

## STAFF REPORT PUBLIC MEETING OF PLANNING

**November 28, 2022**

**TO:** Mayor and Council Members

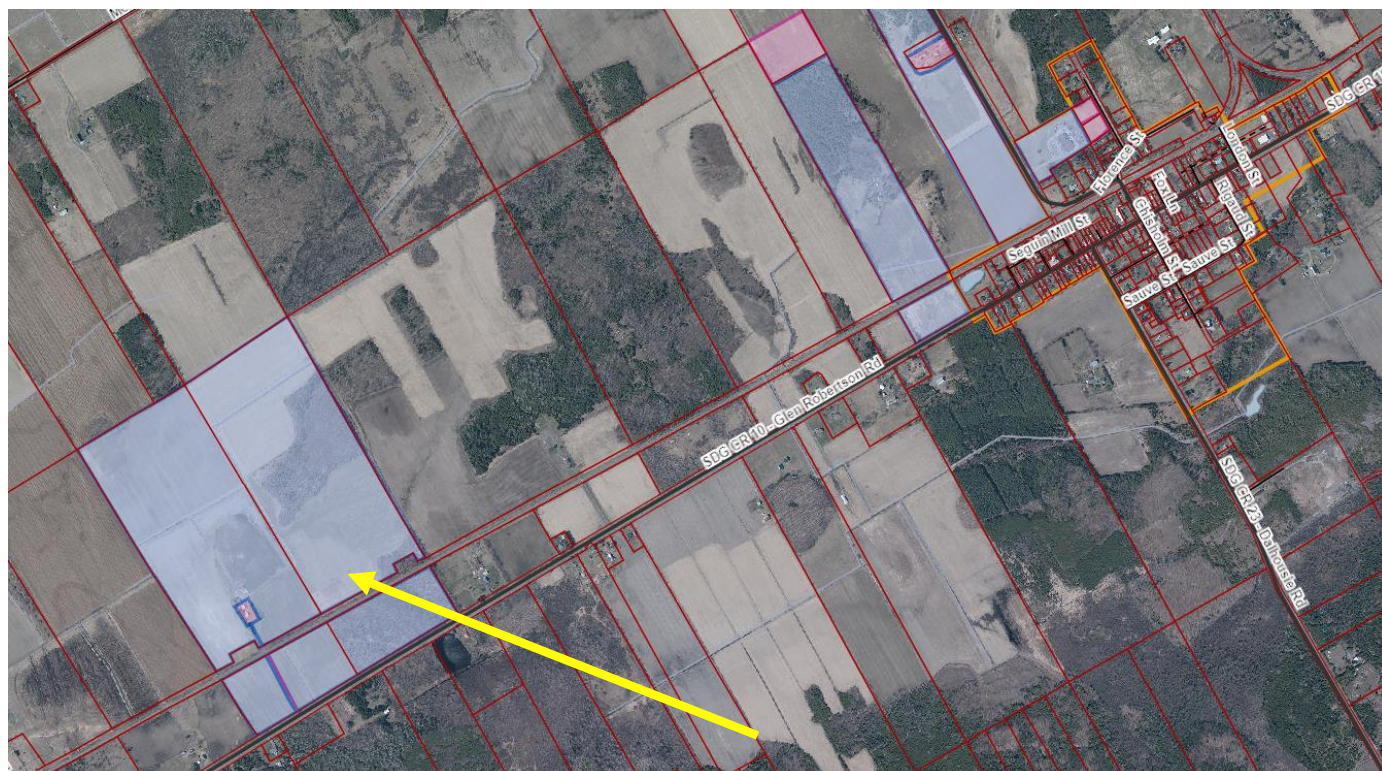
**FROM:** Jacob Rheaume, Director of Building, By-law & Planning

**RE:** Zoning By-law Amendment No. Z-18-2022

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**Owner:** Andre LAROCQUE  
3385 Larocque Road, Glen Robertson, ON

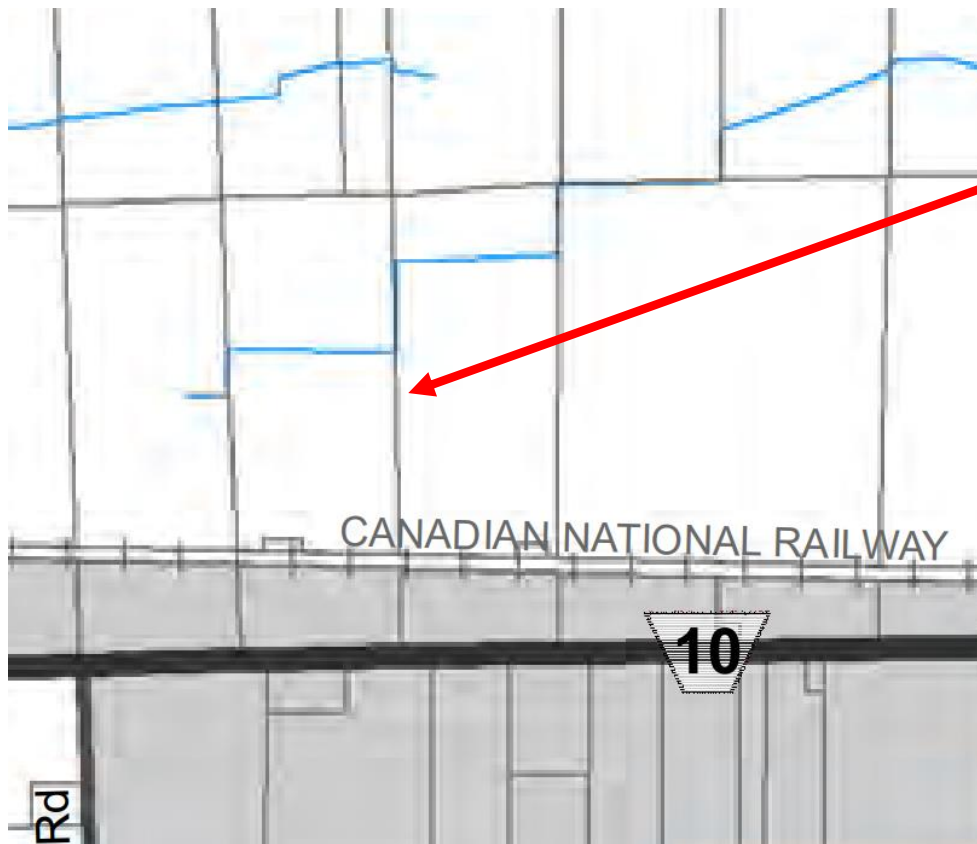
**Location:** 22325 County Road 10, Glen Robertson, ON  
Lochiel Con 2, Part Lot 14 & 15



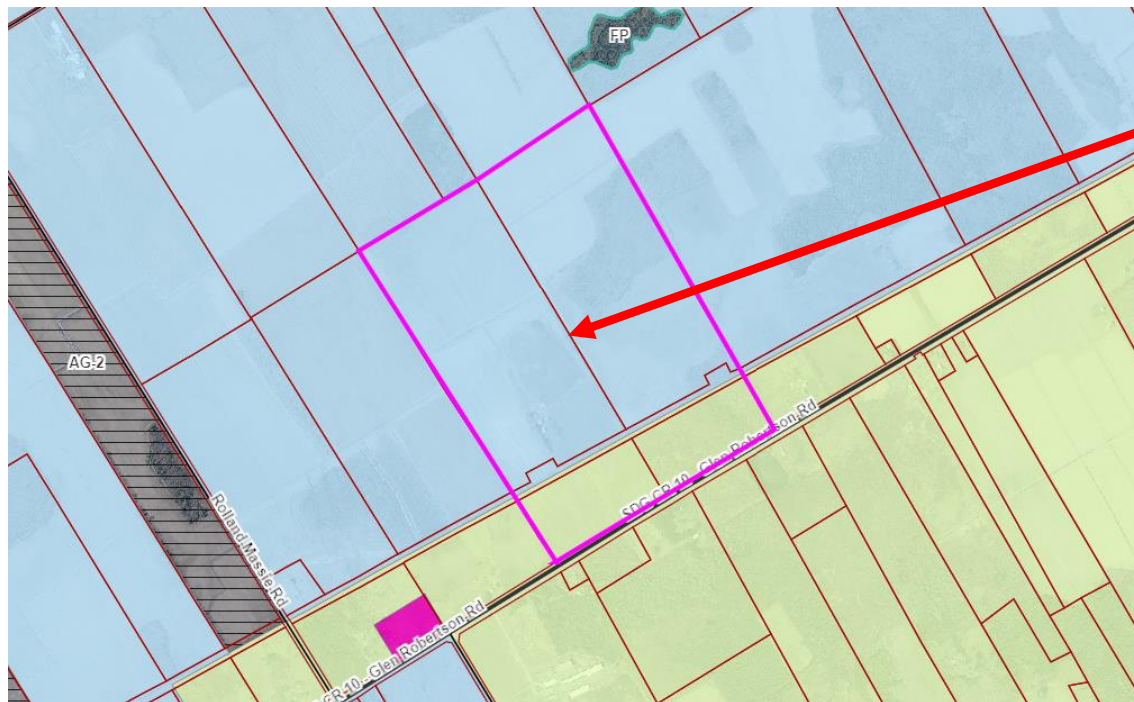




**Official Plan designation:** Agricultural Resource Lands & Rural District



**Zoning designation:** General Agricultural (AG) & Rural (RU)



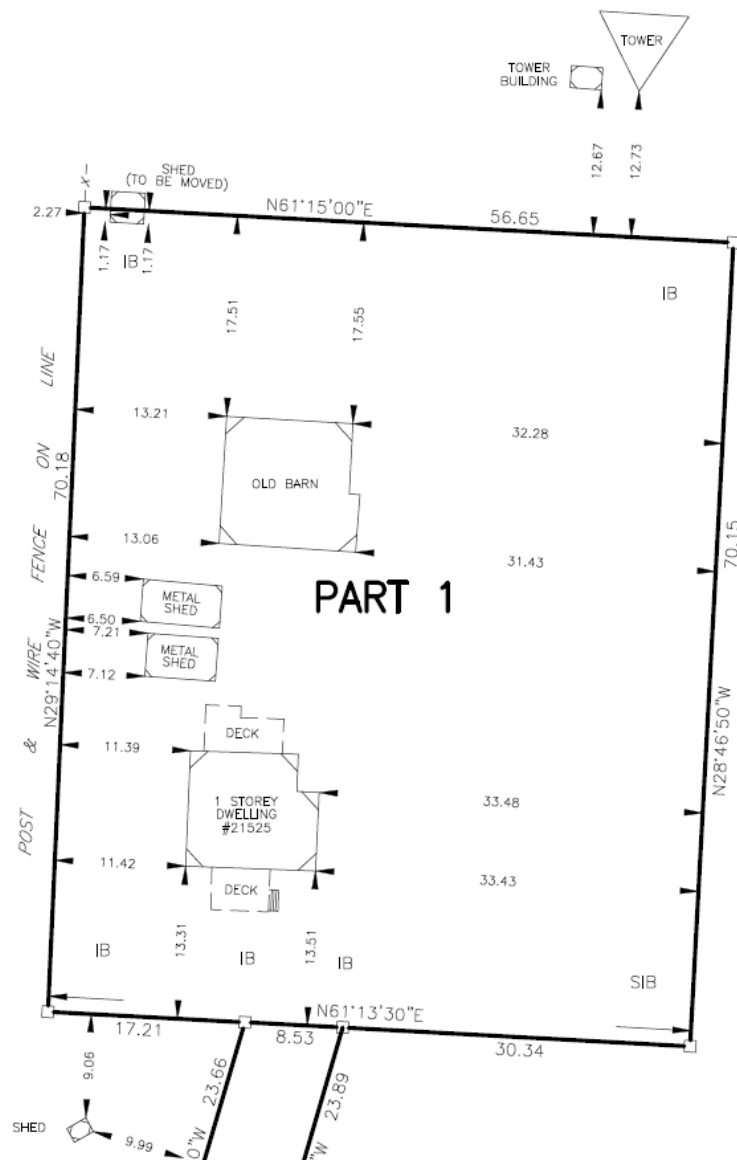
**Purpose of application:** To re-zone both the severed and retained portion subject to Consent Application B-172-21 condition No. 4 & 5 as followed;

The **retained** portion of the property (*North of railway tracks*) (169.31 acres) from General Agricultural (AG) to General Agricultural Special Exception (AG-218) to:

- prohibit residential development and;
- acknowledge the minimum lot frontage deficiency from the required 200m to the proposed 8.54m (*Driveway width at roadway*);

The **severed** portion of the property (1.0 acre) from General Agricultural (AG) to General Agricultural Special Exception (AG-219) to:

- prohibit agricultural uses and;
- acknowledge the minimum lot frontage deficiency from the required 45m to the proposed 8.54m (*Driveway width at roadway*);



**Discussion:** The subject land area is approximately 208.03 acres. The applicant received conditional approval from the United Counties of Stormont Dundas & Glengarry on December 9, 2021, to sever approximately 1.0 acre of land deemed surplus to the needs of the farming operation and to sever the South portion of the property (South of the railway tracks) as a simultaneous severance.

The portion south of the railway tracks does not need a Zoning By-law Amendment as it is zoned Rural (RU), therefore only a right-of-way in favor of the 2 parcels North of the railways is required to be applied on that portion.

The owner has applied for a change-of-use permit to convert the old barn structure from an agricultural building into an accessory residential storage building. The newly created property lines are created in accordance with the Zoning By-law requirements therefore the setbacks are compliant. Prior to clearing the condition, the Chief Building Official will go on site to ensure the building has no more agricultural equipment to issue the final for the permit, and to ensure no other structures are creating a health and safety hazard for public and future owners, such as silos, other old buildings, etc.

There currently is only one existing entrance on the property serving both the agricultural portion and the new residential lot, which will remain, it is also used for the VIA rail crossing to access that north portion of the property where both parcels are located. The United Counties of Stormont Dundas & Glengarry will allow that entrance to remain and be used, and will be able to issue a new entranceway for the newly rural portion created at the South of the railway tracks. A right-of-way in favor of the 2 parcels North of the railways is required to be applied on that portion for access, and frontage onto a public maintained roadway.

A civic number could also be issued for the agricultural portion of the severance. Civic number 21525 will remain for the existing dwelling and a new civic number could be issued for the rural portion created at the South of the railway tracks

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

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

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

We have received a comment from RRCA as there is a mapped watercourse on and within 15m of the subject lot. Alterations to the watercourse including but not limited to shoreline restoration, crossings, bridges, culverts, channelization, channel closures, realignment and cleanouts shall require permission from the Raisin Region Conservation Authority, as per O. Reg. 175/06.

No other agencies, Township departments or members of public expressed concerns or provided any comments regarding this Zoning By-law Amendment.

#### **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.**