



## Report to Council

To: Mayor and Members of Council of the Township of North Kawartha  
From: Emily Fitzgerald, BES (Hons.)  
Junior Planner for the Township of North Kawartha  
Reviewed By: Forbes Symon, R.P.P., M.C.I.P., Senior Planner, Jp2g Consultants Inc.  
Date: February 4, 2024  
Subject: Report on Application to Remove Holding (H) Provision ZA-09-24

---

### Recommendation

That subject to any public or agency comments received, Council proceed to enact a By-law having the effect of removing the Holding (H) Provision on the subject property.

### Subject Property

Municipal (911) Address:	8786 Highway 28
Roll Number:	1536-020-002-18200
Property Owners:	Rosemary Murray
Applicant:	Property Owner
Lot and Concession:	Part of Lot 14, Concession 11
Ward:	Burleigh
Area:	23.8 hectares (58.9 acres)
Frontage:	372 metres (1,220 feet) on Highway 28; 345 metres (1,132 feet) on Long Lake Road
Official Plan Designation:	Rural
Zoning:	RU-278(H)
Access:	Highway 28 (Provincial Highway)

### Background

Application ZA-09-24 has been submitted by Rosemary Murray for the property located in Part of Lot 14, Concession 11, in the Burleigh ward, municipally known as 8786 Highway 28. The purpose of application ZA-09-24 is to remove a Holding (H) Provision.

On October 5, 2021, Council enacted by-law #2021-0084 which implements a previous application to amend the Zoning By-law, ZA-16-21. Application ZA-16-21 served to facilitate the creation of two lots to be developed for residential use. The RU-278(H) zone prohibits the keeping of livestock on the property, thereby eliminating conflicts with the Minimum Distance



Separation I (MDS I) setbacks between the existing barn and proposed residential lots along Long Lake Road which have since been created. The Holding (H) Provision was applied to ensure that comments issued by the Ministry of Transportation (MTO) regarding application ZA-16-21 were appropriately addressed. Specifically, the Holding (H) Provision requires that the northern field entrance to the property from Highway 28 be removed and the right-of-way restored to the satisfaction of the MTO.

### **Analysis**

The Planning Department has since received correspondence between MTO and the applicant confirming that the northern field entrance has been removed and the right-of-way restored to the satisfaction of the MTO (Attachment #2). As such, the condition for removing the Holding (H) Provision has been fulfilled.

It is therefore appropriate for Council to now proceed with passing a by-law (Attachment #3) to remove the Holding (H) Provision from the zoning of the subject property. The by-law would serve to change the zoning of the subject lands from 'Rural-278 (Holding) (RU-278(H))' to 'Rural-278 (RU-278)'.

### **Public and Agency Comments**

Notice of application ZA-09-24 was given via the Township's website on January 15, 2025. At the time of writing this report, no public or agency comments were received. Any comments received will be provided to Council prior to or during the public hearing.

### **Financial Implications**

No financial implications are anticipated as a result of approval of application ZA-09-24.

### **Concluding Comments**

Given that the condition for removing the Holding (H) Provision has been fulfilled, it is recommended that application ZA-09-24 requesting the removal of the Holding (H) Provision on the subject property be approved.

All of which is respectfully submitted,

Emily Fitzgerald, BES (Hons.)  
Junior Planner  
Township of North Kawartha

### **Attachments**

- Attachment #1 – Notice of Public Meeting
- Attachment #2 – MTO Clearance
- Attachment #3 – Draft Amendment to Zoning By-law