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Memorandum

To: Planning Advisory Committee
Date: July 13, 2018
From: Sherry L. Rea, Development Planning Supervisor
Subject: Sutcliffe Official Plan Amendment and Zoning By-law Amendment,
804 Highway 7A, geographic Township of Manvers, now City of Kawartha
Lakes (Iron Horse Ranch)

At the July 4, 2018 meeting of the Planning Advisory Committee, the Committee considered development applications filed by Stephen Bedford on behalf of Shawn Sutcliffe for property located at 804 Highway 7A and known as Iron Horse Ranch. These applications propose to permit value-added uses, on-farm diversified uses and agri-tourism uses on the farm. Without limiting the uses permitted they generally include: social events such as farm based educational programs, workshops on farm operations, gallery space, displays of farm equipment in a museum setting, dances, musical and artistic performances, weddings, private parties, charitable fund raisers, farm to table dinners, corporate functions, and accommodations in un-serviced pioneer cabins and the bed and breakfast. All permitted uses are permitted to obtain liquor licenses.

Further to direction received at the meeting, staff was requested to obtain additional information and this memorandum addresses that direction:

Temporary Use Zoning By-laws to permit On-Farm Diversified Uses

OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas speaks to Temporary Use By-laws under Sections 2.3.1(2) PPS Criteria for On-Farm Diversified Uses which are secondary to the principal agricultural use of the property and Section 2.5.2 Zoning By-laws. The first Section states that even temporary uses must meet all the criteria for on-farm diversified uses. Acceptable uses must be compatible with and able to coexist with surrounding agricultural uses and maintain conformity with a specified list of criteria. In addition, this Section acknowledges that if all criteria are met, events may be accommodated through a temporary use zoning by-law under the Planning Act. The second Section states that temporary use zoning by-laws permit the temporary use of land, buildings or structures for up to 3-year periods, as provided for in the Planning Act, 1990. Temporary use zoning by-laws are also an effective way to deal with event-type uses such as concerts, rodeos and farm shows. As a general rule, avoid using on-farm locations if these temporary uses can be accommodated in existing facilities nearby that are designed for such uses (e.g. fairgrounds, parks and band shells).

Staff is not in support of a Temporary Use By-law to regulate the requests of the proponent as the development applications are seeking a variety of permanent On-Farm Diversified Uses in existing buildings and structures on the farm. The applicant has submitted a planning report and supporting documentation which staff is accepting of and has prepared an Official Plan Amendment and implementing Zoning By-law that will govern the use on the property. In addition, staff is recommending a Holding (H) provision that the owner enter into a site plan agreement with the City that will ensure appropriate development on the property. Staff is confident that measures are being put in place to regulate the activity and operation of the events.

Concerns with Environmental Noise Feasibility Study

A concern was raised with respect to Scenario 3 – Wedding Reception/Banquet and the matter that during the events, the doors on the north side of the barn would typically remain open while all other doors would be closed. Staff contacted Valcoustics Canada Ltd. and identified the concern. Valcoustics re-attended the site and undertook additional measurements to address the concern. Valcoustics confirms that they have updated their modelling to include sound (music) radiated from open doors on the lower floor. (This is in addition to the sound radiated from the open north door and through the walls that were included in their report). The overall results are the same – The requirements outlined in their noise report are valid if the smaller doors are open as well.

Staff is continuing to recommend that the Holding (H) provision be applied to the zoning amendment to ensure that the owner enters into a site plan agreement with the City that will deal with the details of development and include the recommendations contained in the noise study with respect to the use of appropriate sound level restrictions such as the utilization of a sound level feedback system.

Respectfully submitted,



Sherry L. Rea,
Development Planning Supervisor