

# The Corporation of the City of Kawartha Lakes

## Planning Advisory Committee Report

Report Number PLAN2020-036

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**Meeting Date:** September 2, 2020

### Public Meeting

**Title:** An application to amend the Township of Emily Zoning By-law 1996-30

**Description:** An amendment to permit a truss manufacturing facility. The property is described as Part of Lots 14 and 15, Concession 12, geographic Township of Emily, City of Kawartha Lakes, identified as 914 Centreline Road

**Ward Number:** 6

**Author and Title:** David Harding, Planner II, RPP, MCIP

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### Recommendations:

**That** Report PLAN2020-036, Part of Lots 14 and 15, Concession 12, geographic Township of Emily, City of Kawartha Lakes, identified as 914 Centreline Road, “Gingrich – D06-2020-010”, be received; and

**That** the application respecting the proposed Zoning By-law Amendment be referred back to staff until such time as all comments have been received and addressed from all circulated agencies, City Departments, and the public, and for further review and processing.

**Department Head:** \_\_\_\_\_

**Legal/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

The subject property is an agricultural lot that contains a single detached dwelling, detached garage, storage shed, two drive sheds, a milking barn, and a heifer barn.

A Zoning By-law Amendment application to change the zone category on a portion of the property in order to permit an approximately 600 square metre truss manufacturing facility, see Appendix 'B', is proposed. The shop is proposed as a secondary use to the farm operation. A reduction in the number of required parking spaces for the business is sought, along with some of the general provisions.

The business is proposed to have up to four employees, and up to 5 customers per day.

In support of the application, the following documents were submitted for review:

1. Planning Justification Brief dated March 2020 prepared by D.M. Wills Associates Limited.
2. Sewage Brief dated January 31, 2020 prepared by D.M. Wills Associates Limited.
3. Overall Plan – Figure 3A dated March 2020 prepared by D.M. Wills Associates Limited.
4. Concept Plan – Figure 3B dated March 2020 prepared by D.M. Wills Associates Limited.
5. Lot Servicing Plan – Figure 4 dated March 2020 prepared by D.M. Wills Associates Limited.
6. Zoning By-law Amendment Sketch dated March 2020 prepared by D.M. Wills Associates Limited.
7. Preliminary Grading and Drainage Plan dated March 2020 prepared by D.M. Wills Associates Limited.

At this time, staff cannot determine the appropriateness of the proposal as responses from all City departments and commenting agencies have not been received.

Owners: Ivan, Salema, Mark and Loretta Gingrich

Applicant: Darryl Tighe – D.M. Wills Associates Limited

Legal Description: Part of Lots 14 and 15, Concession 12, geographic Township of Emily

Official Plan: Prime Agricultural, Rural and Environmental Protection within the City of Kawartha Lakes Official Plan (2012)

Zone: Agricultural (A1) Zone in the Township of Emily Zoning By-law 1996-30, as amended

Site Size: 49.7 hectares

Site Servicing Private individual well and septic system

## **Rationale:**

### **Provincial Policies:**

#### **Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan):**

Section 2.2.9 indicates development outside of settlement areas may be permitted where necessary for the management of resources such as agricultural lands. Section 4.2.6 provides for the protection of prime agricultural areas identified within official plans. More research is needed to determine if this use is consistent with provincial direction towards on-farm diversified uses and agricultural-related uses.

Evaluation with respect to the conformity of the proposal with respect to the Growth Plan is ongoing.

#### **Provincial Policy Statement, 2020 (PPS):**

Sections 1.1.5.2, 1.1.5.4, 1.1.5.7, and 1.1.5.8 provide for the development of economic opportunities within rural areas on rural lands that are compatible with the rural landscape and rural service levels. The sections further provide that where such uses are complimentary to a farm operation, those operations should be promoted to support a diversified rural economy.

Section 2.3.3 permits on-farm diversified uses and agricultural-related uses that are compatible with surrounding agricultural operations.

On-farm diversified uses are to be secondary to the principal agricultural use on the property and limited in area.

Agriculture-related uses are commercial and industrial uses directly related to farm operations, benefit from being in close proximity to farm operations, primarily provide services/products to farm operations, and support agriculture.

Evaluation with respect to the consistency of the proposal with respect to the PPS is ongoing.

### **Official Plan Conformity:**

The majority of the subject lands are designated Prime Agricultural and Rural within the City of Kawartha Lakes Official Plan (Official Plan). Portions of the land are designated Environmental Protection, pertaining to a watercourse. The

proposal is within the Prime Agricultural and Environmental Protection designations.

Sections 15.1 and 16.1 of the Official Plan provides that agricultural land within, shall be protected from fragmentation, development and land uses unrelated to agriculture. One of the objectives of the Prime Agricultural designation is to support farming operations as an important component of the economy, a source of employment and a way of life for many rural residents. Another objective is to ensure new uses are compatible with existing agricultural operations.

Review with respect to the conformity with the Official Plan is ongoing.

### **Zoning By-law Compliance:**

The subject land is zoned Agricultural (A1) Zone in the Township of Emily Zoning By-Law 1996-30, as amended. The applicant has submitted a Zoning By-law Amendment application for consideration to amend a portion of the A1 Zone to permit a truss manufacturing facility. Various other amendments are considered to facilitate the construction of the facility, as well as reducing the parking requirement to 6 spaces.

### **Other Alternatives Considered:**

No alternatives have been considered at this time.

### **Financial/Operation Impacts:**

There are no financial considerations unless Council's decision is appealed to the Local Planning Appeals Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

### **Relationship of Recommendation(s) To The 2020-2023 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Priorities:

- Priority 1 – A Vibrant and Growing Economy
- Priority 2 – An Exceptional Quality of Life
- Priority 3 – A Healthy Environment
- Priority 4 – Good Government

This application aligns with a vibrant and growing economy as it provides opportunity to expand the economic base by maintaining and expanding employment.

## **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility implications for the City. The accessibility standards established in the Building Code will be shown on the subsequent construction drawings through the site plan approval process, which must be approved by the City prior to the issuance of a building permit.

## **Servicing Comments:**

The agricultural land contains a well. The single detached dwelling on the land to be severed is serviced by a private sewage disposal system and well. A washroom is proposed in a nearby drive shed for employees. A new septic area is proposed to support this washroom.

## **Consultations:**

Notice of this application was circulated to persons within a 500 metre radius, agencies, and City Departments which may have an interest in the application. The Building Division and Development Engineering Division raised no concerns as a result of the circulation. The Engineering Division has identified that further detailed review will occur when it is circulated the site plan application.

Comments were received from Jim and Lisa Goudie, who reside across the road at 925 Centreline Road. They have raised concern with:

- Some of the analysis within the Planning Justification report related to the labelling/classification of their property,
- The scale of the operation proposed which they contend is not an accessory use,
- The need to deliver raw materials and shipping of finished goods via semi-tractor and how such trucks will navigate the site and Centreline Road
- The placement of the facility directly in-line (in-front) of their residence,
- When notice was given; and
- If City staff have attended the property.

## **Development Services – Planning Division Comments:**

The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas will continue to be consulted to ensure consistency and conformity with the Growth Plan and PPS.

Should the application be recommended for approval, a holding provision will be required in order to impose site plan control, to provide a greater degree of oversight over the planning and operation of the site.

The background information which has been submitted in support of the application has been circulated to the appropriate agencies and City Departments for review and comment. At this time, comments have not been received from all circulated agencies and City Departments. Staff are also

mindful of the concerns raised from the Goudies and have sent their correspondence to the applicant and applicable staff to be reviewed and addressed. Staff will further analyze the responses received and the application in light of the Goudie's comments.

Staff recommend that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

### **Conclusion:**

Review of this application remains ongoing pending the receipt of additional comments and subsequent planning analysis. Staff respectfully recommends that the application be referred back to staff until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

### **Attachments:**

#### Appendix 'A' – Location Map



Appendix A to  
Report PLAN2020-03

#### Appendix 'B' – Aerial Photograph Sketch



Appendix B to  
Report PLAN2020-03

#### Appendix 'C' – Sketch



Appendix C to  
Report PLAN2020-03

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**Department Head:** Chris Marshall

**Department File:** D06-2020-010