

## STAFF REPORT PUBLIC MEETING OF PLANNING

**DATE:** June 27, 2022

**TO:** Mayor and Council Members

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

**RE:** Zoning By-law Amendment No. Z-09-2022

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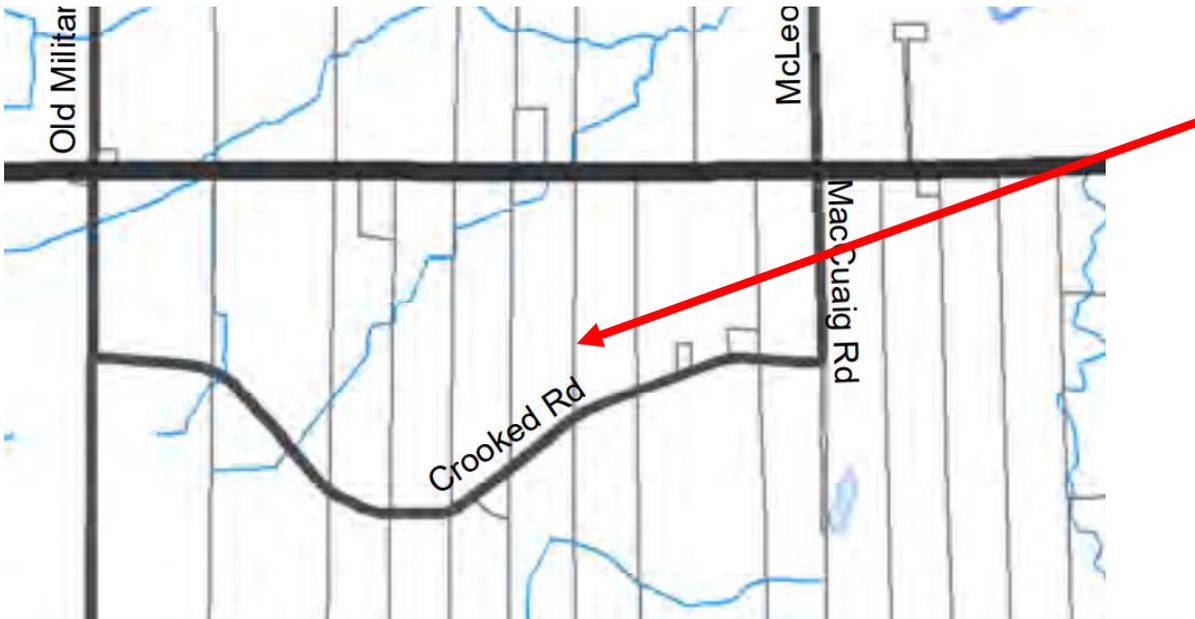
**Owner:** Glendalk Farms Ltd

**Location:** 21205 Crooked Road, Dalkeith, ON  
Lochiel Concession 6, Part Lots 21 & 22





**Official Plan designation: Agricultural Resource Lands**



**Zoning designation: General Agricultural (AG)**



**Purpose of application:** to re-zone both the severed and retained portion subject to Consent Application B-219-21 condition No. 5 & 6 as followed;

The **retained** portion of the property (80.84 acres) from General Agricultural (AG) to General Agricultural Special Exception (AG-208) to:

- prohibit residential development;
- acknowledge the reduction in the interior yard setback for agricultural buildings from the required 9m to the proposed 6m and;

The **severed** portion of the property (1.35 acres) from General Agricultural (AG) to General Agricultural Special Exception (AG-209) to:

- prohibit agricultural uses;
- acknowledge the reduction in the interior yard setback for storage buildings from the required 12m to the proposed 1m;
- acknowledge the reduction in the rear yard setback for storage buildings from the required 12m to the proposed 1m;
- acknowledge the reduction in the front yard setback for the existing single-family dwelling from the required 15m to the proposed 6m;
- permit the existing secondary dwelling on the property and;
- permit residential storage buildings to have a height at mid span of more than 5m.



**Discussion:** The subject land area is approximately 82.19 ac. The applicant received conditional approval from the United Counties of Stormont Dundas & Glengarry on April 28, 2022, to sever approximately 1.35 acres of land deemed surplus to the needs of the farming operation.

The owner has applied for a change-of-use permit for the old barn to be now considered an residential accessory storage building as it will remain on the severed portion, being the residential parcel. The barn structure will have to comply with the Zoning By-law setbacks to the newly created property lines. Prior to clearing the condition, the Chief Building Official will go on site to ensure the building is completely removed from all agricultural equipment, animals, manure, hay, etc. to issue the final for the change-of-use permit, and to ensure no other structure are creating a health and safety hazard for public and future owners, such as silos, other old buildings, etc.

The Chief Building Official will also have to confirm all exact setbacks to property as survey is not completed as this time. The required setback to all buildings, including septic system will have to be made compliant if not within the applied reductions.

There are currently two existing entrances on the property, one for the residential portion, which will remain, along with the existing civic number 21205, and another one for the field entrance located just East of the newly created property line that will also remain. A civic number could also be issued for the agricultural portion of the severance.

The surrounding official plan designation is Agricultural Resource Lands for all adjacent and neighboring properties.

The surrounding zoning is General Agricultural (AG) for all adjacent and neighboring properties.

The surrounding uses includes mostly agricultural cash crop/fields and livestock facilities, with some rural residential properties.

### **Provincial Policy Statement (2020)**

According to the Provincial Policy Statement (2020) lot creation in prime agricultural areas is discouraged and may only be permitted in certain circumstances. A residence surplus to a farming operation is the most common reason and is applicable to this application provided that:

The new lot will be limited to a minimum size needed to accommodate the use, accessory uses, and appropriate sanitary sewage and water services, and the planning authority ensures that new residential dwellings are prohibited on any remnant parcel or farmland created by the severance.

### **SDG Counties Official Plan (2018)**

The SDG Counties Official Plan Policy (8.12.13.3(7)) permits lot creation in agricultural lands for a residence surplus to a farming operation if the new lot will be limited to a minimum size needed to accommodate the use, accessory uses, and appropriate sanitary sewage and water services, and the municipality prohibits further dwellings (residential development) on the vacant retained lands created by the subject consent.

**In conclusion, based on the criteria above, the proposed zoning amendment conforms to the relevant policies of the United Counties of Stormont Dundas and Glengarry's Official Plan, it is consistent with Provincial Policy Statement and compliant with the Township of North Glengarry Zoning By-law No. 39-2000.**