

919 Fallis Line and Block '302'
Part of Lot 12, Concession 5

**TOWNSHIP OF CAVAN MONAGHAN
COUNTY OF PETERBOROUGH**

APPLICATIONS FOR

**OFFICIAL PLAN AMENDMENT
ZONING BYLAW AMENDMENT**

PREPARED BY

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ON BEHALF OF

TOWERHILL DEVELOPMENT INC.

October 4, 2017

PLANNING JUSTIFICATION REPORT
OFFICIAL PLAN & ZONING BYLAW AMENDMENTS

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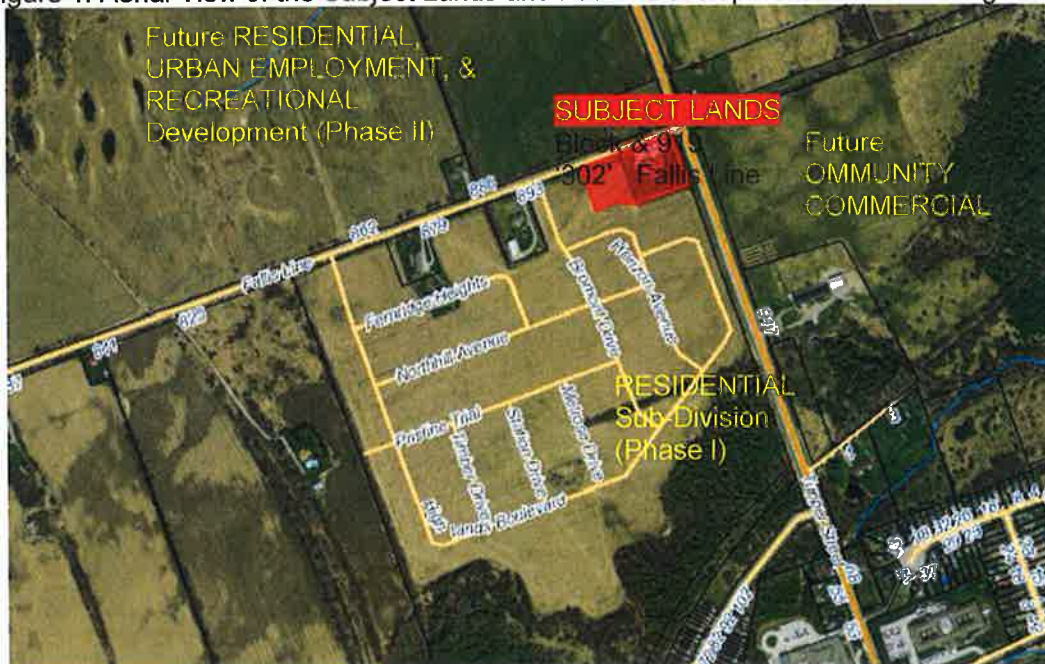
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1.0 Introduction

Innovative Planning Solutions has been retained by Towerhill Development Inc. to complete a Planning Justification Report relative to an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications to permit Commercial Development of lands at 919 Fallis Line and adjacent Block '302' as approved in the revised red-line draft Plan 15T-14001 (June 28, 2017). The subject lands are located within the urban settlement area in the Village of Millbrook, Township of Cavan-Monaghan, in the County of Peterborough. The purpose of the report is to support 'local commercial' uses as permitted in a 'Commercial (C) Zone' with a 'Community Commercial' designation.

Supporting studies include a Traffic Impact Brief, a Functional Servicing Report, and a review of the local commercial lands/areas in Millbrook. This report assess the necessity and feasibility to support local commercial activities on the subject lands (0.93 hectares), which will serve the adjacent Phase I Residential Subdivision of 345 residential units (38.89 hectares) and future development north of Fallis Line (58.72 hectares) proposed as residential, urban employment and recreational uses. Figure 1 depicts the subject lands.

Figure 1: Aerial View of the Subject Lands and Future Development of Surrounding Areas



Source: County of Peterborough GIS (September 2017)

This report will review the applicable policies found within the documents noted below to demonstrate consistency with good planning principles:

- Provincial Policy Statement – PPS (2014);
- Growth Plan for the Greater Golden Horseshoe - Places to Grow (2017);
- County of Peterborough Official Plan (Consolidated 2016);
- Township of Cavan Monaghan Official Plan (2013 – showing OMB appeals 2015-06);
- Township of Cavan Monaghan Zoning Bylaw (2004-62), with site-specific Zoning as per Bylaw 2016-63 applicable to Block '302'; and
- Other Planning Policies as applicable.

2.0 Site Description and Surrounding Land Uses

The subject lands are located within the northern portion of the Urban Settlement Area of Millbrook, with a total area of 9,278 metres square (2.29 acres). The lands include 919 Fallis Line with 5,790 metres square (1.43 acres) and Block '302' (Plan 15T-14001) with 3,488 metres square (0.86 acres). Existing structures include one (1) single detached house with one (1) ancillary shed on 919 Fallis Line with the adjacent land being vacant. The lands slope to the south-east quadrant of the property. The site is strategically positioned at the intersection of County Road 10 and Fallis Line, central to the residential development to the south-west, future residential, recreational and employment lands to the north, and future community commercial to the east. Surrounding land uses are depicted in Figure 2, which include:

North: Cemetery; Residential, Recreational and Employment lands in Phase 2 of the Towerhill Development; Municipal Office; and County Rd. 10 interchange with Highway 115.

South: Local Street 'I'; Residential (Phase 1 under pre-servicing); and Millbrook core.

East: County Road 10 (Tupper Street); Future Community/Entertainment Commercial and Urban Employment (vacant lands); Oak Ridges Moraine; and Agricultural lands.

West: Residential subdivision (under pre-servicing); Prime Agricultural lands (outside the Settlement Boundary for Millbrook); and Fallis Line interchange with Highway 115.

The lands possess frontage of 55.3 metres on three roads along Fallis Line, County Road 10, and Local Street "I" (Horizon Ave.). Access to Highway 115, a major artery to Highway 401, is via County Rd 10 and Fallis Line. Construction has begun on the Express Highway 407 extension to Highway 35/115, which will further support increased capacity and growth.

Figure 2: Subject Property and Existing Uses on Surrounding Lands



Source: County of Peterborough GIS (September 2017)

Street views of the subject property from the North and East are depicted in Figures 3 and 4.

Figure 3: View of the Subject Property from the East (County Road 10)



Source: Google Maps – Street view (June 2017)

Figure 4: View of Subject Property from the North (Fallis Line)



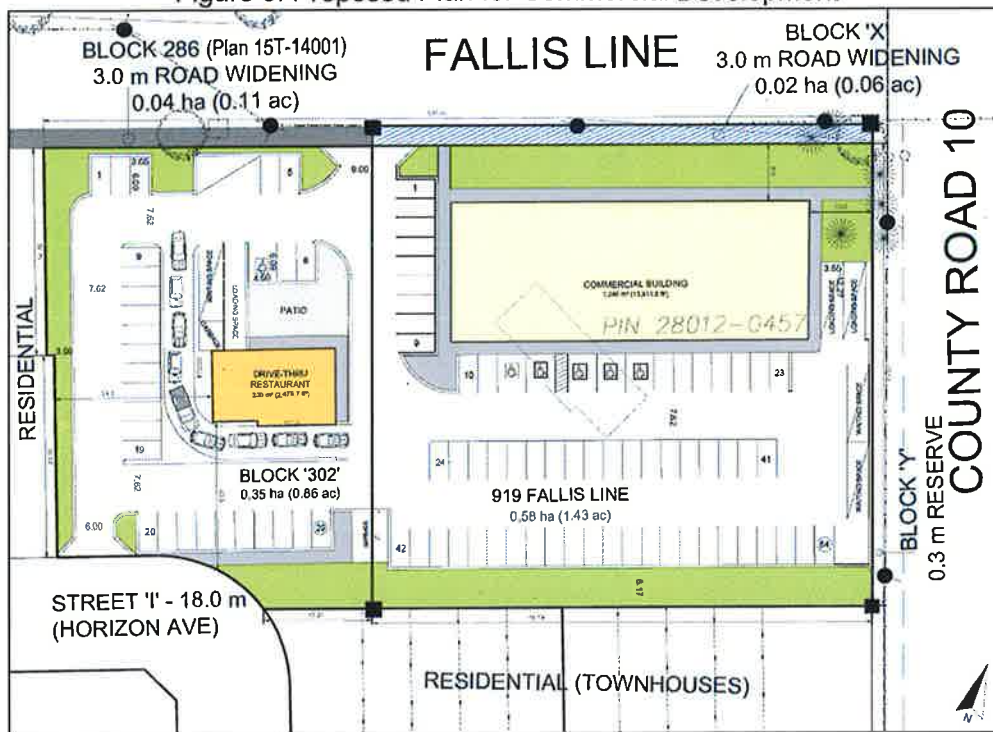
3.0 Proposed Development

The proposed Commercial Conceptual Development is illustrated in Figure 5 showing one (1) 'Local Commercial Building' with an envelope of 1,246 metres square and one (1) 'Drive-Thru Restaurant' with an envelope of 230 metres square. Access is provided on Fallis Line to the north, with a secondary access to the south from Local Street 'I' (Horizon Avenue). A conveyance of 3.0 metres fronting Fallis Line will allow for future municipal roadway widening right to the intersection. A 0.3 metre reserve is proposed along County Road 10. The required number of parking spaces is provided based on the footprint of both commercial buildings. Generous landscape buffers are also proposed between proposed residential uses. A larger version of the concept plan can viewed under Appendix 1.

Municipal infrastructure services such as municipal sanitary, water, and stormwater will be provided through utilities introduced as part of the adjacent Phase 1 Sub-Division currently being serviced. The streetscape and urban design will reflect a transition area to a local commercial node from the adjacent residential subdivision and future commercial and employment lands. This is the most appropriate form of development at the main signalized intersection.

The proposed development is forecasted to create 46.5 jobs in the Township of Cavan Monaghan, based on the estimated average density for 50 jobs per hectare for 'Commercial Lands' (2017, Hemson Consulting based on Statistics Canada, Growth Plan). This would assist the Township and the County of Peterborough in achieving the Growth Plan's target of a combined 80 jobs/people per hectare for 'Designated Greenfield Areas'.

Figure 5: Proposed Plan for Commercial Development



3.1 OFFICIAL PLAN AMENDMENT APPLICATION

An Official Plan Amendment (OPA) is requested to change the designation from 'Residential' to 'Community Commercial' in the Township of Cavan Monaghan Official Plan, with exceptions. It is anticipated that the proposed commercial building will be occupied by tenants such as medical offices, small-scale retail, convenience stores, and other personal services intended to meet the day-to-day needs of residents, along with the proposed drive-thru restaurant. The lands to the immediately east of County Road 10 are currently designated as 'Community Commercial' with an appropriate area to permit large-scale, large-format commercial uses and do not abut existing or proposed future residential subdivisions.

The following special provisions are requested to the 'Community Commercial' designation. All other uses within this designation will continue to apply:

- a) **Exclude Specific Uses** as per 'Community Commercial' designation (Section 4.4.2.a) for:
 - o *Automobile retail facilities;*
 - o *Hotels, motels, and convention centres;*
- b) **Permit Additional Uses** as per the 'Community Core' designation (Section 4.2.2.a) for:
 - o *Business, professional and medical offices.*

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The proposed development conforms to the designation of 'Community Commercial' with applicable policies and permitted uses (Section 4.4). An amendment to the Official Plan with the above noted special provisions is requested, subject to approval by the Township of Cavan Monaghan and the County of Peterborough. A copy of the draft Official Plan Amendment is included under Appendix 2.

3.2 ZONING BY-LAW AMENDMENT APPLICATION

A Zoning Bylaw Amendment (ZBA) to Zoning By-Law 2004-62 is requested for a Commercial (C) Zone with Exceptions. The existing zoning consists of 'Rural' (RU), 'Residential Type-One-exception-Fifteen' (R1-15-h), 'Residential Type-One-exception-Thirteen' (R1-13-h), and 'Residential Type-Three-exception-Five (R3-5-h) as per site specific By-Law 2016-63. A copy of the Draft Zoning Bylaw Amendment is included under Appendix 3, with its Schedule 'A' shown in Figure 6 below. Table 1 lists required and provided provisions under a Commercial Zone.

Figure 6: Proposed Zoning for the Subject Property

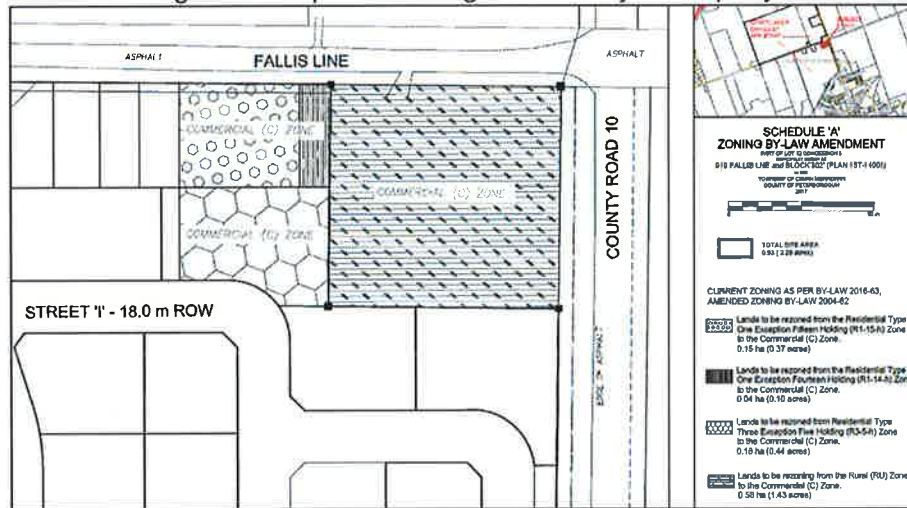


Table 1: Requirements and Proposed Provisions for Commercial (C) Zoning

Regulations as per ZBL 2004-62 (Sections 3 & 5.2.3)	Commercial (C) Zone REQUIRED	Subject Lands PROVIDED
Lot Area (min)	1160 m ²	9278 m ²
Lot Frontage (min)	38 m	73.1 m
Front Yard Depth (min)	9 m	10.0 m
Side Yard - Exterior Width (min)	9 m	9.0 m
Side Yard - Interior Width (min)	9 m	23.5 m
Rear Yard Depth (min) abuts zone other than Commercial or Institutional	6.0 m	24.9 m
Height of Building (max)	12.5 m	< 12.5 m
Planting Strip (min) from Parking Lot within 7.5 m of Residential zone	1.5 m	3.0 m
Loading Spaces (1 per 280 m ²)	3	3
Loading Waiting Area (1 per loading space)	3	3
Parking – Restaurant (1 per 9 m ²) & Commercial (1 per 18.5 m ²)	93	93
Accessible Parking (1 per 15 spaces)	6	6
From County Road (non-residential building)	30 m	10.0 m

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One (1) exception is required to permit a building or structure from a County Road to a non-residential building to 10 metres from the minimum setback requirement of 30 metres. The proposed Plan complies with all other zoning standards for a Commercial (C) Zone.

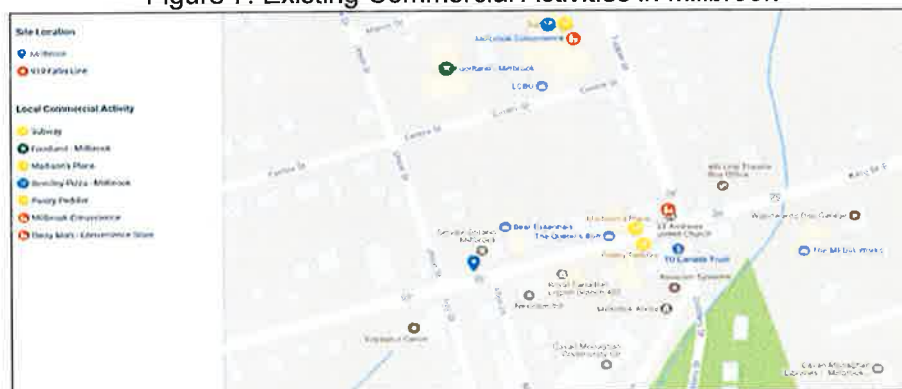
Uses permitted under the Commercial (C) Zone include: *an animal hospital; a business or professional office; a convenience store; a dry cleaners distribution station; an eating establishment; a laundromat; a light equipment sales and rental establishment; a light service shop; a personal service shop; a place of amusement; a place of entertainment; a public use; a recreation or athletic club; a retail store; a shopping centre; a shopping plaza; a tavern; a clinic; a bank; accessory uses; and a parking lot.* It is anticipated that the commercial building will be occupied by tenants such as medical offices, small-scale retail, convenience stores, and other personal services intended to meet the day-to-day needs of the surrounding residents.

4.0 Supplementary Studies

4.1 COMMERCIAL MARKET STUDY

The Township of Cavan Monaghan's slogan is that it is "Open for Business" with a mix of Industrial, Agricultural and Commercial activities that are receptive to any development proposals. The addition of local commercial uses as part of the settlement area would help to achieve a complete community with the narrative "Have it All. Right Here". Millbrook's commercial market is comprised of one (1) downtown community core (Figure 7), which radiates outward and north along Tupper Street. The current merchants of the downtown core are supported by the Millbrook Business Improvement Area (BIA) and will continue to service its surrounding constituents, while new commercial activity on the subject lands becomes established. To our knowledge, there are limited opportunities and areas appropriate for this proposed development which will better facilitate active transportation and create a complete community for the adjacent subdivisions.

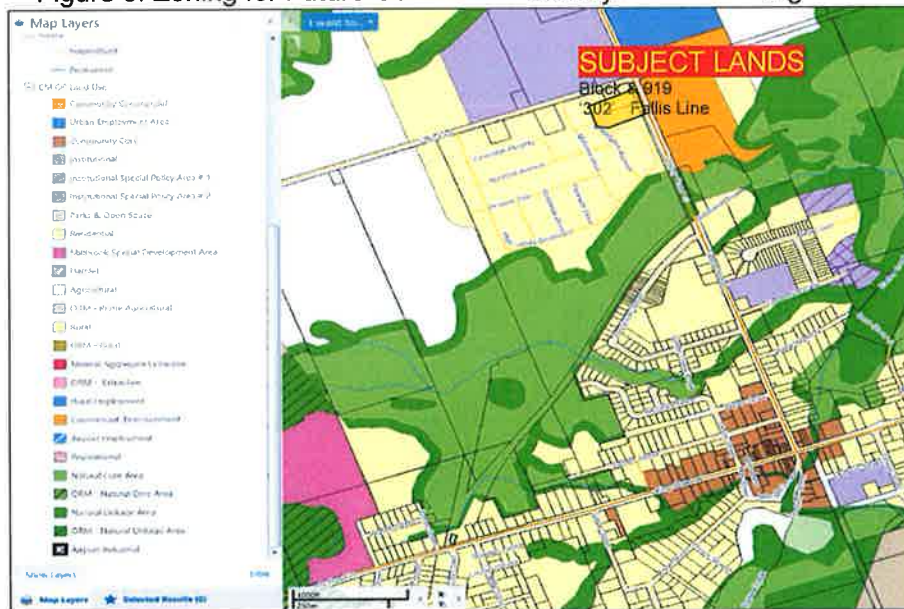
Figure 7: Existing Commercial Activities in Millbrook



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The subject property is located north of the downtown core at the intersection of County Road 10 (Tupper St.) and Fallis Line, with commercial lands designated for future activity to the east adjacent to the subject lands (Figure 8). The proposed small-scale and local commercial uses represents an opportunity for local commercial services and amenities to service the new residential subdivisions (Phase 1 and 2), without having a detrimental impact to established commercial activities in the downtown community core.

Figure 8: Zoning for Future Commercial Activity in Surrounding Lands



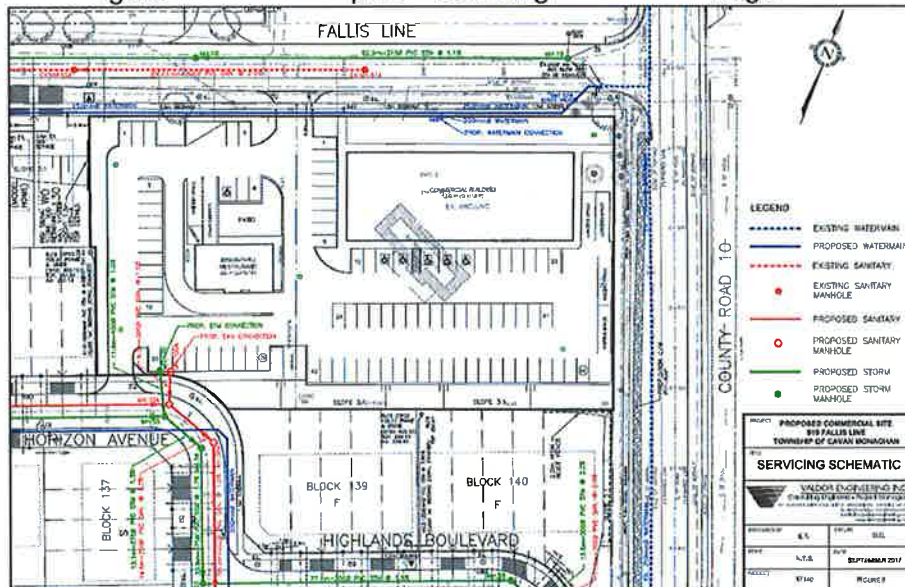
The proposed small-scale commercial uses will immediately service the local community and are viable entities that can thrive anchored by residential subdivisions and act as a gateway to the large-format commercial uses. This area represents a potential commercial node with a planned future community commercial and commercial entertainment area that are complimentary uses. The proposed commercial development will attract and create employment opportunities along with potential spin-off business activity and economic benefits to Millbrook. This project represents significant capital investment in the Township creating employment opportunities and supports complete communities. Other important considerations also have to take into consideration the proposed municipal recreation facility and future employment lands to the north of the municipal office. All of these uses will generate the need for more local commercial activities for residents and employees. Having commercial uses located in close proximity to planned residential development also provides the ability to people to walk to amenities versus taking their car. This is another important consideration.

4.2 FUNCTIONAL SERVICING REPORT AND STORMWATER MANAGEMENT

Valdor Engineering Inc. was retained by Towerhill Development Inc. to prepare a Servicing Brief, as an update to the Functional Servicing Report (FSR) submitted for the adjacent Millbrook Subdivision, Phase 1 (March 2015), which have been filed in conjunction with this Application. The Phase 1 subdivision has been designed with new water and wastewater servicing, storm drainage and a wet stormwater management (SWM) pond to the south which will provide quality and quantity control to satisfy the Ministry of Environment and Climate Change (MOECC) requirements. The proposed commercial development will result in a higher runoff coefficient compared to the initially planned for residential lots on the west part, Block 302. A schematic of the servicing arrangement can be seen in Figure 9 below.

It is anticipated that proposed onsite detention can readily be accommodated through Low Impact Development (LID) features such as roof-top, ground-surface and/or underground storage with an orifice restrictor installed in the stormwater manhole cover, which will regulate the flow to the SWM facility. It has been determined that there is sufficient permanent pool volume to provide treatment for the proposed commercial development. The South Pond will further retain, detain and outlet to a proposed rip-rap lined drainage channel through the abandoned railway corridor and will ultimately drain to the South Tributary of Baxter Creek. The proposed commercial development can be adequately serviced with water, wastewater and storm drainage in accordance with the requirements of the Township of Cavan Monaghan.

Figure 9: Post Development Servicing & Storm Drainage Plan

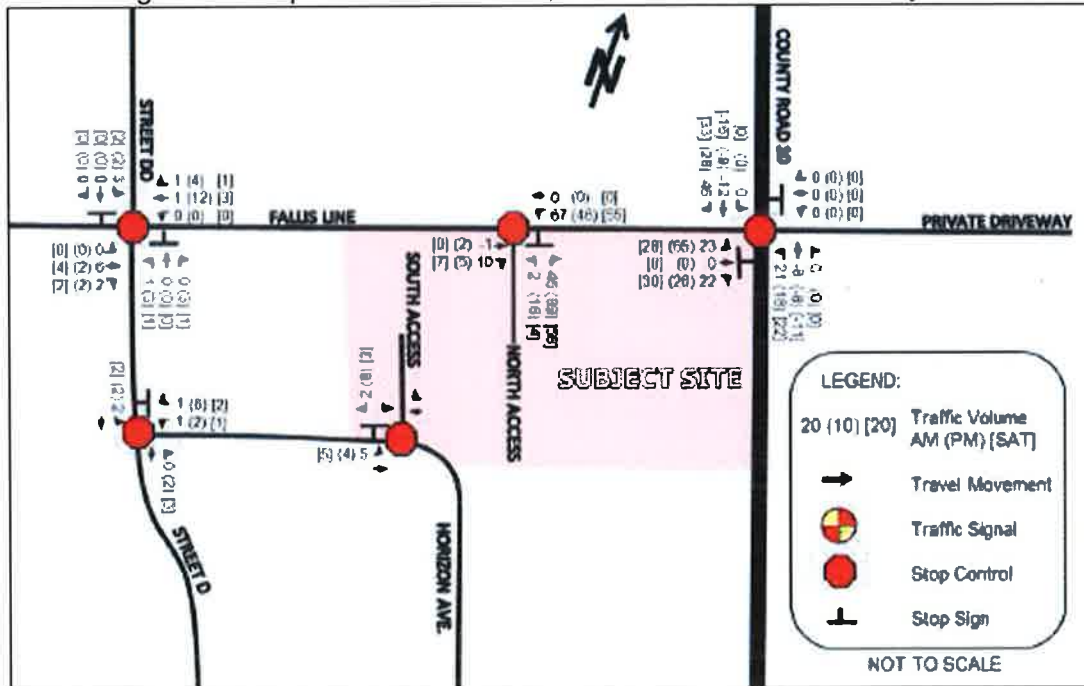


4.3 TRAFFIC IMPACT STUDY

JD Northcote Engineering Inc. (JD Engineering) was retained to prepare a Traffic Impact Brief (September 2017), which builds upon the Traffic Impact Study previously submitted for the adjacent, 38.9 hectare south parcel, Phase I Subdivision (July 2014), which has been filed in conjunction with this Application. The report assessed the impact of additional traffic related to the commercial development with site access at two points, to a municipal road, Fallis Line (20.0 metre right-of-way) to the north and to a Local Street 'I', Horizon Ave. (18.0 metre right-of-way) to the south. The proposed North Access and South Access driveways will operate efficiently with one-way stop control for northbound and southbound traffic respectively.

A single lane for ingress and egress movements for both accesses will provide the necessary capacity to convey the traffic volume generated by the proposed development. The sight distance and corner clearance available for the North Access and South Access are acceptable for the intended use. In summary, the proposed development will not cause any operational issues to the local roadway network. Figure 10 illustrates the proposed road network and traffic controls for the subject area.

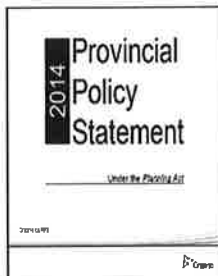
Figure 10: Proposed Road Network, Traffic and Controls for Study Area



5.0 Planning Policy and Analysis

The lands are within a *Designated Growth Area* as per Provincial Policies as the subject lands are located within the County of Peterborough's *Settlement Area* of Millbrook, but outside of the *Built-up Boundary*, and therefore considered as a *Designated Greenfield Area*. The Official Plan from the Township of Cavan Monaghan designate the subject lands as '*Residential*', and the current zoning is '*Rural*' (RU), '*Residential Type-One-exception-Fifteen*' (R1-15-h), '*Residential Type-One-exception-Thirteen*' (R1-13-h), and '*Residential Type-Three-exception-Five*' (R3-5-h).

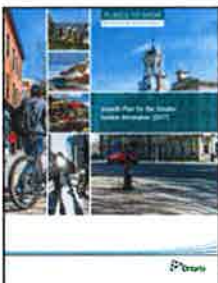
5.1 PROVINCIAL POLICY STATEMENT



The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS directs land requirements and land use patterns to be based on the provision of sufficient land for a full range of land uses in areas which have the existing or planned infrastructure to accommodate them.

Section 1.1 outlines the importance for building strong communities, managing and directing land use to achieve efficient development and land use patterns. Section 1.1.1(b) states healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment (e.g. commercial), institutional, recreation, park and open space, and other uses to meet long-term needs. The subject lands and surrounding developments achieve this goal by providing future employment opportunities and services to the adjacent residential communities. By placing local commercial development adjacent to introduced municipal services it also promotes the cost-effective development pattern and standards to minimize land consumption and servicing costs as per Section 1.1.1(e).

The vitality of settlement areas is critical to the long term economic prosperity of our communities. Section 1.1.3 speaks to Settlement Area policies and requirements to focus development that support mixed use communities providing active transportation, promoting energy efficiency, and making the best use of infrastructure. The new development taking place in a *designated growth area* is adjacent to a new residential subdivision, is across future commercial lands, which will allow for the efficient use of land, *infrastructure* and *public service facilities* that are planned for in this growth area (Section 1.1.3.6). The Provincial Policy Statement's objectives and policies are consistent by the proposed development.

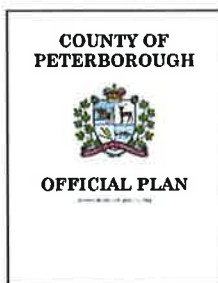


5.2 PLACES TO GROW

The Growth Plan for the Greater Golden Horseshoe (GGH) has been prepared and approved under the Places to Grow Act. The Growth Plan builds on the PPS together with other Provincial Plans to inform decision-making regarding growth management and environmental protection. The Growth Plan represents Ontario's vision and long-term framework by establishing a unique land use planning framework for the GGH that recognizes diversity and supports forecasted growth for the achievement of complete communities.

Section 2 provides applicable policies for Where and How to Grow. The new development is considered a *Designated Greenfield Area* (Section 2.2.7) as the Subject Lands are within a *settlement area* but outside of *delineated built-up area*. The proposed development supports the objectives of Growth Plan to achieve complete communities, promote active transportation, and contribute to achieving minimum density targets of 80 residents and jobs combined per hectare by providing an estimated 46.5 jobs based on 50 jobs per hectare for Commercial Lands. *Complete communities* are defined as places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. The proposed development abuts a Plan of Subdivision, and is adjacent to an arterial County Road to facilitate convenient access and movement across the region for existing and future residents.

This application conforms to the policies of the Growth Plan as they propose urban development and plans for complete communities on land designated for growth within Cavan-Monaghan's only urban full-serviced settlement area. This project will contribute to the continued growth of the community and fostering the continued evolution of Millbrook.



5.3 COUNTY OF PETERBOROUGH OFFICIAL PLAN

The County of Peterborough Official Plan designates the land as a 'Settlement Area' of Millbrook identified as a *Growth Area*. The Official Plan directs and guides the actions of local municipalities and in policy planning and physical planning on a very broad basis, and refers to the Official Plan of the Township of Cavan Monaghan as a separate free standing document.

The goals, objectives and policies met for Settlement Areas (Section 4.2) are to: encourage a full range of living and employment opportunities by the creation of complete communities; promote the role of settlement areas as the primary employment centres and location for commercial and industrial uses and to plan for related land and infrastructure requirements; promote efficient utilization of existing services and facilities and reduce the need for new infrastructure development, where possible; and encourage the achievement of minimum population thresholds in selected settlement areas to attract and sustain a variety of commercial uses.

Economic Development (Section 4.6) – The proposed development supports the County to achieve an appropriate mix of development that protects sensitive land uses and buffers adverse effects arising from mixed land uses, and directs commercial activity to the serviced settlement area. The location for new commercial development takes advantage of high profile sites on a major road, builds upon introduced investment, is located at a potential future commercial node; and is supported by on-site servicing that are introduced by the same applicant.

The proposed commercial development meet the objectives of the County's Official Plan with an appropriate form of development. An amendment is required to the lower-tier Official Plan and Zoning By-law, subject to approval by the Township of Cavan Monaghan and the County of Peterborough.



5.4 TOWNSHIP OF CAVAN MONAGHAN OFFICIAL PLAN

The Township of Cavan Monaghan Official Plan designates the land as 'Residential' within a 'Settlement Area' boundary.

The Township of Cavan Monaghan's Official Plan defines the intent and direction of growth and development. Goals, objectives and policies guide the decisions of public authorities and private interests to maintain a livable and attractive community, and encourages new employment opportunities.

Employment Targets (Section 2.1.3) - The Township will promote economic development and more employment opportunities within the community. A goal to achieving the targeted employment to population ratio of 1 job for every 3 people, is supported through the proposal, by adding an estimated 46.5 commercial employment opportunities and associated spin-off jobs.

Settlement Areas (Section 4.1.2) - The proposed development conforms to the permitted uses for local commercial uses which serve the needs of the surrounding residential areas, which may

include small scale retail uses, eating establishments, convenience stores, medical offices, personal services, and personal commercial uses intended to meet the day-to-day needs of residents.

Community Commercial (Section 4.4) – The development complies with policies and permitted uses and adheres to *Community Commercial Urban Design Guidelines* (Section 4.4.4) by: providing extensive landscaping on the periphery and within parking areas with landscaped buffers to adjacent residential uses; designing the Drive-through facility to minimize impact on traffic within and external to the site; creating shared access, pedestrian orientated facilities and parking; and setting the commercial building closer to the street edge with parking at the rear. The Plan is supported with a Traffic Impact study which reviewed the access points and siting to permit easy and safe access by motor vehicles, which will not cause any operational issues to the local roadway network.

The proposed commercial development meets the objectives of the Official Plan with an appropriate form of development that supports the intent to direct growth and create employment opportunities within the *settlement area*. It is strategically located between Residential, future Community Commercial, Recreational and Employment areas with access to the downtown core and a transportation corridor. The proposed development conforms to the Township Official Plan and will provide much needed amenities to support this new developing neighbourhood.

5.0 Conclusion

This report supports the proposed commercial development of the subject lands that include 919 Fallis Line and the adjacent 'Blocks 302' as per Plan 15T-14001, which are legally identified as Part of Lot 12, Concession 5, in the Township of Cavan-Monaghan. The Official Plan and Zoning By-Law Amendments aim to facilitate the development of two commercial buildings, consisting of one (1) 'Commercial Building' with an envelope of 1,246 metres square and one (1) 'Drive-Thru Restaurant' with an envelope of 230 metres square. Access will be provided along Fallis Line to the north and Local Street 'I' (Horizon Ave.) to the south within the developing residential subdivision, which supports objectives of *complete communities*.

Amendments are requested to the Township of Cavan Monaghan's Official Plan for a 'Community Commercial' designation with Special Policy; and to the Zoning Bylaw for a 'Commercial' zone with Exception (C-'X') to realize the development that is supported by all levels of planning policy and justified in this report.

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It is in our professional opinion that the proposed development represents good planning as it meets and conforms to the applicable policies and objectives reviewed in the Provincial Policy Statement, Places to Grow - Growth Plan, County of Peterborough and Township of Cavan Monaghan Official Plans. These applications will permit the subject lands to develop to their full potential in an efficient and compact manner, without creating any environmental, health, or safety issues, and assist the Township with creating employment opportunities and connectivity for a complete and healthy community.

Respectfully submitted,

Innovative Planning Solutions



Wayne Coutinho, M.Pl. B.Sc. (Env.)
Junior Planner / Planning Technician



Darren Vella, MCIP, RPP
President/Director of Planning



APPENDICES

1. CONCEPTUAL COMMERCIAL SITE PLAN
2. DRAFT OFFICIAL PLAN AMENDMENT
3. DRAFT ZONING BYLAW AMENDMENT

APPENDIX 1

CONCEPTUAL COMMERCIAL SITE PLAN

APPENDIX 2

DRAFT OFFICIAL PLAN AMENDMENT

Official Plan Amendment No. _
**Community Commercial Plaza
(Towerhill Development)**

to the

Township of Cavan Monaghan Official Plan

September 2017

Certificate

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

The attached map and explanatory text, constituting Amendment No. _ 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. 2017-__ in accordance with the provisions of Section 21 of the Planning Act, R.S.O., 1990, as amended, on the _th day of _____ 2017.

Scott McFadden, Mayor

**Corporate Seal
of Municipality**

Elana Arthurs, 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. 3 to the Township of Cavan Monaghan Official Plan.

Date

**Bryan Weir
Director of Planning
County of Peterborough**

Adoption By-law for Official Plan Amendment No. _

By-law No. 2017-__

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. _ to the Township of Cavan Monaghan Official Plan consisting of the attached explanatory text 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. _ 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 __ day of _____, 2017.

Signed _____
Scott McFadden, Mayor

Signed _____
Elana Arthurs, Clerk

The Statement of Components

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

Part B – The Amendment constitutes Amendment No. __ 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. _ to the Township of Cavan Monaghan Official Plan is to change the land use designation on the subject lands from “Residential” to “Community Commercial” to permit the establishment of a Drive-thru Restaurant and Commercial Building, specifically for the small-scale local commercial uses.

2. Location:

The Amendment applies to the property at 919 Fallis Line and a portion of the adjacent land identified as Block ‘302’ (Subdivision Plan 15T-14001) in part of Lot 12, Concession 5 of the Cavan Ward as shown on the Key Map attached hereto.

3. Basis:

i) Proposal

The property subject to the Application is approximately 0.93 hectares (2.29 acres) in size with approximately 73.1 metres (239.8 feet) of frontage on County Road 10. The property is currently developed with a one-storey single detached dwelling and is serviced with private well and septic.

Official Plan Amendment No. _ will change the land use designation on the subject lands from “Residential” to “Community Commercial” to permit the establishment of a Commercial Plaza, specifically in the form of a Drive-thru Restaurant and Commercial Building.

A Planning Justification Report for the Application and subsequent addendums are provided as Attachment No. 1 to this Amendment.

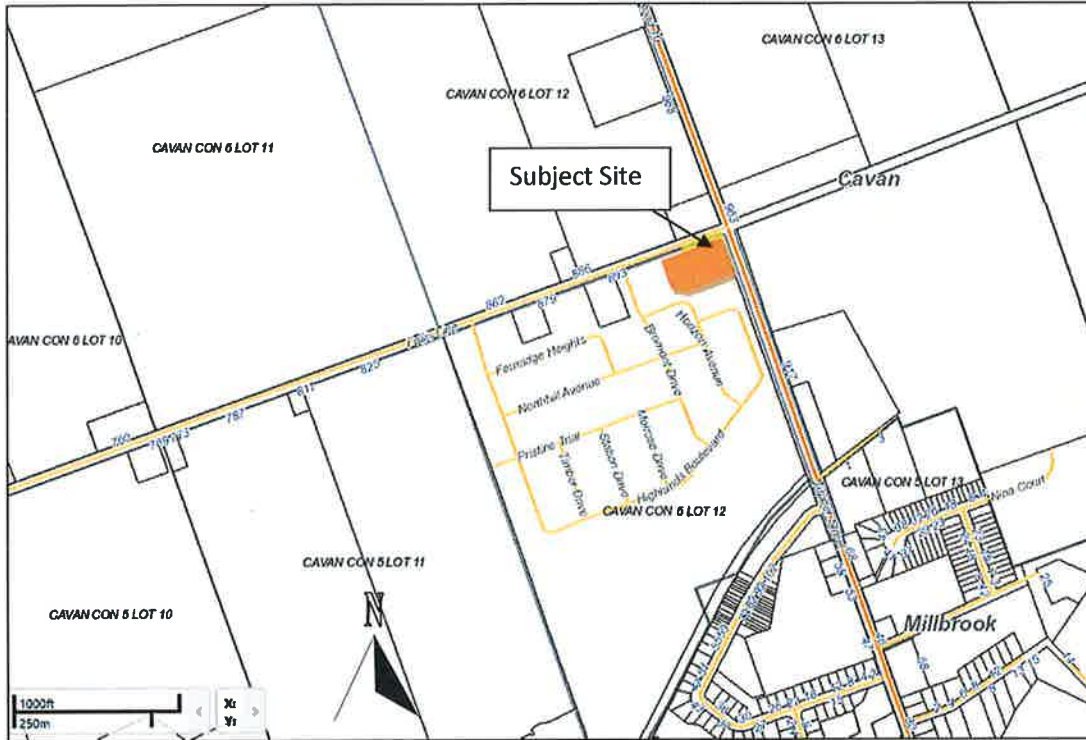
ii) Public Consultation

A public meeting is required to be held under Sections 17 and 21 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 _____, 2017. The draft Amendment along with written comments received were presented to Council and the public on _____, 2017.

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. _ to the Township of Cavan Monaghan Official Plan.

Details of the Amendment

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

1. Schedule A to the Township of Cavan Monaghan Official Plan is amended by changing the designation from "Residential" to "Community Commercial" and by adding a text box reference for Site Specific Policies to Section 4.4 as it applies to the property at 919 Fallis Line and a portion of the adjacent land identified as Block '302' (Subdivision Plan 15T-14001) in part of Lot 12, Concession 5 of the Cavan Ward as shown on Schedule "1", attached.
2. Section 4.4 of the Township of Cavan Monaghan Official Plan is amended by adding a new subsection, namely subsection 4.4.5 (a), which shall read as follows:

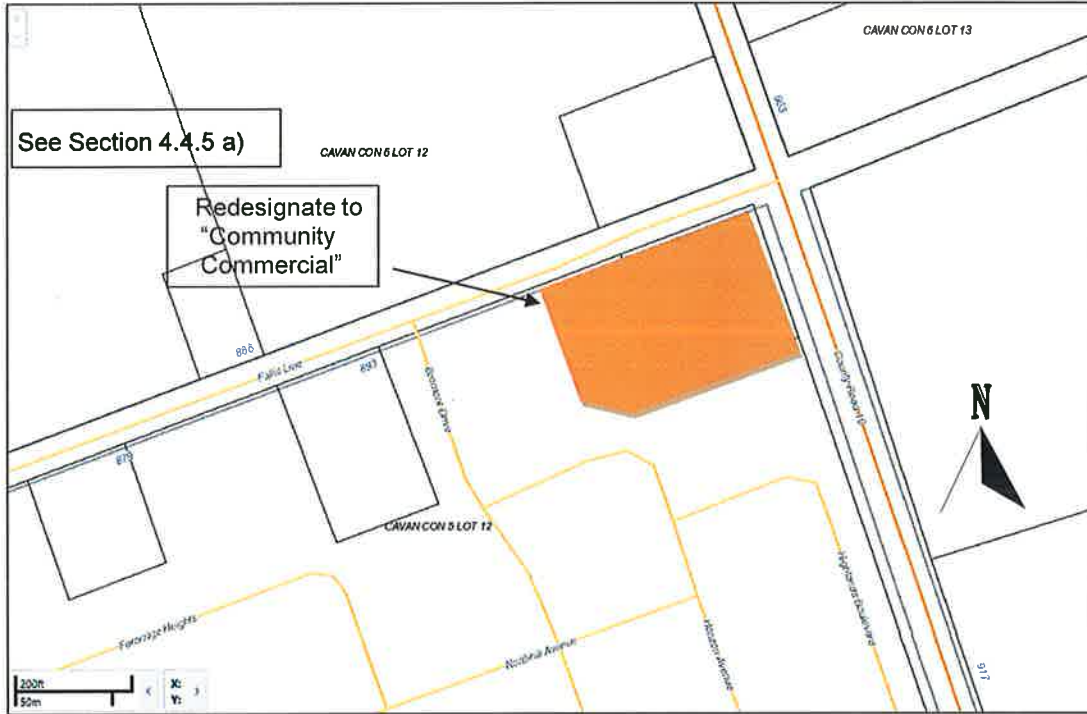
4.4.5

- a) 919 Fallis Line and a portion of the adjacent land identified as Block '302' (Subdivision Plan 15T-14001)
Part of Lot 12, Concession 5, Cavan Ward

In addition to the uses permitted in Section 4.4.2, on lands in part of Lot 12, Concession 5 of the Cavan Ward, being Roll Number 1509-010-020-21104 and municipally known as 919 Fallis Line and a portion of the adjacent land identified as Block '302' (Subdivision Plan 15T-14001), *Business, professional and medical offices*, shall be permitted.

And the following uses permitted in Section 4.4.2, being *Automobile retail facilities; and Hotels, motels, and convention centres*, shall not be permitted.

Schedule "1"



Attachment No. 1

Official Plan Amendment No. _
Community Commercial Plaza
(Towerhill Development)

to the

Township of Cavan Monaghan Official Plan

APPENDIX 3

DRAFT ZONING BYLAW AMENDMENT

THE CORPORATION OF THE TOWNSHIP OF CAVAN
MONAGHAN

ZONING BY-LAW NO. 2017-_____

Being a By-law to regulate the use of land and the character, location and use of buildings and structures in Part of Lot 12, Concession 5, in the Township of Cavan Monaghan.

WHEREAS By-law 2004-62 is the comprehensive zoning by-law of the Township of Cavan Monaghan;

WHEREAS Council of the Corporation of the Township of Cavan Monaghan, of which the Township of Cavan Monaghan wishes to amend By-law 2004-62; and,

WHEREAS authority is granted under Section 34 of the Planning Act to enact this By-law;

AND WHEREAS the amendment is in conformity with the Township of Cavan Monaghan Official Plan;

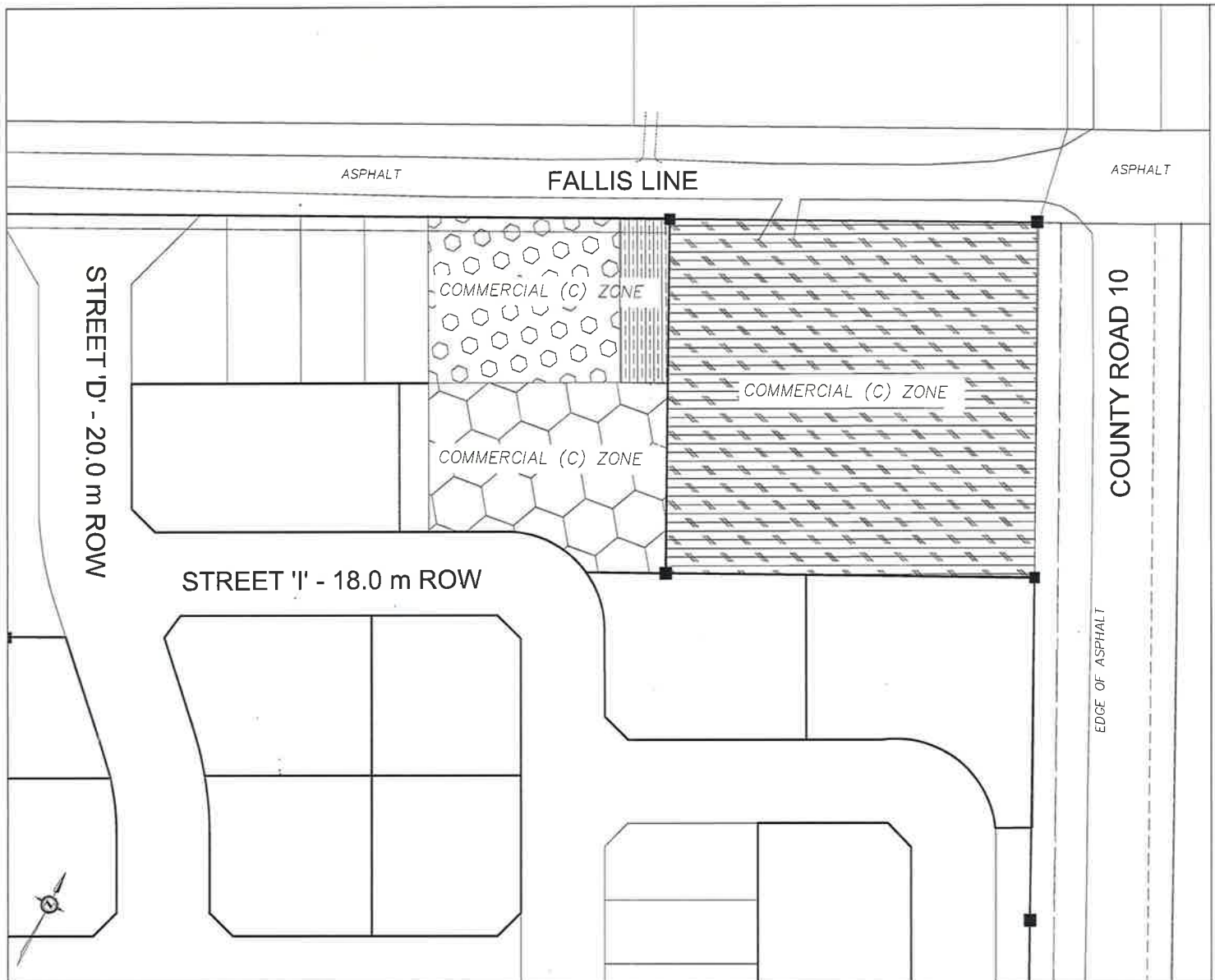
NOW THEREFORE the Council of the Corporation of the Township of Cavan Monaghan, enacts as follows:

1. That Map E-2 of Schedule "A" to By-law 2004-62 is hereby amended by changing the zoning on lands located in Part of Lot 12, Concession 5 of the Cavan Ward from 'Rural (RU) Zone', 'Residential Type One Exception Fifteen (R1-15-h) Zone', 'Residential Type One Exception Fourteen (R1-14-h) Zone', and 'Residential Type Three Exception Five (R3-5-h) Zone' to 'Commercial - Exception A (C-SP-A) Zone' as shown on Schedule "A" which is attached hereto and forms part of the By-law.
2. 'Commercial Zone - Special Provision (C-SP-A)' would permit:
 - a. Setback Requirement from County Roads, in the case of non-residential development, to a building or structure erected within 10 metres of the property line abutting the County Road or within 15.5 metres of the centre line of the County Road which ever is the greater.
3. That all other provisions of By-law 2004-62, as amended, which are not inconsistent with the provisions of this By-law, shall continue to apply.
4. This By-law shall come into force on the day of passage by Council subject to the provisions of the Planning Act.

BY-LAW READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED
THIS _____ DAY of _____, 2017.

Mayor

Clerk



KEY MAP







SCHEDULE 'A'
ZONING BY-LAW AMENDMENT
 PART OF LOT 12 CONCESSION 5
 MUNICIPALLY OWNED AS
 919 FALLIS LINE and BLOCK 302 (PLAN 15T-14001)
 IN THE
 TOWNSHIP OF CAVAN MONAGHAN
 COUNTY OF PETERBOROUGH
 2017



 TOTAL SITE AREA
 0.93 (2.29 acres)

CURRENT ZONING AS PER BY-LAW 2016-63,
 AMENDED ZONING BY-LAW 2004-62

-  Lands to be rezoned from the Residential Type One Exception Fifteen Holding (R1-15-h) Zone to the Commercial (C) Zone. 0.15 ha (0.37 acres)
-  Lands to be rezoned from the Residential Type One Exception Fourteen Holding (R1-14-h) Zone to the Commercial (C) Zone. 0.04 ha (0.10 acres)
-  Lands to be rezoned from Residential Type Three Exception Five Holding (R3-5-h) Zone to the Commercial (C) Zone. 0.18 ha (0.44 acres)
-  Lands to be rezoning from the Rural (RU) Zone to the Commercial (C) Zone. 0.58 ha (1.43 acres)

SCHEDULE 'A' ZONING BYLAW AMENDMENT
TOWNSHIP OF CAVAN-MILLBROOK-NORTH MONAGHAN ZONING BY-LAW

IPS INNOVATIVE PLANNING SOLUTIONS
 PLANNERS - PROJECT MANAGERS - LAND DEVELOPERS
 100 DUNDAS STREET EAST, SUITE 301, BARRE, ONTARIO L4R 1R1
 TEL: 705-712-7281 FAX: 705-712-7404 info@innovativeips.com www.innovativeips.com

FILE NAME: 13-452 COMMERCIAL PLAN
 DATE : OCT. 02, 2017 DRAWN BY: W.C.