



**Regular Council Meeting**

<b>To:</b>	Mayor and Council
<b>Date:</b>	March 3, 2025
<b>From:</b>	Matt Wilkinson, Planner
<b>Report Number:</b>	PEB 2025-13
<b>Subject:</b>	Zoning By-law Amendment (ZBA-09-24), 347 Sharpe Line

**Recommendations:**

1. That Council receive and consider all comments related to Zoning By-law Amendment Application ZBA-09-24; and
2. That By-law No. 2025-13 be approved to rezone a portion of the subject lands from the Agricultural (A) Zone to the Agricultural Exception Nineteen (A-19) Zone.

**Overview:**

The owner of 347 Sharpe Line, Mark Travers, wishes to amend the zoning on the subject lands to permit an accessory apartment in a detached agricultural accessory building.

Township Planning Staff deemed the Application complete November 4, 2024. The Application was placed on hold at the request of the Applicant until early 2025.

The Application applies to an existing lot of record located at 347 Sharpe Line in Part of Lot 5, Concession 10 (Cavan). The subject lands are approximately 40.5 hectares (100 acres) in size with approximately 510 metres (1,700 feet) of lot frontage on Sharpe Line. The property is currently developed with a single detached dwelling approximately 743 square metres (4,688 square feet) in size. The house is serviced with a private well and septic system.

The Applicant wishes to construct an accessory apartment, approximately 185 square metres (2000 square feet) in size, attached to a 185 square metre (2000 square foot) accessory building on private services within the residential cluster on the subject property.

The lands subject to the Application are zoned Agricultural (A) and Natural Linkage (NL) as shown on Map C-1 to By-law No. 2018-58, as amended.

A Zoning By-law Amendment is required to permit an accessory apartment in an accessory building.

A Key Map and aerial image showing the location and surrounding area of the subject lands are provided as Attachment Nos. 1 and 2 to this Report. The site plan submitted with the Application is provided as Attachment No. 3.

### **Zoning By-law Amendment**

The purpose and effect of the Zoning By-law Amendment is to rezone a portion of the property from the Agricultural (A) Zone to the Agricultural Exception Nineteen (A-19) Zone. The A-19 Zone will permit a detached accessory apartment attached to an accessory building. The By-law will also define 'residential cluster' for this property.

A complete copy of draft By-law No. 2025-13 is provided as Attachment No. 4 to this Report.

### **Response to Notice**

Notice of the Zoning By-law Amendment Application was circulated, by first class prepaid mail, to all assessed persons within 120 metres (400 feet) of the lands affected by the Zoning By-law Amendment application. Notice was provided by email to applicable Ministries and Agencies who requested notice by email and to all Township Department Directors. A sign was posted on the Sharpe Line frontage of the subject property and the Notice of Public Meeting was posted on the Township website. The Notice complies with the requirements of the Planning Act.

To date, Township Staff have not received any written or verbal comments about the proposed Amendment from members of the public.

Township Staff have no objections to the Application. A site plan showing the proposed entrance along with a grading & drainage plan is required for review during the building permit application stage.

The Kawartha Pine Ridge District School Board, Canada Post and Enbridge Gas, have no objection to the Application.

Otonabee Region Conservation Authority (ORCA) Staff confirmed that the Application is consistent with Section 5.1 of the Provincial Planning Statement (PPS) regarding hazards, that a permit is not required from the Authority for the development and the subject property is not located within an area that is subject to the policies of the Source Water Protection Plan (SPP).

### **Township of Cavan Monaghan Official Plan**

The subject lands are currently designated Agricultural and Natural Linkage in the Township of Cavan Monaghan Official Plan as shown on Schedule 'A' to the Township's Official Plan. The proposed development is located in the Agricultural designation.

The Agricultural designation applies to lands which have a high capability for agriculture. Lands that generally have soil Classes 1, 2 and 3 according to the Canada Land Inventory and are predominantly used for agriculture are in the Agricultural designation as identified on Schedule A (S. 5.1).

Single detached dwellings and agricultural and residential accessory structures are permitted in the Agricultural designation (S. 5.1.2).

Section 3.9 of the Township Official Plan permits accessory apartments in all designations that permit residential units, including the Agricultural designation. Section 3.9 also requires the accessory apartment to be developed in conjunction with a single detached dwelling unit. Adequate servicing must be available. The roads must be of a standard that can accommodate the increased use. Adequate parking for the unit and buffering must be provided where necessary. The development cannot adversely affect the character of the area, and the development must comply with the Ontario Building Code.

The subject property is an active agricultural property. The accessory building will be located in the residential cluster and will not interfere with the agricultural area. The accessory apartment will be permitted in conjunction with the existing single detached dwelling. Township Building Department Staff confirmed that private servicing for the accessory apartment can be accommodated. Public Works Department Staff confirmed that Sharpe Line can accommodate the increased use. The site is large enough to accommodate the required parking spaces for a single detached dwelling and an accessory apartment. The new unit will not adversely affect the character of the area because of the size of the lot. A building permit is required for the proposed development.

New residential development must comply with the Minimum Distance Separation Formulae (MDS) as outlined in Section 3.27 of the Official Plan (S. 3.14.1 a) xiv)). An MDS 1 setback is required for all proposed amendments to rezone land to permit development in agricultural areas. Using the Peterborough County GIS a barn capable of housing livestock appears to be located on 404 Morton Line approximately 600 metres (1970 feet) south of the development envelope. Township Staff contacted the owner of 404 Morton Line who confirmed that no livestock are in the barn. A MDS 1 calculation was completed for the unoccupied barn. The proposed development is outside the calculated radius intended to prevent land use conflicts and minimize nuisance complaints from odour.

New development is required to have frontage on a road that is maintained year-round by a public authority. No development should be permitted that creates a traffic hazard because of excess traffic generation or limited sight lines on curves or grades. Sharpe Line is a Township Road maintained year-round. A new entrance will not be required to support the accessory apartment.

The Application conforms to the Township Official Plan.

### **Peterborough County Official Plan**

The subject property is part of the Rural and Cultural Landscape in the County of Peterborough Official Plan (County OP). The goal of the Rural and Cultural Landscape is to preserve and enhance the rural character of the County as a cultural resource and ensure the viability of the agricultural industry.

The Objectives of the Rural and Cultural Landscape area are:

- to permit an amount and type of development in the rural area consistent

- with maintaining its rural and cultural landscape;
- to reinforce the historical relationship between settlement areas and the surrounding farm community to which the settlement areas provide basic services;
- to provide for limited rural development and to ensure that such development does not threaten the quality or quantity of ground and surface water;
- to ensure that the agricultural industry remains viable;
- to preserve prime agricultural soils and protect farms, where possible, from activities and land uses which would limit productivity or efficiency;
- to encourage compatible economic diversification including greater flexibility for on-farm activities, home-based businesses and agri-tourism;
- to preserve the farm community as an important social resource;
- to encourage local municipalities within similar watersheds to participate, coordinate and carry out sound land use and environmental management practices.

The proposed accessory apartment will be attached to an agricultural accessory structure consistent with the rural landscape. The accessory structure will be within 65 metres of the principal dwelling. The development will not interfere or negatively impact the agricultural use on the property.

The Application conforms to the County Official Plan.

### **Provincial Planning Statement (2024) (PPS)**

Section 2.6 of the PPS speaks to Rural Lands located in municipalities. Section 2.6.1 states that the permitted uses within the rural lands shall include:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) residential development, including lot creation, that is locally appropriate;
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses.

The Zoning By-law Amendment will permit an accessory apartment attached to an agricultural accessory structure on the subject property. With the approval of By-law No. 2025-13 a locally appropriate and diverse residential development will be permitted.

The Application is consistent with the PPS.

### **Financial Impact:**

The Applicant has paid the required Zoning By-law Amendment Fee.

### **Attachments:**

Attachment No. 1: Key Map  
Attachment No. 2: Aerial Image of the Surrounding Area

Attachment No. 3: Site Plan  
Attachment No. 4: By-law No. 2025-13

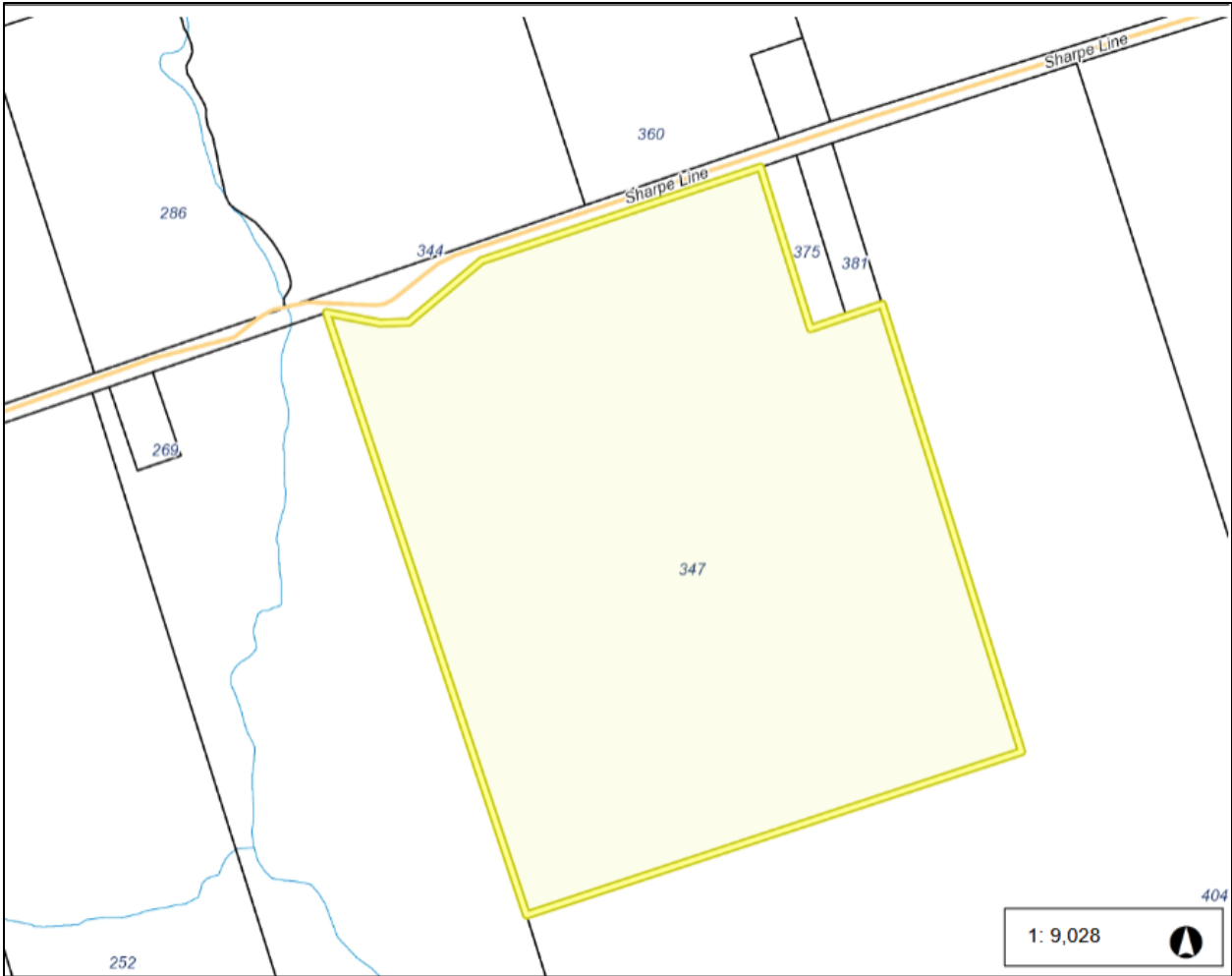
Respectfully Submitted by,

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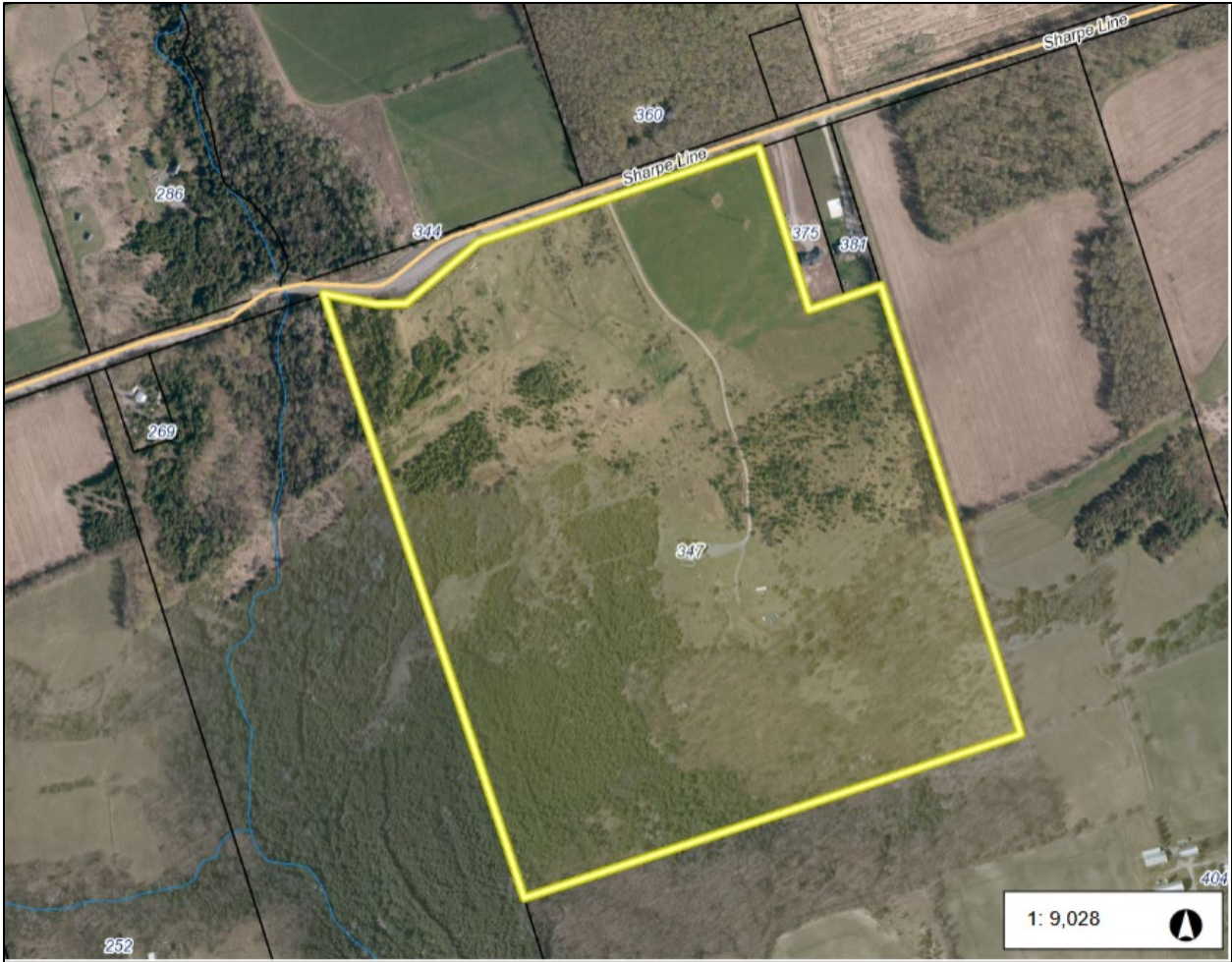
Matt Wilkinson  
Planner

Yvette Hurley,  
Chief Administrative Officer

Attachment No. 1: Key Map



**Attachment No. 2: Aerial Image of the Surrounding Area**





Attachment No. 3: Site Plan

