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Memo

To: Karen Ellis, Director of Planning
Township of Cavan Monaghan

From: Kevin M. Duguay MCIP, RPP

Date: May 25, 2017

Re: **Official Plan Amendment and
Zoning By-law Amendment Application
2410 Lansdowne Street West
Proposed Gymnastics Club Use
Township of Cavan Monaghan, County of Peterborough
(KMD File 2015-07)**

This memorandum and accompanying materials have been prepared in response to the Amy 10, 2017 letter from Christina Coulter regarding the original and related supplementary materials (Dated April 16, 2017) pertaining to Official Plan Amendment and Zoning By-law Amendment Applications and a companion Planning Justification Report filed with the Municipality.

I have organized my "supplementary response" to follow the requests outlined in Ms. Coulter's letter (May 10, 2017).

Included as part of the correspondence are the following:

Document	Source
MDS	Map-Drawing, and a formal request to have the Applications include the approval of an Exception of same relative to the existing poultry barn/operation, easterly property.

Official Plan	Policy Excerpts, as per Ms. Coulter's May 10, 2017 letter
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1. **Public Meeting**, as per my telephone conversation of May 17, 2017 with M. Coulter, I can confirm that the Public Meeting date of June 19, 2017 is acceptable with my both client and myself.

2. **Use of Residential Dwelling**, to confirm that the existing dwelling will continue to be used for residential purposes (both permanent and temporary- but limited to a single dwelling use) and office/administrative purposes associated with the principal use; being the Gymnastics Club Facility.

3. **Environmental Lands** – north portion of the property, to confirm that it is appropriate to rezone the that part of the northern portion of the property containing environmentally sensitive lands in an EP – Environmental Protection or equivalent zone. It is understood that this requirement will be reflected in the Notice of Public meeting to be issued by the Township (June 19, 2017 Public Meeting).

4. **Other issues** – please refer to my comments regarding exception from the MDS arch/setback associated with the existing poultry operation located at the property known municipally as 2394 Lansdowne Street West (being Concession 12, Lot 3).

Provincial Planning and Official Plan Policies; Supplementary Comments – Opinion

Document	Title – Detail Supplementary Opinion
Provincial Policy Statement 2014	<p>Section 1.1.5.3</p> <p>This policy states that recreational, tourism and other economic opportunities shall be promoted.</p> <p>The proposed Gymnastics Club is an established form of recreational activity/land use currently operating within the geographical limits of the Township. The business needs to secure a new-expanded facility in order to meet current and forecasted membership growth (programs, services).</p>

	<p>The current operation makes use of a rented facility/location which does not offer any expansion opportunity.</p> <p>The proposed new location will facilitate the needed expansion of the club's training-programs space requirements. The new location is also in the general area of the current location, which has been determined by the business operator as being integral in meeting membership requirements (membership base).</p> <p>The pending land use approval Applications, if approved, would serve to promote a form of recreational activity/land use consistent with the policy directive of Section 1.1.5.3 of the 2014 PPS.</p>
<p>Growth Plan for the Greater Golden Horseshoe Area-2005</p>	<p>Section 2.2.9(2)</p> <p>This policy indicates that development outside of rural settlement areas shall be in accordance with Section 2.2.2.1(i) of the Growth Plan.</p> <p>Section 2.2.2.1(i) of the Growth Plan indicates the following:</p> <p><i>directing development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas</i></p> <p>The subject property is not part of a settlement area. The use itself, whilst clearly a recreational activity/land use is not a resource-based land use.</p> <p>Conceivably, a Gymnastics Club could be located within the established limits of the settlement areas (Millbrook and the designated rural settlement areas of the Township Official Plan). However, the subject property is located within the established participant catchment area necessary for the continued successful operation of the Gymnastics Club.</p> <p>The proposed land use otherwise satisfies the general intent of the policy directives of the PPS- Growth Plan and the Local (Township) Official Plan.</p>

<p>MDS</p>	<p>According to available records (as provide to my office by Ms. Coulter), the property known municipally as 2394 Lansdowne Street West (Sheppard) includes an active poultry barn/operation. The applicable MDS Arch, as calculated by the required MDS formula is 184 metres. The southwest part of said arch would impact the proposed development area.</p> <p>According to the 2017 MDS Guidelines, the proposed Gymnastics Facility is classified as a Type 2 – Commercial Building. It is noted that the proposed business operation (Gymnastics Club) would be carried-out within the confines of the proposed commercial building. There is no planned/formal outdoor programming contemplated as part of the programming- services of the Gymnastics Club.</p> <p>The concerned barn is physically separated from the gymnastics building-development area by</p> <p>Vegetated areas, fields</p> <p>Mature tree line</p> <p>Residential building located on the concerned barn property</p> <p>I have reviewed the March 2017 MDS Guidelines and have thoroughly considered the nature of the proposed new commercial land use, and have arrived at the conclusion that the proposed Gymnastics Club would not impact upon the on-going operation of the concerned poultry barn-operation.</p> <p>Accordingly, the development proponent/applicant is requesting that the Township Council adopt an Exception to the MDS Guideline in this instance.</p> <p>Said Exception can form part of the land use approvals sought for the property.</p>
<p>Notice of Public Meeting (June 19, 2017)</p>	<p>The draft Public Notice would require revision to reflect a June 19, 2017 meeting date and to include the following provisions:</p>

	<ul style="list-style-type: none">• To reference the MDS Arch Exemption request;• To reference the use of the existing detached dwelling for residential purposes (permanent or temporary, but limited to one dwelling unit, regardless of the status of occupancy) <p>I also support reference being made to the appropriate rezoning of that portion of the property considered to contain environmentally sensitive lands to a Township based land use district addressing such context.</p>
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It is my understanding that the Applications will be scheduled for consideration at the June 19, 2017 Planning Committee/Township Council meeting. In this regard, I look forward to the receipt of the Notice of Public Meeting and the staff report regarding the Applications.

You are welcome to follow-up with me should you have any questions or should you wish to meet to review project/development details.

Yours truly,



Kevin M. Duguay, MCIP, RPP

CC

M. Rene (Client)