



THE CORPORATION OF THE TOWNSHIP OF KING
Report to Committee of the Whole

Monday, March 20, 2023

Growth Management Services Department - Planning Division
Report Number GMS-PL-2023-17
Recommendation Report
Zoning By-law Amendment Application, File No. Z-2022-15
860 19th Sideroad
Part of Lots 31 and 32, Concession 2
Owner: Sarah Gairdner
Agent: Thorstone Consulting Services Inc.

RECOMMENDATION(S):

The Director of Growth Management Services respectfully submits the following recommendation(s):

- A. That Zoning By-law Amendment Application Z-2022-15 submitted by Thorstone Consulting Services Inc. pertaining to lands municipally known as 860 19th Sideroad, **BE APPROVED**, for the purpose of establishing site-specific zoning permissions for a secondary dwelling to be constructed on the subject property for farm help accommodation; and
- B. That the draft implementing Zoning By-law 2023-031 and By-law 2023-032, attached as Appendix A and B, be enacted.

REPORT HIGHLIGHTS:

- The Owner has submitted an Application for Zoning By-law Amendment for the property located at 860 19th Sideroad.
- The purpose of the Zoning By-law Amendment Application is to establish site-specific zoning permissions for a new principal dwelling to be constructed on the subject property, and allow the conversion of the existing dwelling for farm help accommodation, for a total of two dwellings.
- The Planning Division recommends that the Zoning By-law Amendment Application be approved, and that the implementing Zoning By-laws be enacted by Council.

PURPOSE:

The purpose of this Report is to provide a detailed review and recommend approval of the subject Zoning By-law Amendment Application.

BACKGROUND:

The purpose of the Zoning By-law Amendment Application is to establish site-specific zoning permissions for an additional dwelling to be constructed on the subject property for the purposes of farm help accommodation. More specifically, the Application proposes to facilitate the conversion of the

existing 158 square metre detached dwelling into a dwelling for farm help accommodation, and to permit the construction of a new principal detached dwelling with a ground floor area of 474 square metres.

A Statutory Public Meeting of Council was held on January 30th, 2023 to present the Application to and obtain comments from Council and the Public. There were no comments received from the Public during this meeting. At the completion of the Public Meeting, Council directed Planning Staff to continue the review of the subject Application and report back to Council with a further recommendation Report.

Notice of this matter being considered by Council has been sent to agencies who provided comments. No individuals registered as an interested party for this Application. There have been no comments received to-date from the Public.

After the Public Meeting, Planning Staff provided final comments to the Applicant with respect to the requested Amendment. No revisions were requested to this proposal.

ANALYSIS:

Provincial Policy and Plans

The subject property is located within the Oak Ridges Moraine Conservation Plan (ORMCP) area and is designated Natural Core Area. The purpose of the Natural Core Area designation is to maintain, and where possible, improve or restore the ecological integrity of the Plan Area. The ORMCP permits agricultural, agricultural-related uses, and uses accessory thereto within the Natural Core Area. Uses associated with on-farm buildings and structures, including accommodations for full time farm labour, are defined as an agricultural use.

The proposal is consistent with the Provincial Policy Statement (2020), and conforms to the Growth Plan, A Place to Grow (2020) and the ORMCP (2017).

Region of York Official Plan

The Region of York's Official Plan (ROP) (July 2022) was approved by the Minister of Municipal Affairs and Housing on November 4th, 2022. The subject site is identified as being within the "Agricultural System" and within the "Regional Greenlands System" overlay on Map 1. Within Map 1A, the property is further identified as being within a "Rural Area" and is designated "Oak Ridges Moraine Natural Core" in Map 1C. Furthermore, Woodlands are located on site as per Map 5.

Policy 5.2.6 permits additional residential structures for farm help required for agricultural uses on the farm, subject to local municipal requirements and if grouped with existing farm structures. The subject Application conforms to the ROP.

Township Official Plan 'Our King'

The Township of King Official Plan "Our King", designates the subject property 'Oak Ridges Moraine (ORM) Natural Core Area' on Schedule 'B' and 'Natural Heritage System' on Schedule 'C'. Woodlands are identified to be on the subject property within Schedule 'C1' and Schedule 'G' identifies the property to be within a Wellhead Protection Area, WHPA-D.

The 'ORM Natural Core Area' designation is principally intended for properties used for conservation purposes while recognizing existing agricultural uses. It is the intent of this land use designation to

implement the policies of the ORMCP, which are intended to ensure the retention and enhancement of natural and hydrologic features, while permitting agricultural uses to continue.

Section 3.8.3 of the Official Plan prescribes policies for where farm help accommodation is permitted which include, amongst several other criteria, that: “a farm help dwelling shall only be permitted if it is exclusively devoted to accommodating full-time farm labour and it is demonstrated that the nature of the farm operation requires the additional accommodation to be located on-farm”.

The proposal for the secondary dwelling for farm-help accommodations conforms to the policies of the Official Plan. Further discussion with respect to the nature of the farm operation and farm labour is provided below.

Zoning By-law 74-53, as amended, & Zoning By-law 2022-53

The property is zoned Rural General “RU1” within Zoning By-law 74-53, as amended. On March 9, 2005, Council adopted a By-law that re-zoned all properties within the Oak Ridges Moraine Conservation Plan (ORMCP) area to comply with the provisions of the Provincial Plan. Under the Oak Ridges Moraine Conformity By-law (By-law 2005-23), the subject lands are zoned Oak Ridges Moraine Natural Core and Linkage (ORMNCL) and Oak Ridges Moraine Feature Protection (ORMFP). The Oak Ridges Moraine Conformity By-law applies as an amendment to Zoning By-law 74-53.

The By-law for the Countryside (2022-053) was adopted by Township Council on September 26, 2022, and 17 appeals to the By-law were received. As such By-law 74-53 remains in effect until the appeals are scoped or resolved, thus allowing the By-law to come into force, in whole or in part. Zoning By-law 2022-053 establishes transition provisions for planning applications. The transition provisions do not account for Zoning By-law Amendment applications that were submitted prior to the adoption of the By-law. Therefore, if the Application were to be approved it would need to be applicable to both By-laws (74-53 and 2022-53) to ensure that the approval carries over when the new By-law comes into force and effect. The Application has been therefore been assessed for compliance with both Zoning By-law 74-53, as amended, and Zoning By-law 2022-53.

Within Zoning By-law 2022-53, the property is zoned Oak Ridges Moraine Feature Protection “ORF” and Oak Ridges Moraine Natural Core and Linkage “ORL”.

Through the subject Application, site-specific zoning is proposed to facilitate the development of an additional dwelling for farm help accommodation on the subject lot. The appropriate exception zone categories have been proposed in the draft By-laws attached to this Report.

Draft Zoning By-law Amendment

The Draft Zoning By-law Amendments (Appendix A and B) provide the site-specific provisions proposed to be enacted for the subject property. The draft Zoning By-law Amendment Schedules have also been prepared. The Schedules identify the lands that are proposed to be re-zoned to permit the farm help dwelling.

Planning Discussion

The draft Zoning By-law Amendments identify one (1) additional permitted use being a single detached dwelling for the use of persons employed on the property. This permission has been reviewed against the aforementioned sections of the Official Plan.

The property owner has submitted a farm manager letter (attached as Schedule 3), which indicates the need for accommodation for additional farm help workers is necessary. The letter provides a list of typical necessary activities for the agricultural operation to function, which includes: farm crop harvest work; managed forest coordination, logging harvest, and annual thinning; tractor and miscellaneous machine maintenance and repair work; orchard planning, maintenance, and harvesting; seasonal spraying for invasive plant species; and maple syrup harvesting and processing work. Planning Staff is satisfied that the need for farm help workers and accommodations has been demonstrated and therefore are supportive of the approval of the Application.

Agency Review

The subject Application has been circulated for review and comment to various internal Township Departments and external agencies. No concerns have been identified through the review of the Application.

FINANCIAL CONSIDERATIONS:

The property at 860 19th Sideroad currently assessed at \$362,700 Residential Current Value Assessment (CVA), \$229,600 Farmland, \$389,700 Managed Forest for a total CVA is \$982,000. The account is current within finance as of March 9, 2023.

All associated fees have been submitted in addition, any external costs incurred by the Township through the processing and review of this application will be recovered by the applicant in accordance with the Township's standard practice and the acknowledgement through the application form.

ALIGNMENT TO STRATEGIC PLAN:

The 2019-2022 Corporate Strategic Plan was formally adopted by Council on September 21, 2020 which emphasizes all of the ICSP Pillars (Financial, Economic, Socio-Cultural and Environmental) and is also aligned with the long-term vision defined in the Official Plan. The 2019-2022 Corporate Strategic Plan aims to ensure staff initiatives focus on current Term of Council priorities in support of the Township's long-term vision to 2031.

This report is in alignment with the CSP's Priority Area(s), associated Objective(s) and/or Key Action(s):



**Cultivating Safe,
Healthy and
Resilient
Communities**

Fostering Healthy, Diverse and Complete Communities

This Report is aligned with the 2019-2022 CSP **Priority Area: Cultivating Safe, Healthy and Resilient Communities** and its associated **Objective of Fostering Healthy, Diverse and Complete Communities**. Staff's review of these Applications has taken these objectives into consideration as part of the overall planning and design of the development and through consideration of the public comments and input received throughout the review process.

CONCLUSION:

The purpose of this Report is to provide recommendations to Council with respect to the proposed Zoning By-law Amendment Application to allow for an additional dwelling for farm help accommodation. Planning Staff is satisfied that the review has advanced, and that the Application is consistent with the objectives of the Township's Official Plan, the Provincial Policy Statement, the Growth Plan and the Region of York Official Plan. As such, Planning Staff respectfully recommends that Council support the proposed Zoning By-law Amendment Application.

ATTACHMENTS:

[Schedule 1 - Location Map](#)

[Schedule 2 - Site Plan](#)

[Schedule 3 - Farm Manager Letter](#)

Prepared By:

Felix Chau
Planner I

Recommended By:

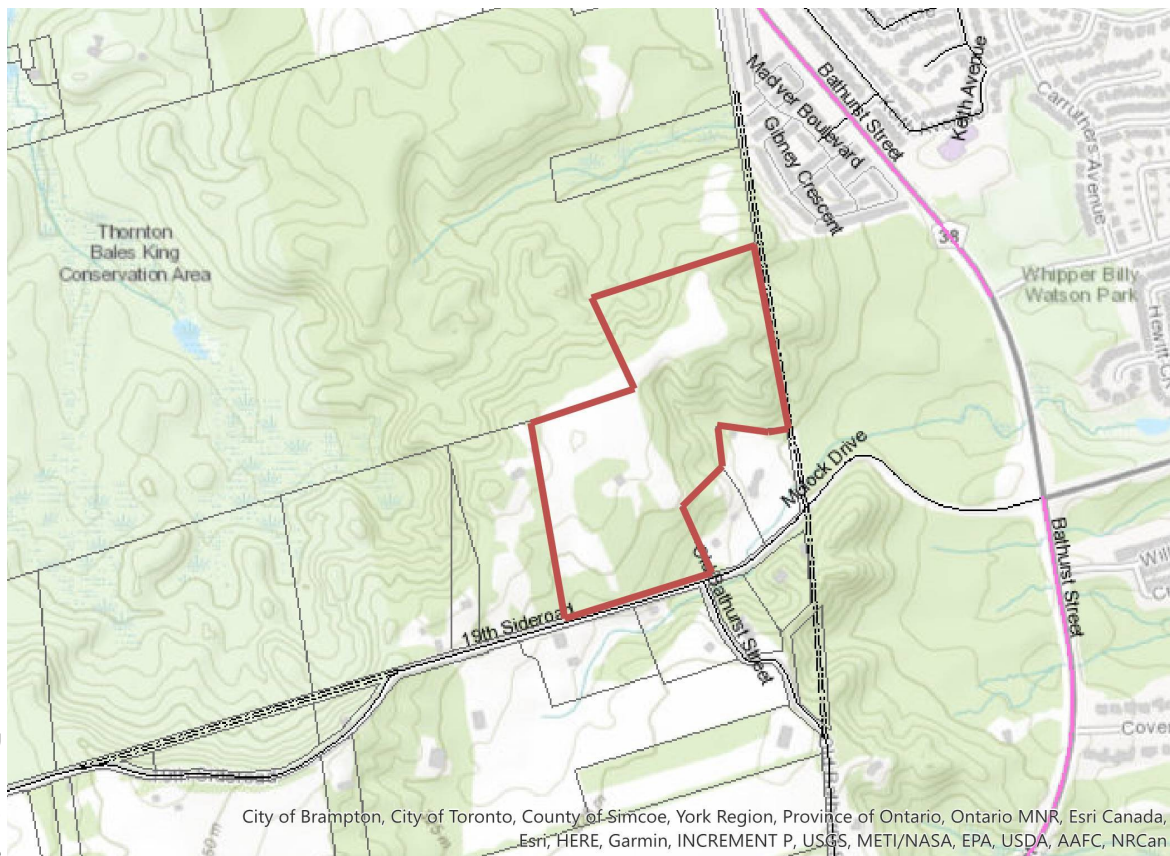
Stephen Naylor
Director of Growth Management Services

Prepared By:

Gaspere Ritacca
Manager of Planning and Development

Approved for Submission By:

Daniel Kostopoulos
Chief Administrative Officer



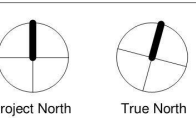
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any part of this drawing without the written
approval of the Architect is to be held for
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GENERAL NOTES

1. Drawings are not to be scaled. Contractor
will verify all existing conditions and
dimensions required to perform the work
and will report any discrepancies with the
Contract Documents to the Architect before
commencing work.
2. In conjunction with all other Contract
Documents including the Project Manual
and the Structural, Mechanical and
Electrical Drawings, in cases of difference
between the Consultant documents with
respect to the quantity, size or scope of
work, the greater shall apply.
3. Location of existing or future
Mechanical or Electrical devices, fittings
and fixtures are indicated on the
Architectural Drawings. Locations shown
on the Architectural Drawings shall govern
over Mechanical and Electrical Drawings.
Mechanical and Electrical items not clearly
located will be located as directed by the
Architect.
4. Dimensions indicated are taken between
the faces of finished surfaces unless
otherwise noted.
5. The Architect has not been retained for
supervision of construction and assumes
no responsibility for means, methods and
sequence of construction.
6. These documents are not to be used for
construction unless specifically noted for
such purpose.

Rev. Date Issued

880-19th Sideroad, King City, Ontario
L7B4K5



SCALE
PROJECT NO.
ISSUE DATE

8.22.2022

SITE PLAN

A-0.8

SITE STATISTICS
SITE AREA: 52.8 ACRES (213747.6 SM)

EXISTING BUILDING (TO BE CONVERTED TO FULL-TIME FARM HELP RESIDENCE)
TOTAL AREA: 1,700 SF

EXISTING OUTBUILDINGS
TOTAL AREA: 3,008 SF

NEW RESIDENTIAL 1 STOREY DWELLING:
GROUND FLOOR AREA: 5,100 SF GROUND FLOOR

30 m WOODLAND SETBACK

PROPOSED 1 STOREY DWELLING

EXISTING DRIVEWAY

EXISTING OUTBUILDINGS

EXISTING BUILDING TO BE
CONVERTED TO FULL-TIME
FARM HELP RESIDENCE

EXISTING DRIVEWAY

To Whom It May Concern:

In June of 2018 we were able to finally purchase our dream property at 860-19th Sdrd, King City. We are life-long outdoor enthusiasts with a passion for forest conservation, sustainable farming, birding, and mountain biking. Despite the 1950's bungalow being in complete disrepair and having animals living in it when we purchased, we have slowly revitalized the 1700sqft home so we can enjoy the wonderful 53ac of Southern Ontario forest and farmland surrounding the modest home.

As our family has grown (3,6,8 year old kids) and our lives have gotten busier, we are finding it more and more demanding to keep up with all the demands of the property. Here is a non-exhaustive list of the typical items that need to be addressed on a weekly basis for the property to function properly and stay in good repair.

- 1) Annual farm crop harvest work and coordination
- 2) Managed forest coordination, logging harvest, and annual thinning
- 3) Access and recreational trail maintenance
- 4) Tractor, and miscellaneous machine maintenance and repair work
- 5) Outbuilding maintenance
- 6) Harvesting of hardwood for heating purposes throughout the winter months
- 7) Orchard planning, maintenance, and harvesting
- 8) Seasonal Spraying for invasive plant species
- 9) 1 km of gravel road repairs and maintenance work
- 10) 1 km of snow removal for residential and farm access
- 11) Hydro Line clearing of dead-fall and arborist work
- 12) Perimeter fence maintenance and repair
- 13) Security due to agency to Newmarket and related trespassing issues
- 14) Maple syrup harvesting and processing work

Given my wife and I both have full-time employment in addition to the property work outlined above, we have decided to hire a full-time farm/property management person. In order to have this role and the property function properly we are proposing to building a new residence for family, and use the current 1700sqft 1950's bungalow for our property manager to live in and take care of the property from.

We trust that this is all clear, but please do not hesitate to reach out if you require any further information regarding our go forward plans for the property.



Sarah & William Gairdner

Aug 24th