



STAFF REPORT PUBLIC MEETING OF PLANNING

March 28, 2022

TO: Mayor and Council Members

FROM: Jacob Rheaume, Director of Building, By-law & Planning

RE: Z-02-2022 Public Meeting of Planning Staff Report - Lemoine.docx

Owner: Marc & Estelle Lemoine
125 Front Road, Hawkesbury, ON

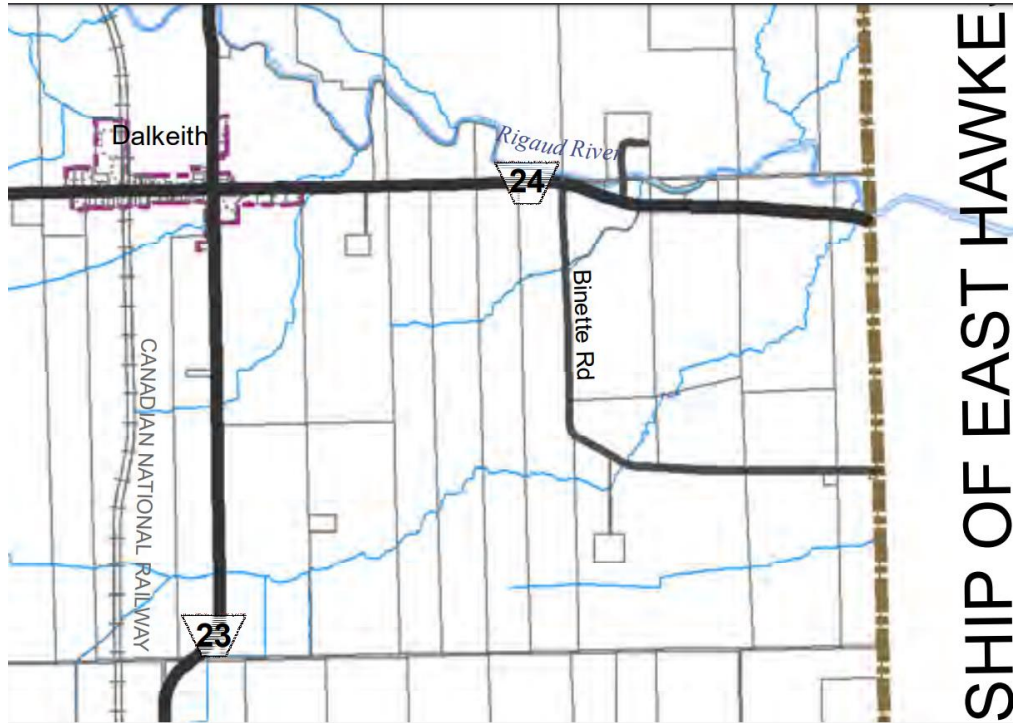
Agent: Cynthia Lemoine

Location: 22090 Laggan-Glenelg Road, Dalkeith, ON
Con 6, Part Lot 5, former Lochiel Township





Official Plan designation: Agricultural Resource Lands



Zoning designation: General Agricultural (AG) & Floodplain (FP)



Purpose of application:

- To re-zone the property from General Agriculture (AG) to General Agriculture-Special Exception (AG-200) to permit a secondary dwelling (single detached home) on the subject lands.

Discussion: the subject lands have a frontage of about 190.6m (625 feet) with an area of approximately 103.42 acres. The Planning Department received a request from the applicant, being Marc & Estelle Lemoine via their daughter/agent Cynthia Lemoine, to rezone the property from General Agriculture to General Agriculture-Special Exception to permit a secondary dwelling (single detached home) on the subject lands.

The current General Agricultural zoning permits only one (1) single detached dwelling and an accessory apartment, secondary dwellings are currently not permitted, they are however encouraged in the Provincial Policy Statement, and allowed in the SDG Counties Official Plan. On January 1, 2012, the Planning Act was amended to encourage/allow municipalities to authorize secondary dwelling units within their Official Plans and Zoning By-laws, it also provides that Official Plan Policies and implementing Zoning By-laws should permit secondary dwelling units in single detached, semi-detached and row houses, or in a detached structure..

Secondary dwelling units increase the supply and range of affordable rental accommodation. In addition, they benefit the community in many ways as they:

- a) Allow homeowners to earn additional income to help with the ownership costs; and,*
- b) Support changing demographics by providing more housing options for extended families or elderly parents, or for live-in caregivers.*

The new dwelling would be constructed East of the existing dwelling. It would have its own private septic system and private water supply. Both are of no concern from a planning, geological, environmental, nuisance, or building code standpoint. They will also use the same driveway; a new civic number will be issued for the new proposed dwelling.

Designs for the new dwelling have not started at this time as the owner wanted to confirm the construction was allowed before investing in architectural drawings, and septic designs. The new dwelling will comply with our current Zoning By-law, and will have to comply with Ontario Building Code, requiring a building permit.

The surrounding official plan designations are mostly Agricultural Resource Lands.

The surrounding zoning designations are mostly General Agricultural (AG) and Restricted Agricultural (AR) because of proximity to Dalkeith, with most of the surrounding uses being rural residential properties, no intensive livestock operations are close-by, farming operation close-by consist mostly of cash crop/hay storage farms.

Planning Act

The Ontario Planning Act gives municipal Councils the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. The Planning Act also requires that in making planning decisions Council must have regard for matters of Provincial Interest. The Planning Act requires that Council's decisions must be consistent with the Provincial Policy Statement, and conforms with the Stormont, Dundas and Glengarry Official Plan which apply to the lands.

Provincial Policy Statement (2020)

The Provincial Policy Statement, also known as the "PPS", provides policy directions on matters of provincial interest related to land use planning and development. It aims to provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 1.1.1 supports Healthy, livable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, accommodate an appropriate affordable and market-based range and mix of residential types, (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons) and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives. Secondary dwelling units in agricultural areas are consistent with the Provincial Policy Statement 2020.

SDG Counties Official Plan (2018)

The SDG Counties Official Plan permits dwellings and secondary dwellings in Agricultural Resource Lands. SDG Counties planning Staff have confirmed the application conforms to the SDG Counties Official Plan. They were notified of the proposed Zoning Amendment and offered no comments or concerns regarding the proposed application.

No members of the public have offered comments or concerns regarding the proposed application.

In conclusion, based on the criteria above, the proposed zoning amendment conforms to the relevant policies of the Official Plan, it is consistent with Provincial Policy Statement and with the intent and purpose of the United Counties of Stormont Dundas and Glengarry's Official Plan. It also promotes the efficient use of land, and it is deemed appropriate for the subject lands.