

ONTARIO REGULATION 250/22

made under the

PLANNING ACT

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ZONING ORDER - TOWNSHIP OF CAVAN MONAGHAN

Definition

1. In this Order,

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

Application

2. This Order applies to lands in the Township of Cavan Monaghan in the County of Peterborough, in the Province of Ontario, being the lands identified on a map numbered 304 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Community Zone

3. (1) This section applies to the lands located in the area shown as the Community Zone on the map referred to in section 2.

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

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

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

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

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

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

1. The minimum lot area is 200 square metres per unit.

(6) Despite the zoning by-law, the following requirements apply to the uses, buildings or structures permitted under clauses 3 (2) (a) and (b):

1. The minimum lot frontage is 6 metres.
2. The maximum lot coverage for all buildings is 55 per cent of the lot area.
3. The maximum building height is 11 metres.

4. The minimum landscaped open space is 20 per cent of the lot area.
5. The minimum front yard setback is 4.5 metres.
6. The minimum rear yard setback is 6 metres.
7. The minimum exterior side yard setback is 2.5 metres.
8. The minimum interior side yard setback is 1.2 metres on one side and 0.6 metres on the other side.
9. Despite paragraph 8, there is no minimum interior side yard setback for a common wall between dwelling units.
10. Clause (1) in the portion of the zoning by-law named Tables 3B and 3C Additional Regulations does not apply.

(7) Despite the zoning by-law, the following requirements apply to the uses, buildings or structures permitted under clauses 3 (2) (c) to (f):

1. The minimum lot frontage is 30 metres.
2. The minimum landscaped open space is 20 per cent of the lot area.
3. The maximum lot coverage for all buildings is 55 per cent of the lot area.
4. The maximum building height is 14 metres not including mechanical penthouses, rooftop amenities and other structures set out in section 11.12.1 of the zoning by-law.
5. The minimum front, rear, exterior side and interior side yard setback is 3 metres.
6. The minimum required parking is 1 parking space per dwelling unit and 0.25 visitor parking spaces per dwelling unit.
7. A maximum of 1 loading space is required.
8. Table 3A Additional Regulations, regarding amenity area requirements, in the zoning by-law applies.

(8) The zoning requirements set out in section 10.3 of the zoning by-law for the Open Space (OS) Zone apply to the uses, buildings or structures permitted under clause 3 (2) (g).

Commercial/Mixed Use Zone

4. (1) This section applies to the lands located in the area shown as the Commercial/Mixed Use Zone on the map referred to in section 2.

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

- (a) the uses permitted in the Community Commercial (C5) Zone under section 5.2 of the zoning by-law;
- (b) art galleries;
- (c) artisan studios;
- (d) building supply stores;
- (e) financial institutions;
- (f) mobile refreshment vehicles;
- (g) personal service establishments;
- (h) places of worship;
- (i) postal or courier outlets;
- (j) printing or publishing establishments;
- (k) motor vehicle repair garages;
- (l) business offices;
- (m) beer, liquor, wine and cannabis stores;
- (n) dwelling units in mixed-use buildings; and
- (o) live/work dwelling units.

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

1. The minimum lot area is 360 square metres.
2. The minimum front, rear, exterior side and interior side yard setback is 3 metres.

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

Terms of use

5. (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

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

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

Deemed by-law

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

Commencement

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

Made by:

STEVE CLARK
Minister of Municipal Affairs and Housing

Date made: April 1, 2022

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