

**STAFF REPORT  
PUBLIC MEETING OF PLANNING**

**September 25, 2023**

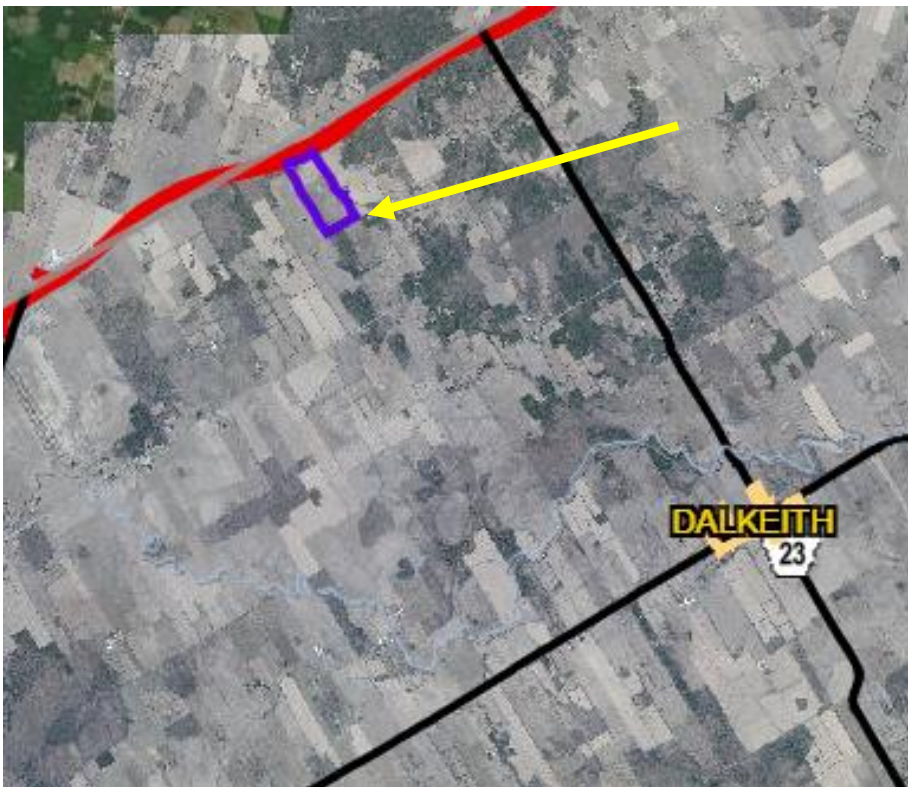
**TO:** Mayor and Council Members

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

**RE: Zoning By-law Amendment No. Z-14-2023**

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**Owner:** Lois Ann MACKINNON  
1090 Aberdeen Road, Vankleek Hill, ON, K0B 1R0

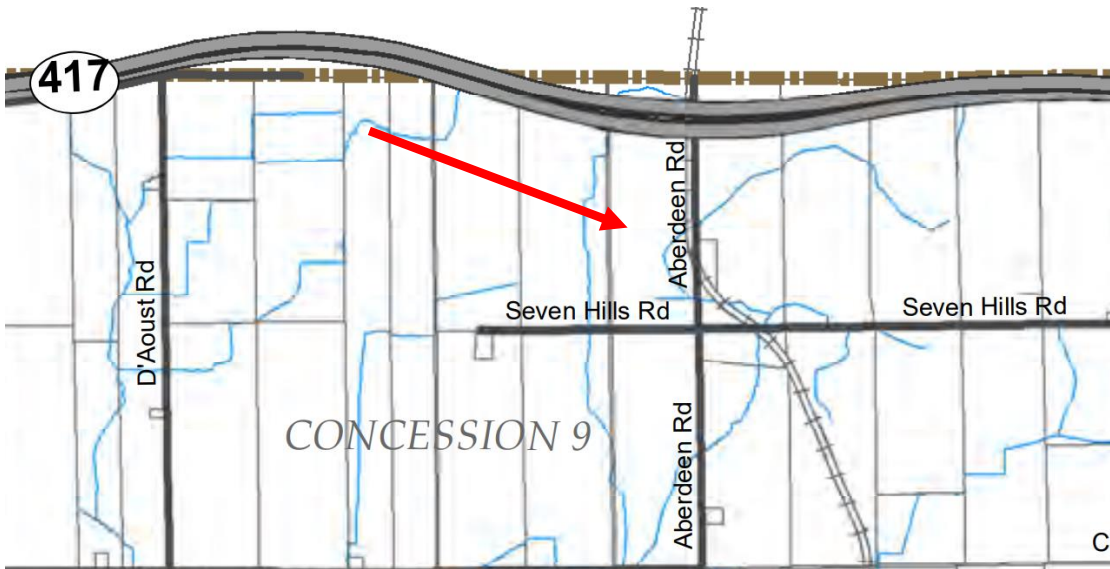




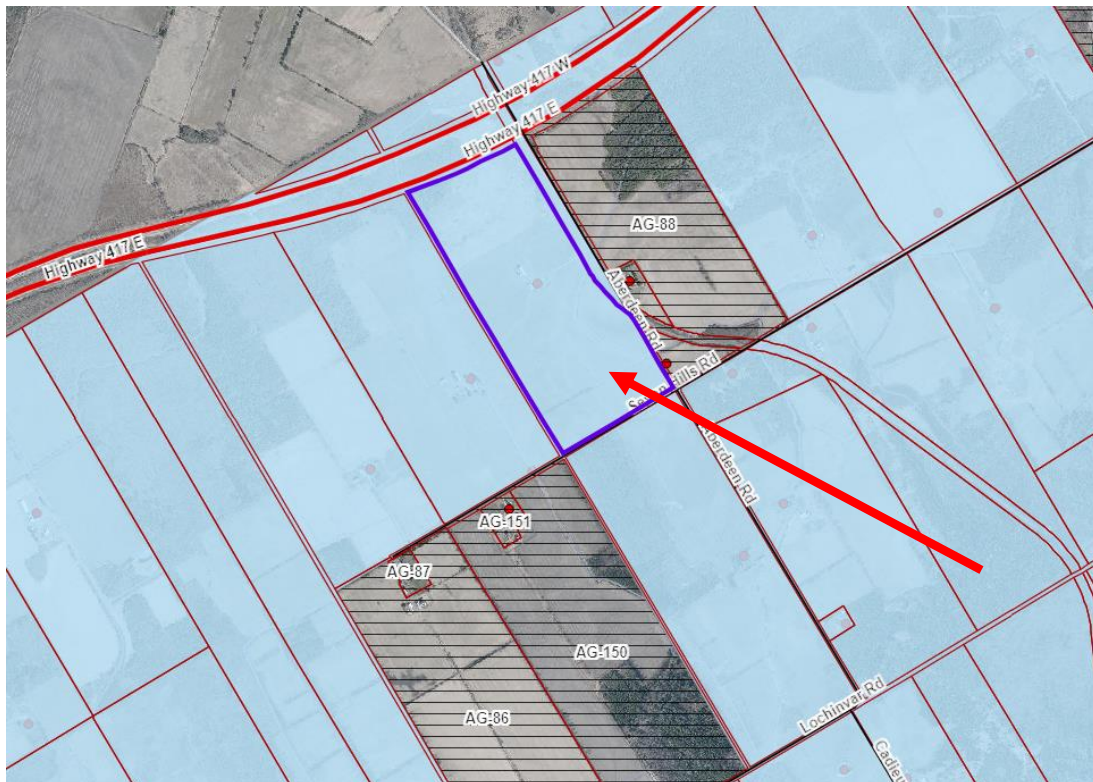




**Official Plan designation:** Agricultural Resource Lands



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



**Purpose of application:** to re-zone both the severed and retained portion subject to Consent Application B-34-23 condition No. 2 & 3 as follows;

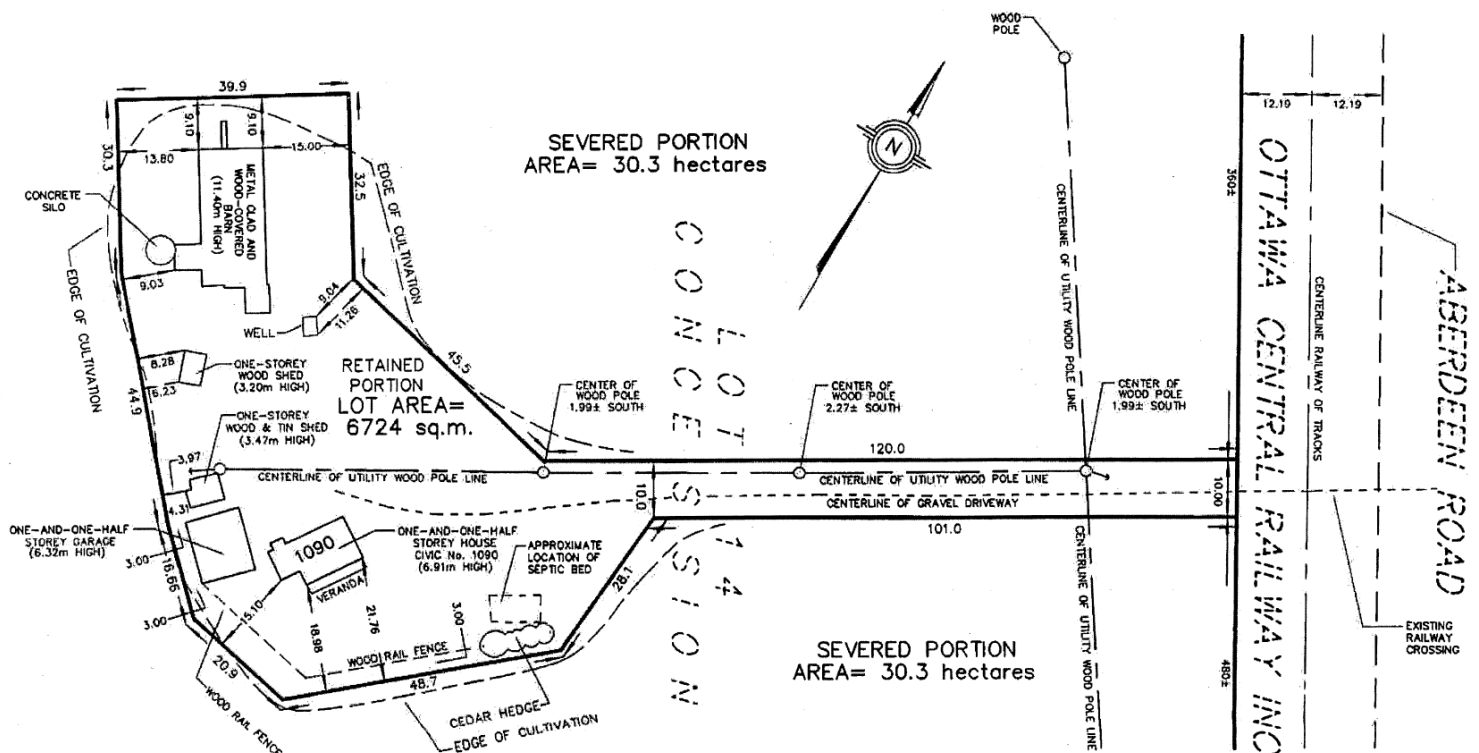
The **retained** portion of the property (75.33 acres) from General Agricultural (AG) to General Agricultural Special Exception (AG-234) to:

- prohibit residential development and;

The **severed** portion of the property (1.78 acres) from General Agricultural (AG) to General Agricultural Special Exception (AG-235) to:

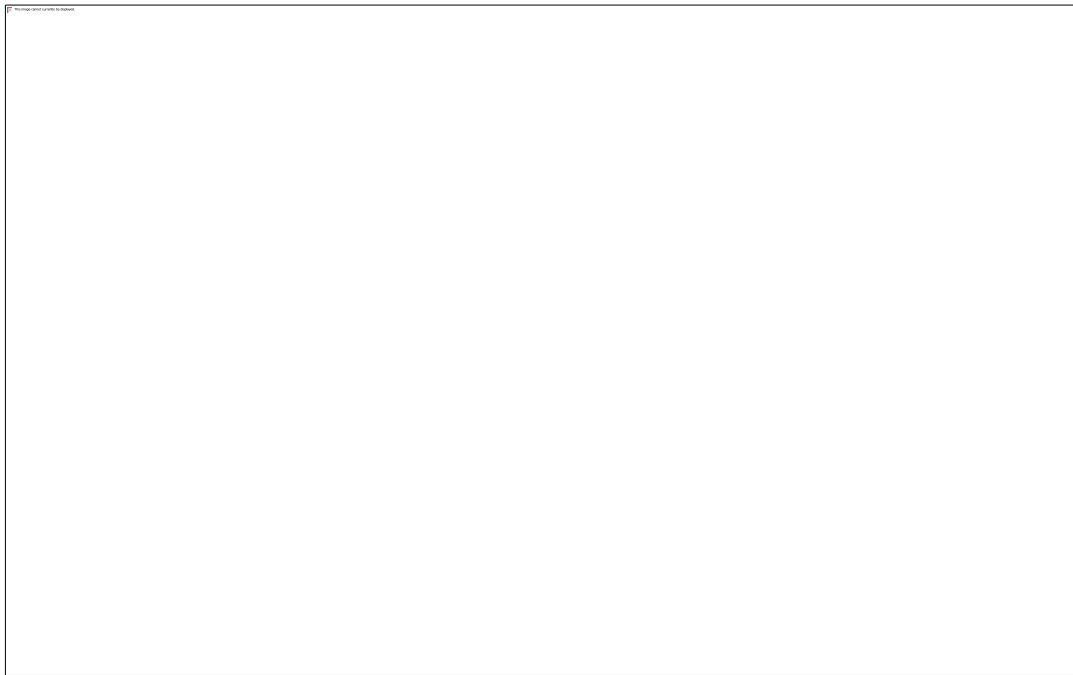
- acknowledge the deficiency in lot frontage (Aberdeen) from the required 45m to the proposed 10m and;
- acknowledge the interior yard setback deficiency from the required 6m to the proposed 3m for the accessory storage building (one-and-on-half storey garage) higher than 5m (6.32m) and;
- prohibit agricultural uses.

**Discussion:** The subject land area is approximately 77.11 acres. The applicant received conditional approval from the United Counties of Stormont Dundas & Glengarry on April 20, 2023, to sever approximately 1.78 acres of land deemed surplus to the needs of the farming operation.



The newly created property lines will be created in accordance with the Zoning By-law requirements for both the retained and the severed portions, except for the West property line setback to the one-and-on-half storey garage that is closer to the accessory storage building than what is required as it is more than 5m in height, hence the request for reduction for interior yard setback. The new line is proposed to be in such a location to keep the area to a minimum to accommodate the residential use for the dwelling, septic, well and all accessory buildings.

Most of the East property line follows the CN railway therefore the applicant will have to register an environmental easement for the operational noise and vibration emissions, in favor of CN, and the applicant will also have to provide CN with a written confirmation that the severance will not result in any additional crossings over CN track.



There is currently only one entrance on the property, for the residential portion with the assigned civic number 1090, which will remain. A new entrance and civic number could be





issued for the agricultural portion of the severance on either the South end of the property adjacent to Aberdeen, or on Seven Hills Road, both municipal roads.

The owner has applied for a change-of-use permit for the old barn/agricultural building to be now considered a residential accessory storage building as it will remain on the severed portion, being the residential parcel. Prior to clearing all the conditions, the Chief Building Official will go on site to ensure no other structures are creating a health and safety hazard for the public and future owners, such as sheds, silo, other old buildings, etc.

The surrounding official plan designation is Agricultural Resource Lands for all adjacent and neighboring properties for both Stormont, Dundas & Glengarry and for Prescott & Russell.

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

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.**