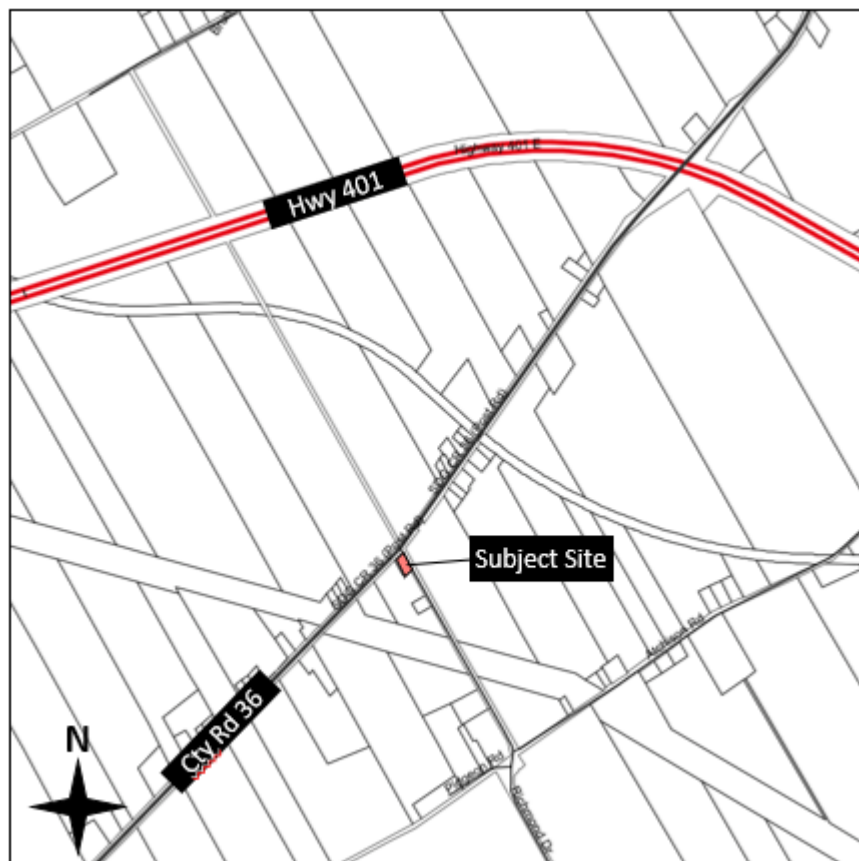


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**To:** Council  
**From:** Peter Young, Director of Planning / Building  
**Date of Meeting:** October 28, 2020  
**Subject:** By-law No. 2020-083 to Amend By-law No. 2011-100 (1947363 Ont Inc.) – Z-2020-05)  
**Roll Nos.:** 040600101292000  
**Owner/Applicant:** 1947363 Ont Inc.  
**Legal:** Concession 5, Part of Lot 25; Geographic Township of Cornwall, Township of South Stormont, 5450 Richmond Drive



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**Recommendation:**

That By-law No. 2020-083, being a by-law to amend By-law No. 2011-100, be read and passed in open Council, signed and sealed this 28th day of October 2020

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**Purpose:**

The purpose of the proposed amendment is to rezone the lands:

**From: Highway Commercial (CH)**

**To: Rural Industrial (MR)**

The proposal will allow for a Contractor's Shop or Yard and paint shop business to be established on the subject lands.

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**Background:**

The property is located at the corner of SDG 36 and Richmond Drive, northeast of Long Sault. An auto body shop and auto repair garage previously occupied the site. Currently there is a paint shop and contractor's yard within the building on-site, however these uses are not permitted under the current Highway Commercial zoning. The applicant has therefore requested a rezoning to Rural Industrial to permit these uses.

***Provincial Policy Statement (PPS)***

- a) The subject lands are located within a "*Rural Area*" and "*Rural Lands*", as defined by the PPS;
- b) Sections 1.1.4/1.1.5 of the Provincial Policy Statement outlines the policies applicable to rural areas/lands.
- c) The PPS states that opportunities to support a diversified rural economy should be promoted and to direct development to areas where it will minimize constraints on agriculture/resource-related uses
- d) The PPS further states that development that is compatible with the rural landscape and can be sustained by rural services levels should be promoted
- e) The site has a long history of highway commercial and industrial uses such as a body shop and is compatible with the rural landscape of the area.
- f) Considering the above, staff are of the opinion that the proposal is consistent with the *Provincial Policy Statement 2020*.

***United Counties of SDG Official Plan (OP)***

- a) The subject property is designated "*Rural District*" under the Official Plan (OP);
- b) Section 3.4.6 of the Official Plan states that the intent of the "*Rural District*" designation is to accommodate a variety of land uses that are

appropriate for a rural location and where it will not preclude continued agricultural/non-residential uses.

- c) Table 3.5 of the Official Plan outlines the specific permitted uses in the Rural District, which includes Highway Commercial uses on major roads. The proposed uses constitute a minor departure from the existing uses; however, they are only permitted under the rural industrial zone of the Zoning By-law.
- d) The OP requires a zoning by-law amendment to permit new industrial and commercial uses, such as machine and truck repair shops, building products yards, or contractors' yards within the Rural District. The proposal meets these requirements by being located along a major road (County Road 36) and in a location that would appear to be more appropriate for Rural Industrial uses than commercial, given that is located outside a settlement area and not within a high area of demand for retail and office uses.
- e) Considering the above, staff are of the opinion that the proposal conforms with the policies and direction established under the OP.

#### ***Township of South Stormont Zoning By-law (ZBL)***

- a) Under Zoning By-law No. 2011-100, the Subject lands are zoned Highway Commercial (CH) with the proposal to be rezoned to "Rural Industrial"
- b) Section 7.4 outlines the permitted uses and requirements of the Rural Industrial (MR) Zone. The subject lands and proposed uses would appear to generally comply with the minimum provisions of Section 7.4, except for the legal non-complying minimum lot size (0.98 acres).
- c) The rezoning would not constitute a major departure in activity/uses from the existing historical use of the site for highway commercial uses
- d) Any future improvements/major alterations to the site and/or buildings may require site plan control approval.
- e) Given that the lot is undersized, South Nation Conservation has reviewed the proposal regarding the servicing of the lot and did not have any comments or concerns.

#### ***Circulation / Comments Received***

The Notice of Public Meeting was sent via regular mail to all adjacent landowners within 120 metres of the subject lands and circulated via email to the prescribed list of persons and agencies outlined under Section 34 of the *Planning Act*. South Nation Conservation inquired regarding the servicing of the property, given that the lot is undersized. There is an existing holding tank which has serviced the current uses. No concerns were identified.

A public meeting was held on October 6, 2020 – no additional submissions were received.

No further comments or submissions have been received at the time of writing.

***Additional Information***

Attachment #1: Rezoning Concept

Attachment #2: Official Plan Map

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**Options:**

1. That By-law No. 2020-083, being a by-law to amend By-law No. 2011-100, be read and passed in open Council, signed and sealed this 28th day of October 2020
2. That Council defers consideration of the subject application.
3. That Council refuses the subject application.

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**Financial Impact:**

N/A

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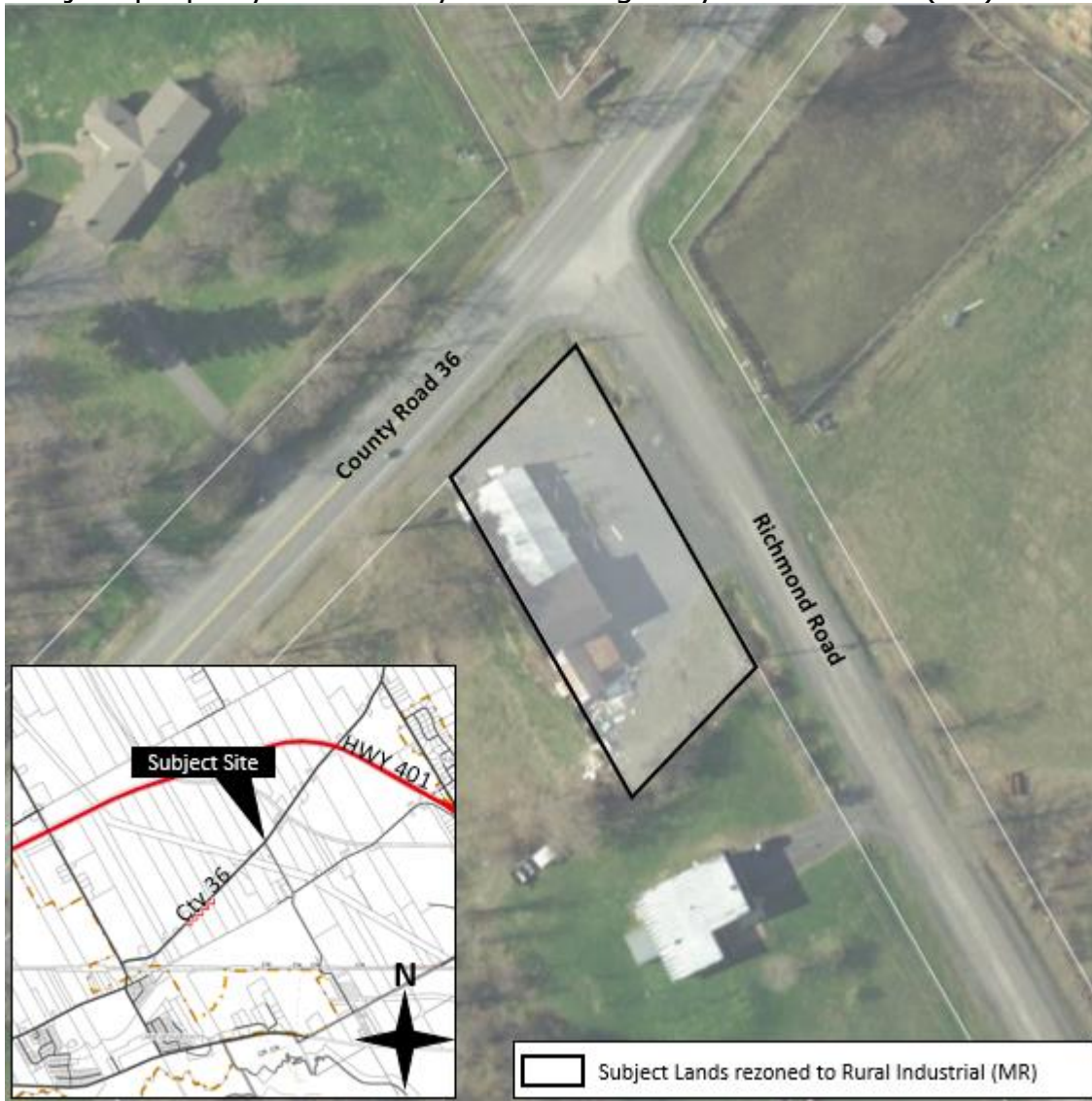
**Others Consulted:**

Senior Management

## **Attachment #1 – Rezoning Concept**

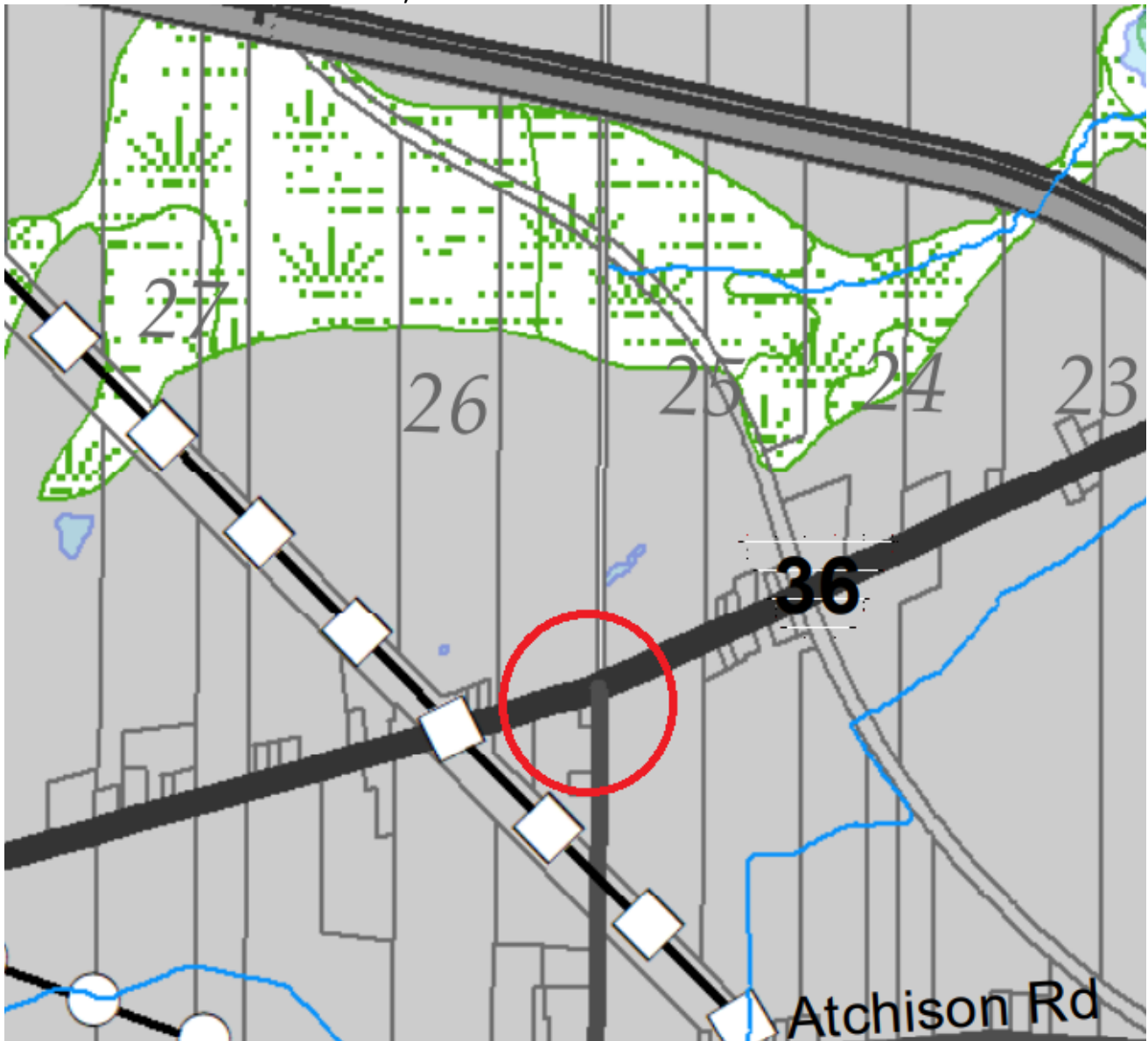
Zoning By-law No. 2011-100

Subject property is currently zoned "Highway Commercial (CH)"



## **Attachment #2 – Official Plan Map**

United Counties Official Plan, Schedule "A4"



Subject property is designated "Rural District"

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2020-083

BEING a by-law to amend Zoning By-Law No. 2011-100.

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WHEREAS the *Municipal Act, 2001*, c. 25 S. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 S. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS By-Law No. 2011-100 regulates the use of land and the use and erection of buildings and structures within the Township of South Stormont;

AND WHEREAS section 34 of the *Planning Act, R.S.O. 1990*, provides that any by-law passed under this section may be amended;

AND WHEREAS the matters herein set out are in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS the Council of the Township of South Stormont deems it advisable to amend By-Law No. 2011-100 as hereinafter set forth.

NOW THEREFORE Council of the Township of South Stormont hereby enacts as follows:

1. That the area affected by this by-law is located on Concession 5, Part of Lot 25; Geographic Township of Cornwall, Township of South Stormont, 5450 Richmond Drive, as indicated on Schedule "A" attached hereto and forming part of this By-law.
2. By-Law No. 2011-100 is hereby amended as follows:
  - i. The area shown on Schedule "A" of this by-law shall henceforth be zoned "Rural Industrial (MR)" and cease to be zoned "Highway Commercial (CH)"
3. Schedule "4" of By-law No. 2011-100 is hereby amended in accordance with the provisions of this By-Law.
4. All other relevant provisions of By-Law No. 2011-100 shall apply.

5. That this by-law shall become effective on the date of passing hereof, subject to the appeal provisions of the Planning Act.

READ and passed in open Council, signed and sealed this 28<sup>th</sup> day of October, 2020.

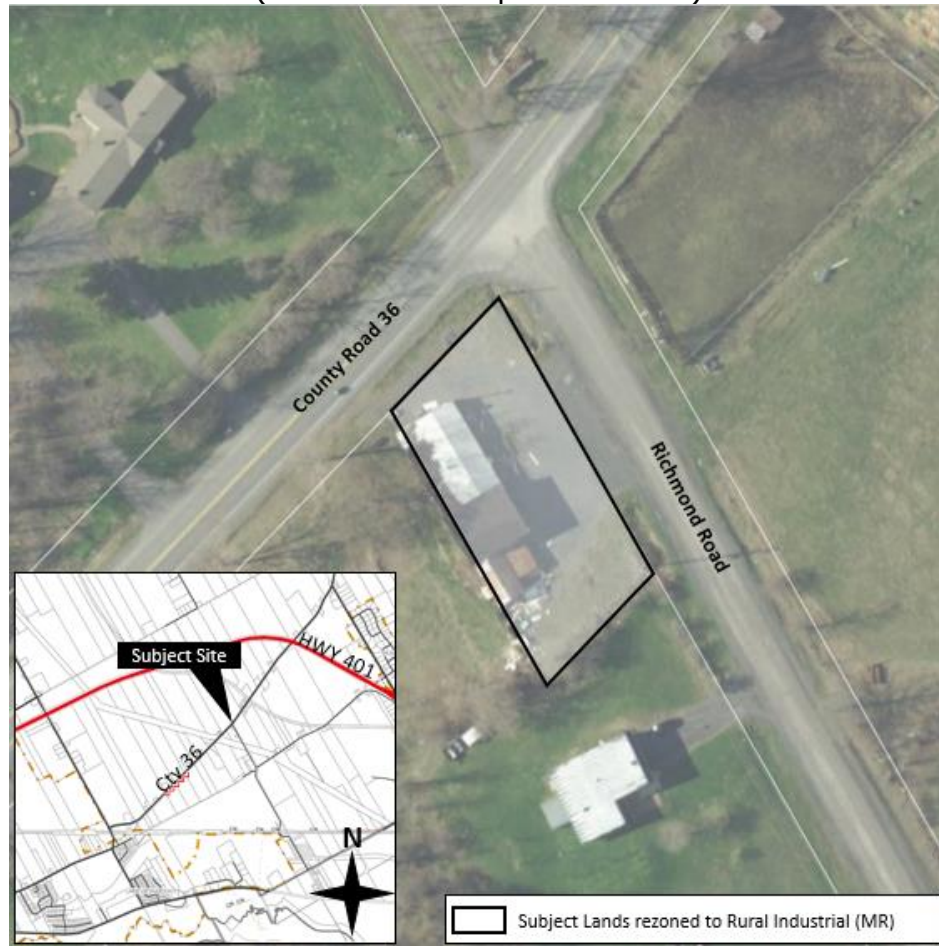
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



**SCHEDULE "A"**  
**TO BY-LAW NO. 2020-083**

TOWNSHIP OF SOUTH STORMONT  
(former Township of Cornwall)



***Subject Property*** – Concession 5, Part of Lot 25; Geographic Township of Cornwall, Township of South Stormont, 5450 Richmond Drive

Certificate of Authentication

This is Schedule "A" to By-Law No. 2020-083, passed this 28<sup>th</sup> day of October 2020.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

EXPLANATORY NOTE  
TO BY-LAW NO. 2020-083  
AMENDING ZONING BY-LAW NO. 2011-100

The purpose of this zoning amendment is to rezone Concession 5, Part of Lot 25; Geographic Township of Cornwall, Township of South Stormont, 5450 Richmond Drive

**From: Highway Commercial (CH)**  
**To: Rural Industrial (MR)**

The proposal will allow for a Contractor's Shop or Yard and paint shop business to be established on the subject lands.

