

Council Report

Report Number:	PLAN2021-058
Meeting Date:	October 19, 2021
Title:	Removal of Holding Provision, David and Sarah Gingrich
Description:	An application to amend the Township of Emily Zoning By-law to remove the Holding provision on the property from an Agricultural Exception Seven Holding [A1-7(H)] Zone to permit a woodworking shop as an additional use and establish applicable development standards on the subject land at 833 Pigeon Lake Road.
Author and Title:	Mark LaHay, Planner II, MCIP, RPP

Recommendations:

That Report PLAN2021-058, **Part of Lot 3, Concession 11, geographic Township of Emily, City of Kawartha Lakes, identified as 833 Pigeon Lake Road, David and Sarah Gingrich - D06-2021-022**, be received;

That the proposed zoning by-law amendment, substantially in the form attached as Appendix 'C' to Report PLAN2021-058, be adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

(Acting) Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	This application proposes to remove the Holding (H) symbol from the Agricultural Exception Seven Holding [A1-7(H)] Zone. The effect of the amendment is to permit a woodworking shop as an additional use and establish applicable development standards on the subject land at 833 Pigeon Lake Road.		
Owner:	David and Sarah Gingrich		
Applicant:	D.M. Wills Associates Limited c/o Emma Drake		
Legal Description:	Part of Lot 3, Concession 11, geographic Township of Emily		
Official Plan:	Prime Agricultural and Environmental Protection within the City of Kawartha Lakes Official Plan		
Zoning:	Agricultural (A1) Zone, Agricultural Exception Seven Holding [A1-7(H)] Zone and Environmental Protection (EP) Zone in the Township of Emily Zoning By-law 1996-30, as amended		
Site Size:	41.7 hectares (103 acres – MPAC)		
Site Servicing	Private individual well and septic system		
Existing Uses:	Rural/Agricultural		
Adjacent Uses:	North:	Woodland/Wetland/Agricultural	
	East:	Agricultural/scattered Rural Residential	
	South:	Agricultural/scattered Rural Residential	
	West:	Woodland/Wetland/Agricultural	

Rationale:

The subject land is located east of Lindsay and northwest of Downeyville. A portion of the property was zoned Agricultural Exception Seven Holding [A1-7(H)] by By-law 2021-058. A Site Plan application has been submitted for an on-farm diversified use, being a custom woodworking shop on the subject land. The Holding (H) symbol was placed to ensure that Site Plan Approval was obtained.

The applicant has submitted site plans, which were circulated for review by commenting departments and agencies. A subsequent site plan submission will address the comments received to permit the plans to be approved. As a result, it is now appropriate to remove the (H) Holding provision.

The owner has applied to have the Holding (H) provision removed to allow the construction of a custom woodworking shop on the subject land (See Appendix B) in accordance with the A1-7 zone provisions, as amended. The development of this property is subject to the owner submitting plans with the City for approval. Site plan approval is nearing completion with construction expected to begin in the near future. On this basis, it is appropriate for Council to consider removal of the Holding (H) provision.

Applicable Provincial Policies:

The application conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan) and is consistent with the Provincial Policy Statement, 2020 (PPS).

Official Plan Conformity:

The subject land is designated Prime Agricultural with a small portion, which follows a watercourse, designated Environmental Protection within the City of Kawartha Lakes Official Plan (Official Plan). The proposed on-farm diversified use is within the Prime Agricultural designation. The proposed development conforms to the applicable policies of the designation.

Zoning By-Law Compliance:

The portion of the property being considered by this application is zoned 'Agricultural Exception Seven Holding [A1-7(H)]' Zone, which permits a woodworking shop as an additional use, subject to site specific development standards. The current site plan submission has demonstrated compliance with the site-specific zoning provisions. The applicant has submitted a rezoning application for removal of the Holding (H) provision to implement the proposed development.

Other Alternatives Considered:

No alternatives have been considered at this time.

Alignment to Strategic Priorities:

The Council Adopted 2020-2023 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 rural economic base with additional employment opportunities.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Ontario Land Tribunal.

Servicing Comments:

The agricultural land contains a well and septic system. A new septic system area is proposed to support the proposed woodworking shop. The proposed new Class 4 Sewage System will adhere to the requirements of the Ontario Building Code.

Consultations:

Notice of this application was given in accordance with the Planning Act. At the time of writing this report, no comments were received.

Development Services – Planning Division Comments:

Staff support the application based on the information contained in this report and as such, respectfully recommends that the proposed zoning by-law application to remove the Holding (H) symbol be approved and adopted by Council.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II at 705.324.9411 x1324.



Appendix 'A'
PLAN2021-058.pdf



Appendix 'B'
PLAN2021-058.pdf



Appendix 'C'
PLAN2021-058.pdf

Appendix 'A' – Location Map

Appendix 'B' – Proposed Site Plan

Appendix 'C' – Draft Zoning By-law

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy

Department File: D06-2021-022