



## Council Report

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**Report Number:** PLAN2024-069

**Meeting Date:** November 19, 2024

**Title:** **Removal of a Holding (H) Symbol at 29 Sunnywood Road, geographic Township of Emily - Martin**

**Description:** An application to amend the Township of Emily Zoning By-law to remove the Holding (H) symbol on the Agricultural Exception Forty-One Holding [A1-41(H)] Zone to permit a private school as an additional use to support the local Mennonite community and establish applicable development standards on a portion of the subject land at 29 Sunnywood Road

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

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### Recommendations:

**That** Report PLAN2024-069, **Removal of a Holding (H) Symbol at 29 Sunnywood Road, Geographic Township of Emily - Martin**, be received;

**That** the proposed zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2024-069, be adopted by Council; and

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

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

**Financial/Legal/HR/Other:** \_\_\_\_\_

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

## **Background:**

This application proposes to remove the Holding (H) symbol from the Agricultural Exception Forty-One Holding [A1-41(H)] Zone. The effect of the amendment is to permit a private school as an additional use to support the local Mennonite community and establish applicable development standards on a portion of the subject land at 29 Sunnywood Road.

**Owner:** Amon and Anna Martin

**Applicant:** TD Consulting Inc. c/o Tom deBoer

**Legal Description:** Part of Lot 14, Concession 13, geographic Township of Emily

**Official Plan:** Prime Agricultural and Environmental Protection with a Significant Woodlands Natural Heritage Feature within the City of Kawartha Lakes Official Plan

**Zoning:** Agricultural (A1) Zone and Agricultural Exception Forty-One Holding [A1-41(H)] Zone in the Township of Emily Zoning By-law 1996-30, as amended

**Lot Area:** 40.06 hectares (99 acres – MPAC)

**Site Area:** 0.821 hectares (approx. 2 acres)

**Site Servicing:** Cistern and septic system proposed

**Existing Uses:** Agricultural

**Adjacent Uses:** North: Agricultural/Rural Residential  
East: Agricultural/Rural Residential  
South: Sunnywood Road/Agricultural/Rural Residential  
West: Centreline Road/Rural Residential/Agricultural/Wetland

## **Rationale:**

The subject property is located in a rural agricultural area northeast of the Hamlet of Downeyville and southeast of the Hamlet of Dunsford, on the northeast corner of Centreline Road and Sunnywood Road. A portion of the property was zoned Agricultural Exception Forty-One Holding [A1-41(H)] by By-law 2024-108. A Site Plan application has been submitted for a private school to support the local Mennonite community on a

portion of 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 applicant has applied to have the Holding (H) provision removed to allow the construction of the private school on the subject land (See Appendix B) in accordance with the A1-41 zone provisions, as amended. The development of this property is subject to the applicant submitting plans with the City for approval. Site plan approval is imminent, 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 is consistent with the Provincial Planning Statement, 2024 (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 northeast portion of the property also contains a key natural heritage feature, being significant woodlands. The proposed 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 Forty-One Holding [A1-41(H)]' Zone, which permits a private school 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:**

The 2024-2027 Kawartha Lakes Strategic Plan identifies the following strategic priorities:

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

This application aligns with the strategic 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:**

A cistern and a septic system is proposed within the area to be rezoned to support the proposed private school, which will be approved through the building permit application process. 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.

## **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'  
PLAN2024-069.pdf

### Appendix 'B' – Proposed Site Plan



Appendix 'B'  
PLAN2024-069.pdf

### Appendix 'C' – Draft Zoning By-law



Appendix 'C'  
PLAN2024-069.pdf

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**Department Head:** Leah Barrie, Director of Development Services

**Department File:** D06-2022-005