Highway No. 7A, Residential, Commercial
East	County Road No. 10, Residential
West	Residential

The Application

The ZBLA Application seeks to rezone the property from a C.2-11 - Commercial Exception 11 Zone to recognize/permit the current single-unit dwelling use of the property. No expansions or modifications to the existing dwelling or the property are contemplated nor required to accommodate the proposed residential use.

Pre-Consultation

The property owner pre-consulted with Township Planning Staff prior to the filing of the ZBLA Application. Additionally, the property owner contacted the Public Health Unit regarding the waste-water (holding tanks) facilities currently serving the property.

Public Consultation

Given the house-keeping nature of this ZBLA Application, public consultation would be accommodated through the Statutory Public Meeting - ZBLA Application process/administration.

Analysis

2020 Provincial Policy Statement (2020 PPS)

The 2020 PPS which came into effect on May 1, 2020 and sets forth a general policy framework applied on a provincial-wide basis addressing such matters as land-use, development, environment, culture/heritage, patterns of development and related concerns.

Relative to the Zoning By-law Amendment Application, the following policies are considered to have direct relevancy:

Policies	Title - Details
	Table of Contents
1.1	Healthy, liveable and safe communities are sustained by:

	<p>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</p> <p>b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>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;</p> <p>Opinion: It is my professional opinion that the Zoning By-law Amendment Application, serving to recognize/permit the existing residential use of the property is appropriate, and supports the 'Hamlet' designation assigned to the property (Cavan).</p>
1.1.3	<p>Settlement Areas</p> <p>1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.</p> <p>1.1.3.2 Land use patterns within settlement areas shall be based on:</p> <p>a. efficiently use land and resources;</p> <p>b. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</p> <p>Opinion: The property forms part of a rural settlement area (Cavan).</p>

1.1.4	<p>Rural Areas in Municipalities</p> <p>Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.</p> <p>Opinion: The property forms part of a designated rural settlement area (Cavan). The Zoning By-law Amendment Application serves to recognize/permit the existing residential use of the property.</p>
1.6.6	Sewage, Water and Stormwater
1.6.6.1	<p>Planning for sewage and water services shall:</p> <p>a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:</p> <p>1. municipal sewage services and municipal water services;</p>
1.6.6.2	<p>Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.</p> <p>Opinion: The property relies upon private on-site services. An inspection report - existing holding tank is attached to this Report.</p>

It is my professional opinion that the Zoning By-law Amendment Application is consistent with the policy directives of the 2020 PPS.

2020 A Place to Grow- Growth Plan for the Greater Golden Horseshoe (2020 Growth Plan)

The 2020 Growth Plan sets forth a series of detailed policies addressing population and employment growth and other related development, planning and land use matters for the Greater Golden Horseshoe Area. The County of Peterborough and its member municipalities are located within the eastern portion of the outer-ring part of the 2020 Plan.

Relative to the Zoning By-law Amendment Application, the following policies of the 2020 Growth Plan are considered to have direct relevancy:

Policy	Title - Details
1.2.1	<p data-bbox="415 732 667 768">Guiding Principles</p> <p data-bbox="415 810 1404 1073">The successful realization of this vision for the GGH centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all industries, and other stakeholders. The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:</p> <ul data-bbox="415 1115 1404 1839" style="list-style-type: none"> <li data-bbox="415 1115 1404 1230">• Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime. <li data-bbox="415 1262 1404 1377">• Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. <li data-bbox="415 1409 1404 1524">• Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors. <li data-bbox="415 1556 1404 1671">• Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households. <li data-bbox="415 1703 1404 1839">• Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.

	<ul style="list-style-type: none"> • Provide for different approaches to manage growth that recognize the diversity of communities in the GGH. • Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions. • Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network. • Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities. • Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions. <p>Opinion: The Zoning By-law Amendment Application conforms to the policies of Section 1.2.1 of the Plan.</p>
1.2.2	<p>Legislative Authority</p> <p>This Plan is issued under the authority of section 7 of the Places to Grow Act, 2005. It was approved through an Order in Council under that Act to come into effect on May 16, 2019. This Plan replaces the Growth Plan for the Greater Golden Horseshoe, 2017 that took effect on July 1, 2017.</p>
	<p>Read the Entire Plan</p> <p>This Plan is to be read in its entirety and the relevant policies are to be applied to each situation. The language of each policy, including the policies in Section 5, will assist decision-makers in understanding how the policies are to be implemented.</p> <p>While some policies refer to other policies for ease of use, these cross-references do not take away from the need to read the Plan as a whole. There is no implied priority in the order in which the policies appear.</p>

	<p>Opinion: I have reviewed/read the entire document for the purpose of preparing this Planning Justification Report.</p>
<p>2.2</p>	<p>Policies for Where and How to Grow</p> <p>2.2.1 Managing Growth</p> <p>1. Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.</p> <p>2. Forecasted growth to the horizon of this Plan will be allocated based on the following:</p> <p>a) the vast majority of growth will be directed to settlement areas that:</p> <ul style="list-style-type: none"> i. have a delineated built boundary; ii. have existing or planned municipal water and wastewater systems; and iii. can support the achievement of complete communities; <p>Opinion: The subject property forms part of a designated rural settlement area (Cavan).</p>
	<p>c) within settlement areas, growth will be focused in:</p> <ul style="list-style-type: none"> i. delineated built-up areas; ii. strategic growth areas; iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and iv. areas with existing or planned public service facilities; <p>d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;</p> <p>Opinion: The subject property forms part of a designated rural settlement area (Cavan).</p>

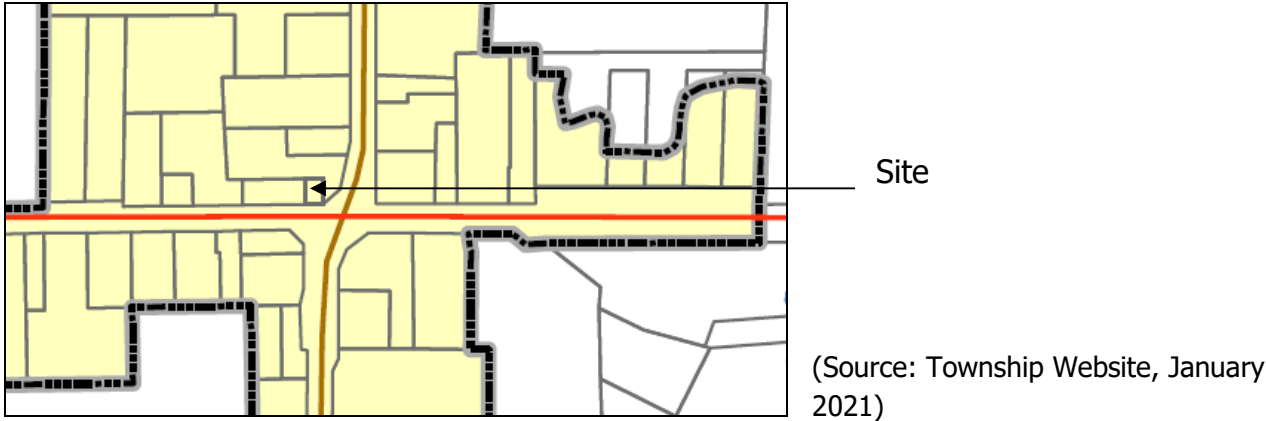
	<p>4. Applying the policies of this Plan will support the achievement of complete communities that:</p> <ul style="list-style-type: none"> a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; <p>Opinion: The Zoning By-law Amendment Application serves to recognize an existing residential use.</p>
<p>2.2.9</p>	<p>Rural Areas</p> <p>1. Municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of rural residents and area businesses.</p> <p>3. Subject to the policies in Section 4, development outside of settlement areas may be permitted on rural lands for:</p> <ul style="list-style-type: none"> a) the management or use of resources; b) resource-based recreational uses; and c) other rural land uses that are not appropriate in settlement areas provided they: <ul style="list-style-type: none"> i. are compatible with the rural landscape and surrounding local land uses; ii. will be sustained by rural service levels; and iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations. <p>Opinion: The property forms part of a designated rural settlement area (Cavan). The Zoning By-law Amendment Application serves to recognize/permit the existing</p>

	residential use (single unit dwelling) of the property.
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It is my professional planning opinion that the Zoning By-law Amendment Application is in Conformity with the policies of the 2020 Growth Plan.

Township Official Plan (Official Plan)

The property is designated as "Hamlet" by Schedule 'F' Map 5 - of the Township Official Plan.



The following policies of the Official Plan are considered to having direct relevancy as it would pertain to the Zoning By-law Amendment Application:

Policy	Title - Detail
	Table of Contents
4	<p>SETTLEMENT AREA</p> <p>The Settlement Areas in the Township include Millbrook and the designated Hamlets. Millbrook will develop on the basis of full municipal services, including municipal sewage treatment and water supply services. For this reason, it is referred to as an Urban Settlement Area as shown on Schedule A and A-1. The Hamlets, as shown on Schedule F, Maps 1-8 will continue to develop on the basis of private sewage and water services.</p> <p>Opinion: The property forms part of the Cavan Hamlet.</p>
4.1	RESIDENTIAL

	<p>The Residential designation is identified on Schedule A-1. The following policies apply to this designation.</p>
<p>4.1.1</p>	<p>Objectives</p> <p>It is the objective of this designation to:</p> <ul style="list-style-type: none"> a) Maintain and enhance the character and identity of existing residential areas; b) Encourage the provision of a range of housing types and opportunities to accommodate persons with diverse social and economic backgrounds, ages, needs and desires while promoting the maintenance and improvement of existing housing; d) Ensure that residential areas permit a variety of complementary and compatible land uses including special needs housing, community facilities, schools, small scale commercial and institutional uses and open space areas; <p>Opinion: The ZBLA Application serves to recognize the existing single-unit dwelling use of the property.</p>
<p>4.1.2</p>	<p>Permitted Uses</p> <ul style="list-style-type: none"> a) Housing forms may include single-detached, semi-detached, duplex, three-plex, four-plex, street, block and stacked townhouses, apartment dwellings, long term care facilities, retirement homes and special needs housing; b) Accessory apartments and detached accessory dwellings (garden suites) on a temporary basis; <p>Opinion: The property is currently used for single-unit dwelling purposes.</p>
<p>4.1.3</p>	<p>General Development Policies</p> <ul style="list-style-type: none"> d) Higher density forms of development such as apartment buildings shall be located in proximity to Arterial and Collector roads, and community facilities, including schools and parks; <p>Opinion: The Zoning By-law Amendment Application</p>

	<p>serves to recognize/permit existing residential dwelling, representative of a low-density residential land use.</p>
4.1.6	<p>Zoning</p> <p>a) The Zoning By-law will provide a number of zones to regulate the location and built form of Residential uses; and,</p> <p>b) Low density and medium density residential uses shall generally be placed in separate zones. Zone provisions will establish lot size, frontage, yard and setbacks to ensure that adjacent uses with different densities are compatible.</p> <p>Opinion: The property, if rezoned will continue to be used for low-density residential purposes.</p>
4.9	<p>Hamlets</p> <p>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.</p> <p>Opinion: The property forms part of the Cavan Hamlet designation.</p>
4.9.1	<p>Objectives</p> <p>It is the objective of this designation to:</p> <p>d) Provide opportunities for small-scale commercial, industrial and tourism related uses that service the rural community and are compatible with the character and scale of the Hamlet; and,</p> <p>e) Ensure that new development in the Hamlets are sustainable on the basis of private services.</p>

	Opinion: The property is currently developed and used for low-density residential purposes.
4.9.2	<p>Permitted Uses</p> <p>Land in the Hamlet designation may be used for the following:</p> <p>a) Single-detached or semi-detached dwellings;</p> <p>Opinion: The Application seeks to permit/recognize a single detached dwelling use.</p>
4.9.3	<p>General Development Policies</p> <p>a) Following the adoption of this Plan no further Hamlet boundary expansion or new hamlets will be considered during the life of this Plan;</p> <p>b) Residential development shall be generally by plan of subdivision. However, infilling or minor expansions within the Hamlet boundary through the creation of lots by severance may be permitted subject to the approval of the sewage and water services by the Township or its delegated authority;</p> <p>f) The minimum lot size in a Hamlet shall not be less than that required for the safe and efficient operation of private individual services for sewage disposal and water on the site;</p> <p>Opinion: The property contains a single-unit dwelling use. The lot is small-scale in its area/configuration. The existing private site services are adequate for the existing single unit dwelling/residential use.</p>

It is my professional planning opinion that the Zoning By-law Amendment Application is in keeping with the general purpose and intent of the policies of the Official Plan.

Township Zoning By-law (Zoning By-law)

The property is currently zoned 'C.2-11' - Commercial Exception 11 Zone.

The ZBLA Application seeks to rezone the property from C.2-11- Commercial District (By-law No. 2019-23) to a “modified” HR-Hamlet Residential zone. Modifications to certain standard HR - Hamlet Residential Zone regulations required to recognize the size and configuration of the property as well as the location of existing building.

The following table provides a summary of the “Modified” HR - Hamlet Residential zoning:

Regulation Type	Standard Requirement	Proposed Regulation
Minimum Lot Area	300 m ²	270 m ²
Minimum Lot Frontage	20 m	14 m
Maximum Front Yard	6 m	The lesser of the existing 6 metres
Minimum Exterior Side Yard	6 m	N/A
Minimum Interior Yard	6 m	The lesser of the existing or 6 metres
Maximum Lot Coverage	35%	55%

As previously noted, no external modifications or expansions of the existing dwelling are proposed/nor required.

The HR - Hamlet Residential zone permits a series of other and/or related residential uses. It is recommended that the following uses not be permitted as land uses given the size and location of the property:

- Semi-detached Dwelling;
- Group Home;
- Private Home Day Care; and
- Public Park.

It is my professional planning opinion that the ZBLA Application is appropriate and is in keeping with the general purpose and intent of the regulatory provisions of the Zoning By-law.

Summary

In summary, it is my professional planning opinion that the ZBLA Application, serving to recognize/permit a single unit dwelling use of the property is:

- Consistent with the policy directives of the 2020 PPS;
- In conformity with the policy directives of the 2020 Growth Plan;
- In Keeping with the general purpose and intent of the policies of the Official Plan;
- In Keeping with the general purpose and intent of the regulatory provisions of the Zoning By-law; and
- Is Representative of Good Planning.

Respectfully Submitted,



Kevin M. Duguay, MCIP, RPP