



Council Report

Report Number: PLAN2023-068

Meeting Date: December 12, 2023

Title: **Removal of Holding Provision for Landis, Alice, Willard and Doreen Martin**

Description: An application to amend the Township of Ops Zoning By-law to remove the Holding provision on the property from an Agricultural Exception Twenty-Two Holding [A-22(H)] Zone to permit a meeting house on a portion of the subject land to serve as a place of worship and gathering and establish applicable development standards on the subject land at 1082 Lilac Road

Author and Title: Mark LaHay, Planner II, MCIP, RPP

Recommendations:

That Report PLAN2023-068, **respecting Part of Lots 18 to 20, Concession 11, geographic Township of Ops, identified as 1082 Lilac Road, Landis Martin, Alice Martin, Willard Martin and Doreen Martin – D06-2022-027**, be received;

That the proposed zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2023-068, be adopted by Council; and

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

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

- Proposal:** This application proposes to remove the Holding (H) symbol from the Agricultural Exception Twenty-Two Holding [A-22(H)] Zone. The effect of the amendment is to permit a meeting house for a place of worship and gathering for the Mennonite community and establish applicable development standards on a portion of the subject land at 1082 Lilac Road.
- Owners:** Landis Martin, Alice Martin, Willard Martin and Doreen Martin
- Applicant:** D.M. Wills Associates Limited
- Legal Description:** Part of Lots 18 to 20, Concession 11, geographic Township of Ops
- Designation:** Prime Agricultural and Environmental Protection on Schedule 'A-3' of the City of Kawartha Lakes Official Plan
- Zone:** Agricultural Exception Twenty (A-20) Zone and Agricultural Exception Twenty-Two - Holding [A-22(H)] Zone in the Township of Ops Zoning By-law 93-30, as amended
- Lot Area:** 80.95 hectares (200.03 acres – MPAC)
- Site Area:** 0.67 hectares (approx. 1.66 acres of land subject of application)
- Site Servicing:** On-site water brought in as needed and a private privy with vault is proposed for the meeting house use accessed from Heights Road

Rationale:

The subject property is located east of Lindsay and west of the Hamlet of Downeyville, on the south side of Pigeon Lake Road, and extends from Lilac Road to Heights Road. A portion of the property was zoned Agricultural Exception Twenty-Two Holding [A-22(H)] by By-law 2022-046 to permit a meeting house for a place of worship and gathering for the Mennonite community 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. The latest site plan submission has addressed 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 the meeting house on the subject land (See Appendix B) in accordance

with the A-22 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 and including Amendment 1, 2020 (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 use is within a portion of the property with a Prime Agricultural designation that has been amended with a site-specific policy to permit an institutional use consisting of a meeting house for a place of worship and gathering. The proposed development conforms to the applicable policies of the designation, as amended.

Zoning By-Law Compliance:

The portion of the property being considered by this application is zoned 'Agricultural Exception Twenty-Two Holding [A-22(H)]' Zone, which permits a meeting house used as a place of worship and gathering as an additional use, subject to site specific development standards. The latest 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 other alternatives have been considered at this time.

Alignment to Strategic Priorities:

For reference the four strategic priorities within the 2020-2023 Kawartha Lakes Strategic Plan are:

1. Healthy Environment

2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This application aligns with the Exceptional Quality of Life priorities as it provides opportunities and support for the Mennonite farming community and agricultural lifestyle.

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 Implications:

The portion of the subject land to be developed is not proposed to have on-site water servicing except for water storage tanks serving a dry fire hydrant. The supporting Hydrogeological Report submitted with the previous Official Plan Amendment and Zoning By-law Amendment applications concluded that should private servicing be needed in the future, sufficient groundwater resources would be available. An outdoor privy is proposed with a privy vault. Should private sewage servicing be required in the future, the Hydrogeological Report also concluded that ample area is available and a raised leaching bed is recommended. The Building and Septic Division has no concerns as it relates to private on-site sewage disposal.

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 ext. 1324.

Appendix 'A' – Location Map



Appendix 'A'
PLAN2023-068.pdf

Appendix 'B' – Proposed Site Plan



Appendix 'B'
PLAN2023-068.pdf

Appendix 'C' – Draft Zoning By-law



Appendix 'C'
PLAN2023-068.pdf

Department Head email: rholy@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Department File: D06-2022-027