



STAFF REPORT PUBLIC MEETING

November 28, 2022

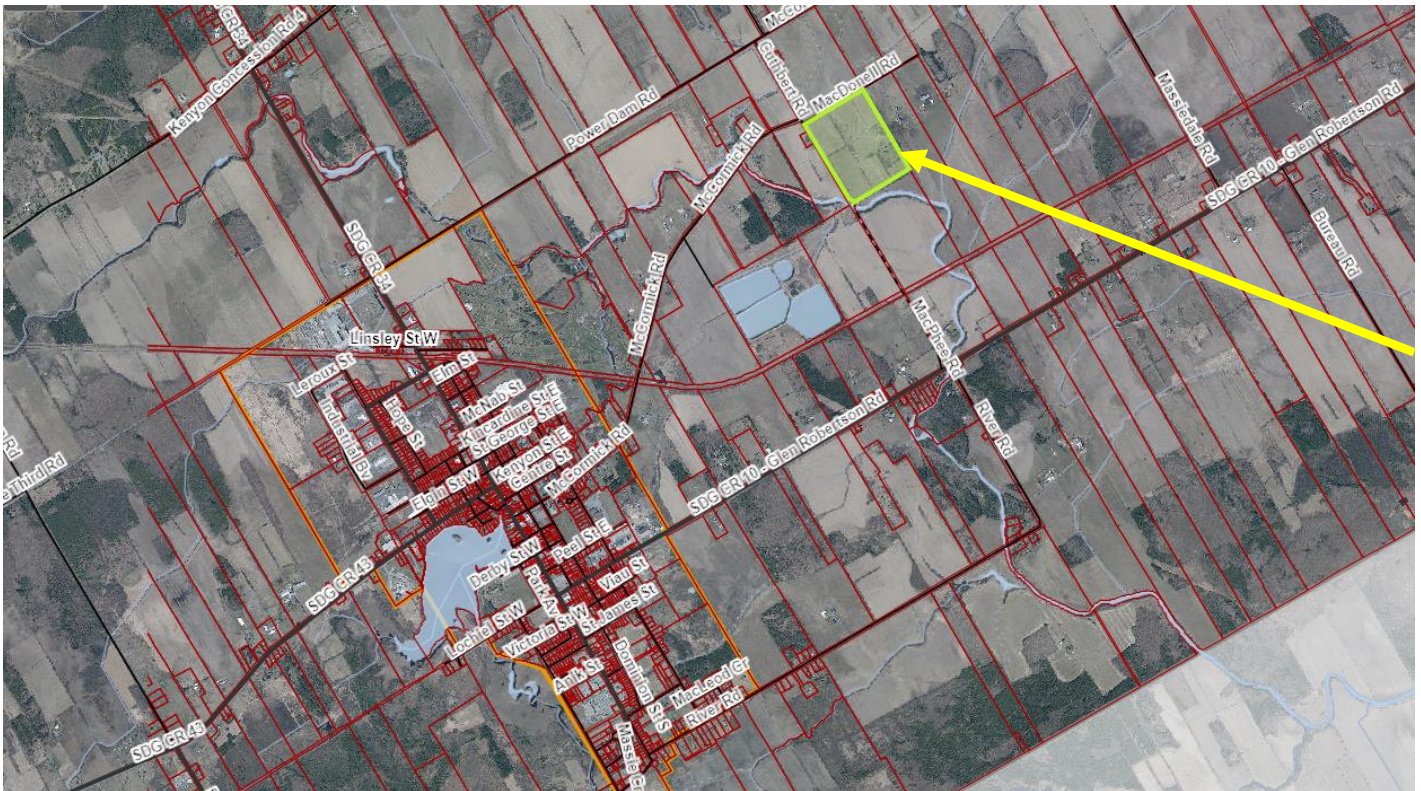
TO: Mayor and Council Members

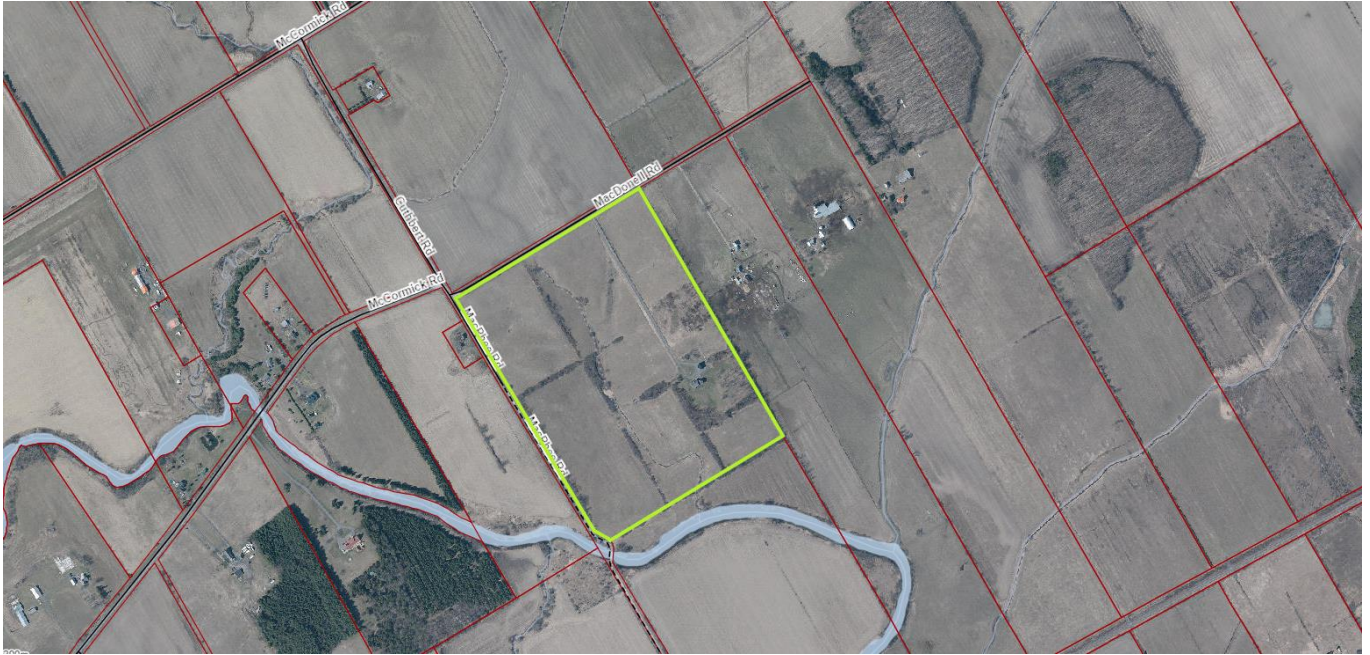
FROM: Jacob Rheaume, Director of Building, By-law & Planning

RE: Zoning By-law Amendment No. Z-20-2022

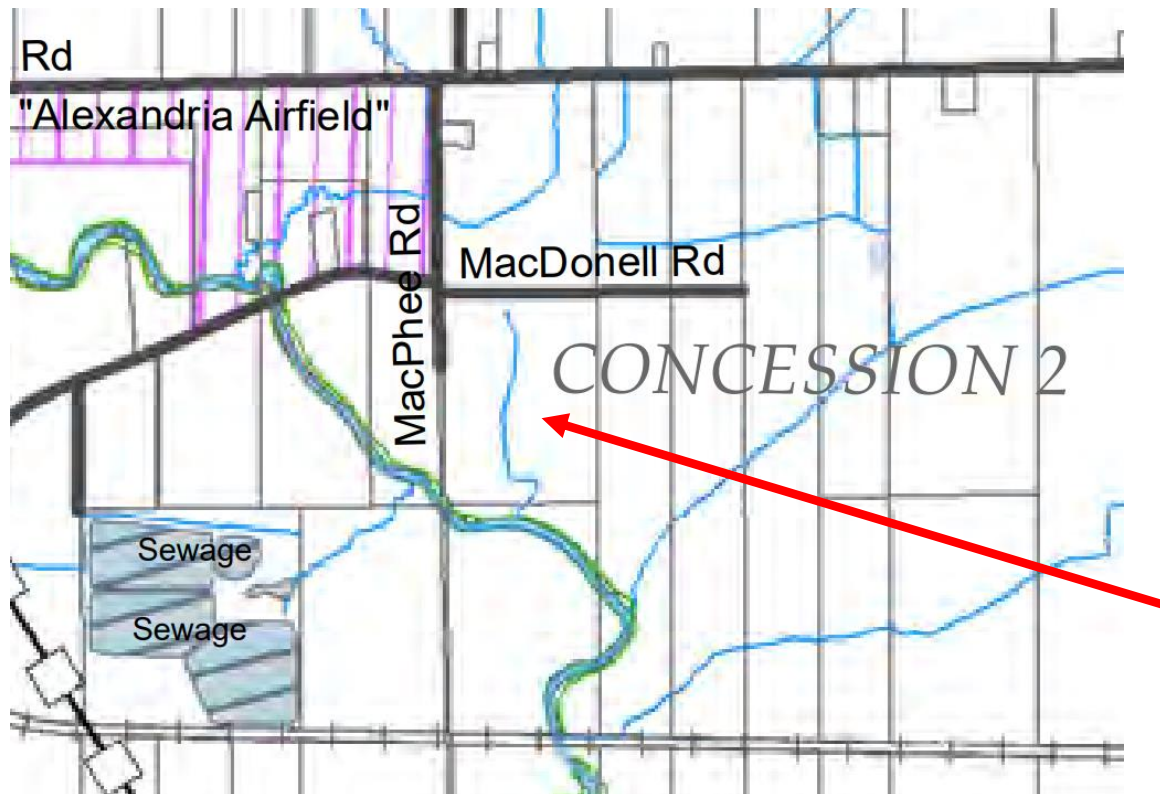
Owner: Margaret BOEKHOFF

Location: 20750 Macdonell Road, Alexandria, ON, K0C 1A0
Lochiel Con 2, North Part Lot 30





Official Plan designation: Agricultural Resource Lands



Zoning designation: General Agricultural (AG) and a small area of Floodplain (FP) at South-West corner



Purpose of application:

- Is to re-zone the property from General Agricultural (AG) to General Agricultural-Special Exception (AG-220) to permit a secondary dwelling (single detached home) on the subject lands.

Discussion: The subject lands have frontage of approximately 1344 feet on Macdonell Road and a depth of approximately 1693 feet (along MacPhee Road), of irregular shape due to the river and the MacPhee Road curve at the South-West corner, with an area of 55.04 acres. The Planning Department received a request from the applicant to rezone the property from General Agricultural (AG) to General Agricultural-Special Exception (AG-220) to permit a secondary dwelling (single detached home) on the subject lands.

The current General Agricultural (AG) 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 dwellings 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.

The proposed secondary dwelling will have an approximate ground floor area of 1200 square feet, which will be fully compliant with our Zoning By-law minimum require floor area. The proposed dwelling will comply with the required setbacks in the zoning by-law for the General Agricultural (AG) zone: front yard depth (North-Macdonell Road): 15m, interior side yard depth (East): 6m, exterior side yard depth (West-MacPhee Road): 15m, and rear yard depth (South): 15m. The location of the secondary dwelling will respect the required setbacks, however, it is not definitive on the setback since the entire property is being rezoned.

For this application the MDS Document setback will have to apply. The intensive livestock facility located to the East on the property adjacent to the subject lands will have to be taken in consideration when configuring the site plan. A minimum setback distance will have to be determined, using the MDS I calculations, to establish the final location of the new dwelling. Although there may be dwellings closer to the existing intensive livestock facility on adjacent properties, the OMAFRA document states that all new dwellings have to comply with the setback, if possible. That document will have to be submitted before a building permit can be issued.

On January 1, 2012, the Planning Act was amended to require municipalities to authorize secondary dwelling units within their Official Plans and Zoning By-laws.

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 exact location for the new dwelling and septic system are to be determined later. 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 could be issued for the new proposed dwelling.

Designs for the new dwelling have not been finalized at this time as the owners want to confirm the construction is allowed before investing in architectural/structural 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 Township's Public Works Department confirmed that the access to the secondary dwelling, provided through the existing residential access on Macdonell is of no concern.

We have received a comments 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.

Also, Provincially Significant Wetlands are mapped within 120m of the subject lot. The wetland is known as Delisle River Marsh. Development or site alterations within and setback 120m from the Delisle River shall require permission from the Raisin Region Conservation Authority, as per O. Reg. 175/06.

We have received no other comments or concerns from any agencies.

Some members expressed concerns over the location of the future dwelling and the proximity to the intensive livestock facility, but explanations were given. The concern was mostly to ensure the new dwelling will not affect future development for the livestock facility. Another dwelling is located closer to where the new dwelling will be located therefore the MDS II calculation (applied when a farming operation is enlarged) would not be affected by this proposed dwelling, which will be made compliant with MDS I before.

The surrounding official plan designation includes mostly Agricultural Resources Lands on all sides. Same for our Zoning, mostly general agricultural lands are in the surroundings.

The surrounding uses include mostly rural residential properties and intensive livestock facilities/cash crop farming operations.



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 elderly) and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 2.3.3.1 indicates 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.

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. It also promotes the efficient use of land, and it is deemed appropriate for the subject lands.