



Planning Advisory Committee Report

Report Number:	PLAN2026-021
Meeting Date:	April 8, 2026
Title:	Application to Amend the Township of Emily Zoning By-law 1996-30 at 964 Hayes Line, Omemeo - 1000810255 Ontario Inc.
Description:	Rezone the Subject Lands at Concession 1, Lot 13, Emily, from the 'Agricultural (A1)' Zone to a site specific 'Agricultural Exception Forty-Seven (A1-47)' zone to permit an agriculture produce processing and packaging facility and accessory structures and provide relief from parking requirements
Type of Report:	Regular Meeting
Author and Title:	Robert Wilson, Urban Planner, Dillon Consulting Limited on behalf of the City of Kawartha Lakes

Recommendation:

That Report PLAN2026-021, **Application to Amend the Township of Emily Zoning By-law 1996-30 at 964 Hayes Line, Omemeo - 1000810255 Ontario Inc.** be received;

That a Zoning By-law Amendments respecting application D06-2025-004, substantially in the form attached as Appendix D and E to Report PLAN2026-021, be approved and adopted by Council; and

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

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Owner:	1000810255 Ontario Inc. (Graham Turf Seeds) c/o Bob Buckton
Applicant:	TD Consulting Inc. c/o Tom deBoer
Property Description¹:	Legal Description: Concession 1, Lot 13 Geographic Township of Emily Municipal Address: 964 Hayes Line, Emily
Official Plan:	'Rural' in Schedule A-3 and 'Significant Woodlands' in Schedule B-3 of the City of Kawartha Lakes Official Plan, 2012
Zoning By-law:	'Agricultural (A1)' Zone in Township of Emily Comprehensive Zoning By-Law 1996-30, as amended
Lot Area:	34.4 hectares (84.9 acres)
Servicing:	Water: Individual private well Sanitary: Individual private septic system Stormwater: Ditches/Swales
Access:	Municipal (Hayes Line)
Existing Uses:	Agricultural crops
Adjacent Uses:	North – Residential East – Agricultural South – Agricultural West – Agricultural

Rationale:

The application seeks to permit a commercial seed blending and distribution operation within an existing agricultural building at 964 Hayes Line (the "Subject Lands"). No physical changes or additions to the existing agricultural structure are proposed.

¹ See Schedule 2- Site Mapping

The balance of the Subject Lands (approximately 30 hectares) is currently rented to a neighbouring farmer for the cultivation of agricultural crops. The proposed facility will remain contained within the existing building footprint, ensuring no adverse impacts or reduction in the productive capacity of the surrounding agricultural lands or ongoing farming operations.

While the applicant's submission materials refer to the proposed use as a "seed distribution facility," Planning Staff have evaluated the operational characteristics of the business and determined that it is most appropriately classified as an Agriculture Produce Processing and Packaging facility as defined in the Township of Emily Comprehensive Zoning By-law 1996-30.

The Subject Lands are zoned 'Agricultural (A1)'. While this zone permits a variety of agricultural operations, the proposed Agriculture Produce Processing and Packaging facility is not a permitted use, necessitating a Zoning By-law Amendment.

Policy Conformity:

Provincial Planning Statement 2024 (PPS 2024):

The Provincial Planning Statement, 2024 (PPS 2024) provides a policy framework for land use planning within the Province of Ontario. The Subject Lands are located outside of designated Settlement Areas and are therefore evaluated against the rural and agricultural policies of the PPS.

Sections 2.5, 2.6, and 4.3 of the PPS 2024 provide direction on the management and growth of rural areas, rural lands, and agricultural areas. Section 2.5 identifies that rural areas are supported through the diversification of the economic base and employment opportunities. Furthermore, Section 2.6 states that planning authorities should support a diversified rural economy by protecting agricultural and agriculture-related uses where development can be sustained by rural service levels.

Section 4.3 of the PPS 2024 dictates that agriculture-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

Furthermore, the proposal was evaluated against the natural hazard and water resource policies outlined in Sections 4.1 and 4.2 of the PPS. Matters of natural heritage and hazards have been evaluated in consultation with the Otonabee Region Conservation Authority (ORCA). While ORCA mapping identifies natural hazards on the broader property, including a wetland and watercourses, ORCA staff recognize that the proposed operation utilizes existing structures and does not propose any new

development. As such, ORCA has confirmed that the application is consistent with the Natural Hazards policies of the PPS, as it will not create new hazards or aggravate existing ones. Finally, ORCA confirmed that the property is not located within a vulnerable area subject to Trent Source Protection Plan policies, ensuring the proposed use protects water resources and poses no significant drinking water threat.

The proposed Zoning By-law Amendment is consistent with the Provincial Planning Statement, 2024, as it facilitates an agriculture-related commercial use within existing structures, promotes economic diversification in the rural area, maintains the balance of active agricultural lands, and operates safely within existing rural service levels without hindering surrounding agricultural operations.

City of Kawartha Lakes Official Plan, 2012 (CKLOP):

The Subject Lands are designated 'Rural' on Schedule A-3 and 'Significant Woodlands' on Schedule B-3 of the City of Kawartha Lakes Official Plan, 2012.

Section 3 of the CKLOP identifies strategic directions for the natural environment, including Significant Woodlands. While Schedule B-3 identifies 'Significant Woodlands' on a portion of the Subject Lands, this specific area does not contain significant tree cover and is currently utilized for agricultural purposes. Furthermore, the proposed Agriculture Produce Processing and Packaging facility is strictly confined to the existing structures on the southern portion of the Subject Lands, ensuring no impact to the lands identified as 'Significant Woodlands'.

Section 16 of the CKLOP outlines the goals, objectives, and policies for lands within the 'Rural' designation. These directives focus on the protection of agricultural lands, the encouragement of agriculture and agriculture-related uses, and the permission of uses that support, and do not conflict with, the broader agricultural community. The policies of this section specifically permit the kinds of agriculture-related commercial and industrial uses included in the proposed development. The City's Economic Development Division has confirmed that the CKLOP policy framework is supportive of using lands such as the Subject Lands for the type of agriculture-related use being proposed, noting it will not impact surrounding agricultural operations.

Furthermore, Section 16.2(g) established an objective to "provide for the wise use and management of resources". The applicant has indicated that the facility is anticipated to employ five warehouse staff. This relatively low occupancy ensures that the new use will not trigger a significant increase in wastewater generation. The City's Building and Septic Division has confirmed that the property has adequate area to service both the

seed distribution plant and the accessory office on private sewage disposal. Furthermore, as detailed in the submission materials prepared by TD Consulting Inc., the applicant has provided information detailing how the facility will process, and package seeds received on-site. The submission indicates the seeds transported to the site arrive already cleaned and are strictly meant for blending and packaging. Staff are of the opinion that the process itself does not demand intensive water usage. Considering the balance of the property remains dedicated to traditional crop cultivation, the proposed operation will not substantially alter the historical water demand of the Subject Lands, ensuring the site remains appropriately serviced by existing rural infrastructure without requiring uneconomical municipal expansions.

Therefore, the proposed Zoning By-law Amendment conforms to the policies of the City of Kawartha Lakes Official Plan, 2012, as it facilitates a compatible agriculture-related use within existing structures, supporting the rural economy without impacting agricultural viability, natural heritage features, or requiring the expansion of municipal services.

Township of Emily Comprehensive Zoning By-law 1996-30:

The Subject Lands are zoned 'Agriculture (A1)' on Schedule 'A' of the Township of Emily Comprehensive Zoning By-law 1996-30. The applicant has requested a site-specific amendment to permit the proposed seed distribution operation, which Staff have formally classified as an Agriculture Produce Processing and Packaging facility (as defined in the Zoning By-law), alongside relief from parking standards.

While the proposed facility is not explicitly permitted within the A1 zone, it functions similarly to permitted normal farm practices where agricultural operations prepare and package their own products on-site. Furthermore, the proposal maintains the balance of the site for active agricultural uses, which aligns directly with the overall intent of the A1 zone to preserve productive farmland. Given the site-specific nature of the application, which strictly confines the use to an existing agricultural building and establishes targeted controls such as a gross floor area (GFA) cap and relief from parking standards, Staff are of the opinion that introducing this agriculture-related use is appropriate. These site-specific provisions ensure the proposed seed distribution facility remains compatible with the surrounding area of predominantly agricultural uses, further maintaining the general intent of the By-law's A1 zone.

To appropriately control the overall intensity of the operation and limit the scale of the commercial use within the agricultural area, the amending by-law will establish a maximum combined GFA cap of 2,600 square metres for the facility and the accessory

office. This site-specific provision ensures that the use remains contained within the existing footprint and that any future expansion would be subject to further municipal review and approvals.

For the purpose of calculating parking requirements, the Zoning By-law classifies the proposed use as "Light Industrial," which requires 1 space per 40 square metres of GFA. Based on the combined GFA of the existing agricultural structure and the dwelling unit to be converted into an accessory office, 65 parking spaces are required. The applicant is seeking relief to provide 37 parking spaces. The By-law's generalized GFA based parking standard is intended to accommodate standard industrial facilities. However, as detailed in the applicant's submission, the facility will operate with a low employee density, specifically anticipating five warehouse staff alongside a small administrative office team. Given these specific operational characteristics, Planning Staff are of the opinion that a strict application of the By-law's parking ratio may overestimate the actual parking demand for this specific use. Furthermore, the proposed GFA cap limits future facility expansion, and the proposed 37 parking spaces can be accommodated on site without impacting the balance of the active agricultural lands. As such, Planning Staff are of the opinion the proposed 37 spaces will adequately accommodate the operation's parking needs of the seed distribution facility and meet the overall intent of the By-law's parking provisions.

Recognizing the need to ensure the appropriate internal site layout, functionality of the upgraded parking facilities, and safe movement of large commercial and emergency vehicles, Staff advised the applicant to submit a "Plans Only" Site Plan Application concurrently with this rezoning application. The concurrent review of both applications allows Staff to comprehensively evaluate internal traffic flow, verify the appropriateness of the requested parking reduction, and confirm adequate swept-path clearances for vehicular traffic. Furthermore, the concurrent Site Plan Approval process secures critical traffic management measures identified by Development Engineering, including compliant entrance designs and the installation of "No Left Turn for Trucks" signage at the outbound lanes to enforce vehicle routing away from the eastern portion of Hayes Line.

With the foregoing points in mind, the proposed Zoning By-law Amendment maintains the general intent and purpose of the Township of Emily Comprehensive Zoning By-law 1996-30 by facilitating a rural employment use while preserving the primary agricultural function of the site.

Other Alternatives Considered:

During the technical review process, Staff considered an alternative to rezone portions of the Subject Lands to an 'Environmental Protection (EP-1)' Zone. The Otonabee Region Conservation Authority (ORCA) identified that the broader property contains known hazards associated with a wetland, a mapped watercourse, and a potentially unmapped watercourse. ORCA suggested that the approval authority could use this Zoning By-law Amendment as an opportunity to recognize these natural hazards and their associated buffers by applying an EP-1 zone.

However, ORCA also recognized that the application proposes no additional development and is strictly facilitating a change of use within existing structures. Based on the information provided, ORCA confirmed the proposal will not create new hazards or aggravate existing ones.

Because the natural hazard features will not be impacted by the proposed Agriculture Produce Processing and Packaging facility, Staff are of the opinion that applying an 'EP-1' zoning designation onto Subject Lands is not warranted.

Alignment to Strategic Priorities:

For reference, the four strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

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

The proposed application aligns with the strategic priority for a Vibrant and Growing Economy. By facilitating the establishment of an agriculture-related commercial use, the application supports the diversification of the rural economy. The Agriculture Produce Processing and Packaging facility provides a specialized service that directly supports the broader agricultural sector, while also generating local employment opportunities without requiring the costly expansion of municipal infrastructure.

Furthermore, the proposal supports a Healthy Environment. By utilizing existing agricultural structures, the development avoids the unnecessary consumption of viable farmland and ensures there are no impacts to the mapped natural hazards and wetlands on the broader property. Additionally, as confirmed by ORCA, the property is not located within a vulnerable area. Therefore, the proposed change of use does not

pose a significant drinking water threat and will not negatively impact local groundwater resources.

Finally, Staff's approach to require a concurrent Minor Site Plan Application demonstrates Good Government. This strategy ensures comprehensive municipal oversight of critical public safety and traffic management elements while simultaneously streamlining the approval timeline for the business owner.

Financial/Operation Impacts:

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

Consultations:

The Planning Division received the application submission package on March 4, 2025, which included the following reports and plans in support of the application:

1. Application for Zoning By-law Amendment, prepared by TD Consulting Inc., dated February 21, 2025;
2. Cover Letter, prepared by TD Consulting, dated February 27, 2025;
3. Planning Justification Letter, prepared by TD Consulting Inc., dated November 12, 2025;
4. Site Plan, prepared by TD Consulting Inc., dated February 2025, revised January 30, 2026;
5. Traffic Impact Study, prepared by Tranplan Associates, dated August 10, 2025;
6. Response to Traffic Impact Study Comments, prepared by Tranplan Associates, dated October 28, 2025;
7. Business Certificate, prepared by Ministry of Public and Business Service Delivery, dated February 23, 2024;
8. Parcel Register, prepared by Service Ontario, dated February 28, 2025;
9. Land Registration Form, dated May 2, 2024; and
10. Transfer Registration dated May 2, 2024.

Staff deemed the application 'complete' under the requirements of the Planning Act on April 4, 2025, and initiated Agency consultation that same day, with a requested review period ending April 24, 2025. All the reports and plans submitted were circulated to the applicable agencies and City Departments for review and comment. The public was notified of the application through the circulation of the Notice of Public Meeting on April 17, 2025.

Following the initial circulation, Staff worked with the applicant through an iterative review process spanning multiple resubmissions to address technical deficiencies. This included the submission of a Traffic Impact Study (TIS) and revised Planning Justification Reports to refine the Gross Floor Area calculations, justify the requested parking reduction, and confirm commercial vehicle routing.

The following comments were provided by agencies during the consultation period and subsequent resubmissions:

Planning – Through the iterative review process, Planning Staff confirmed the office function as an accessory use and resolved the necessary parking calculations and Gross Floor Area (GFA) cap. Staff advised the applicant to submit a concurrent "Plans Only" Site Plan Application to secure site-specific layout and traffic routing elements prior to final approval.

Economic Development (Agriculture) – Staff are in support of the application. The activities proposed are supported within the Zoning By-law's agricultural framework and there should be no impact to neighbouring agricultural operations. The proposal aligns with the Kawartha Lakes Strategic Plan to protect and support agricultural land and agri-business.

Building and Septic – Plans Review and Inspections – No comments.

Building and Septic – Part 8 Sewage Systems – The property can support the proposed change of use, as there is adequate area to service both the seed distribution plant and the conversion of the dwelling to an office on private sewage disposal. An Application for a Sewage System Review will be required.

Development Engineering – From an engineering perspective, there is no objection to the proposed Zoning By-law Amendment. Development Engineering reviewed the submitted Traffic Impact Study and collision history, providing an analysis and recommendations to the jurisdiction having authority (Peterborough County). To address concerns regarding potential future increases in commercial trailer traffic, Development Engineering requested that a regulatory mechanism be put in place to limit the expansion of the facility, noting that any future expansion should be dependent on further safety studies. Planning Staff note that the site-specific 2,600 square metres gross floor area (GFA) cap satisfies this requirement. Furthermore, the required "No Left Turn for Trucks" signage at the outbound lanes will be secured through the concurrent Site Plan and Entrance Permit processes.

County of Peterborough – The County evaluated the commentary provided by City Traffic Management. The County fully supports the City's request for a regulatory mechanism (the GFA cap) to limit the expansion of trailer traffic to and from the site. Additionally, the County will evaluate the visibility at the intersection of County Road 10 and Hayes Line; if warranted, the County will install appropriate intersection warning signage, which will be completed separately from this development application.

Township of Cavan Monaghan – The Township provided initial comments regarding road speeds, half-load season restrictions, and the strict requirement that large commercial trucks utilize County Road 10 rather than the eastern portion of Hayes Line due to unsuitable road geometrics. These matters have been successfully addressed through the updated Traffic Impact Study and coordination with Development Engineering and the County of Peterborough. The Township has reviewed the final documents and indicated they have no additional comments.

Otonabee Region Conservation Authority (ORCA) – ORCA confirmed the application is consistent with Chapter 5 of the Provincial Planning Statement (Natural Hazards), as the proposal utilizes existing structures and will not create new or aggravate existing hazards. A permit from ORCA will be required for the interior renovations associated with the change of use. The property is not located within a vulnerable area subject to Trent Source Protection Plan policies.

Enbridge Gas / Ministry of Transportation / NAV Canada – These agencies reviewed the application and indicated they have no objections or comments.

Public Comments:

As of the writing of this report, one piece of written correspondence was received from a neighbouring property owner regarding the application. The correspondence raised the following concerns:

- Potential negative impacts on adjacent property values.
- The loss of large agricultural tracts, which the resident fears will make their adjacent parcel less attractive to crop farmers to lease or work.
- Concerns regarding the affordability of residential taxes if the adjacent land is no longer farmed.
- An opinion that the land should be formally rezoned to "Commercial" rather than Agricultural Exception.
- Concerns regarding pests associated with seed storage.

Staff have reviewed the public correspondence and offer the following planning analysis:

- **Agricultural Viability and Land Use:** The proposed development is strictly confined to the existing agricultural structures and does not remove any workable land from active agricultural production. The balance of the Subject Lands will remain available for crop cultivation, ensuring that the large, continuous farming plots the resident referenced remain intact and viable for local farmers.
- **Zoning Designation:** Utilizing a site-specific Agricultural exception zone is the correct regulatory mechanism for the proposed agriculture-related use. A blanket "Commercial" rezoning would be inappropriate, as it could open the door to a wide range of non-agricultural commercial uses that would conflict with the rural and agricultural character of the area.
- **Property Values and Taxation:** In Ontario, municipal land use planning decisions made under the Planning Act are evaluated based on policy conformity and land use impacts, rather than speculative impacts on property values. Furthermore, property taxation and assessment classifications are administered by the Municipal Property Assessment Corporation (MPAC) based on the actual use of the land, which falls outside the scope of a Zoning By-law Amendment.
- **Property Maintenance (Pests):** The facility's operations will be subject to the City's Property Standards By-law and applicable health regulations, which require properties to be maintained in a condition that prevents pest infestations.

Additionally, the applicant's operational model involves receiving seeds and processing seeds with all packaging occurring indoors, which mitigates external attractants.

Conclusion:

The proposal represents good land use planning by facilitating an agriculture-related commercial use that is compatible with the broader agricultural and rural character of the area. The application has been comprehensively evaluated and is consistent with the Provincial Planning Statement (2024) and conforms to the rural and agricultural policies of the City of Kawartha Lakes Official Plan, 2012, as well as the general intent of the Township of Emily Comprehensive Zoning By-law 1996-30.

By utilizing existing agricultural structures and implementing site-specific regulatory safeguards—specifically the 2,600 square metre Gross Floor Area cap and the concurrent Site Plan Control process—the proposed Zoning By-law Amendment ensures the operation remains at an appropriate scale. The proposed facility will support the rural economy without negatively impacting surrounding farming operations, existing municipal infrastructure, or identified natural hazards.

Staff respectfully recommends that the Zoning By-law Amendment respecting application D06-2025-004, substantially in the form attached to this Report, be approved and adopted by Council.

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email Robert Wilson at dillonplanning@kawarthalakes.ca.

Attachments:

Appendix A – Location Map (see below)

Appendix B – Aerial Map (see below)

Appendix C – Concept Plan (see below)

Appendix D – Draft Zoning By-law Amendment & Schedule



ZBA PLAN2026-021 -
964 Hayes Line, Emil

Appendix E – Draft Rural Zoning By-law Amendment & Schedule



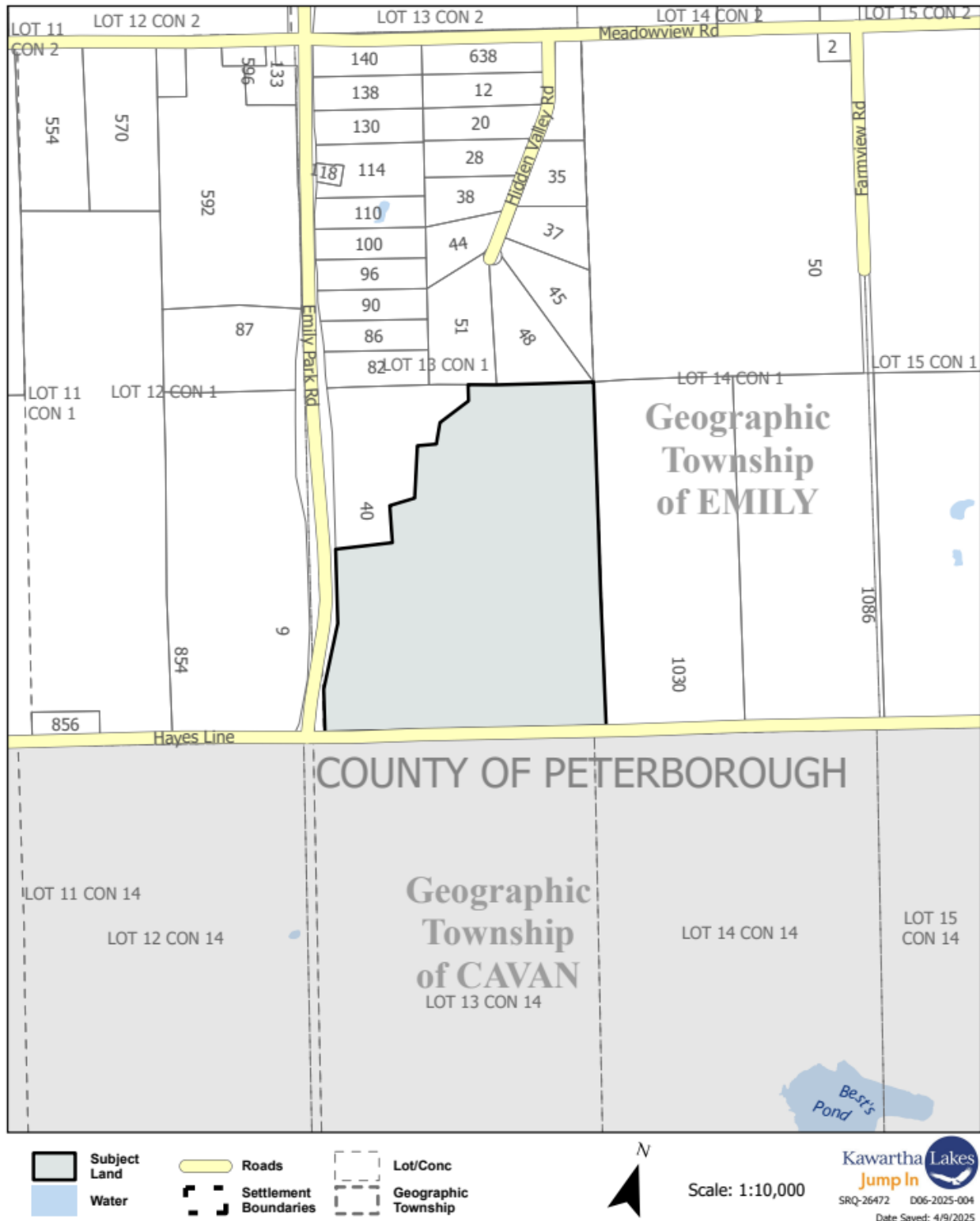
ZBA PLAN2026-021 -
964 Hayes Line, Emil

Department Head: Leah Barrie, Director of Development Services

Department Head email: lbarrie@kawarthalakes.ca

Department File: D06-2025-004

Appendix A - Location Map



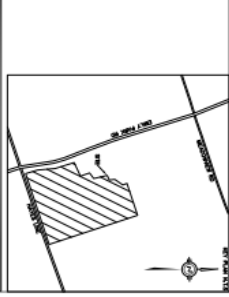
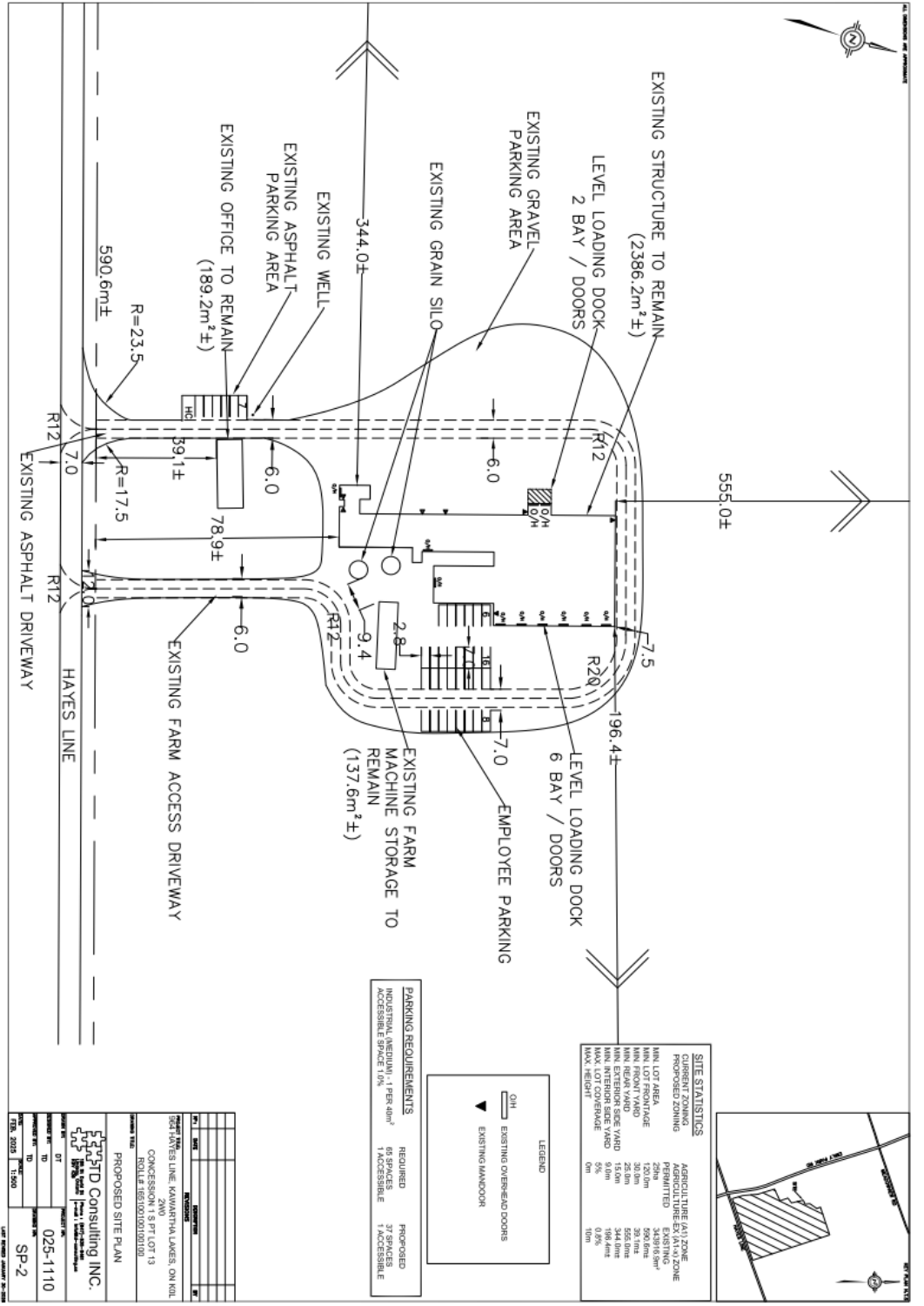
Boundaries delineated in this map are approximate only.

Appendix B – Aerial Map



Application to Amend

Appendix C – Concept



SITE STATISTICS

CURRENT ZONING	PROPOSED ZONING	AGRICULTURE (A1) ZONE	AGRICULTURE EX (A1) ZONE
MIN. LOT AREA	2500m ²	120.0m	340.0m ²
MIN. LOT FRONTAGE	25.0m	30.0m	30.0m
MIN. FRONT YARD	3.0m	2.0m	2.0m
MIN. EXTERIOR SIDE YARD	1.5m	1.5m	1.5m
MIN. INTERIOR SIDE YARD	1.5m	1.5m	1.5m
MAX. HEIGHT	10m	10m	10m



PARKING REQUIREMENTS

INDUSTRIAL (MEDIUM)	REQUIRED	PROPOSED
1 PER 40m ²	37 SPACES	37 SPACES
1 ACCESSIBLE	1 ACCESSIBLE	1 ACCESSIBLE

PROPOSED SITE PLAN

NO.	DATE	REVISION

PREPARED BY: R. J. [Name]
DESIGNED BY: R. J. [Name]
CHECKED BY: R. J. [Name]
DATE: 2025-11-10
PROJECT NO.: 025-1110
SCALE: 1:500
SP-2