



## STAFF REPORT PUBLIC MEETING

**April 8, 2024**

**TO:** Mayor and Council Members

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

**RE: Zoning By-law Amendment No. Z-03-2024**

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**Owner:** William FRANKLIN  
20870 Lochinvar Road, Alexandria, ON, K0C 1A0  
Lochiel Concession 8, West Part Lot 28



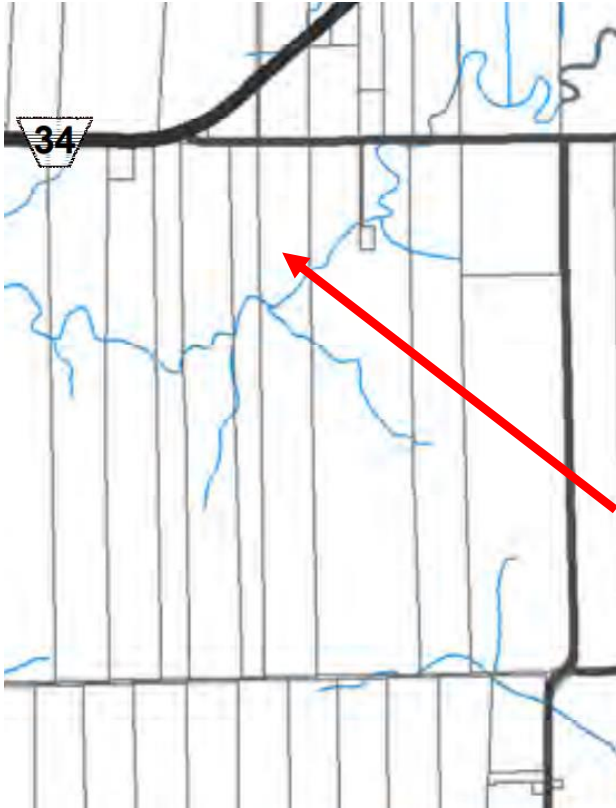




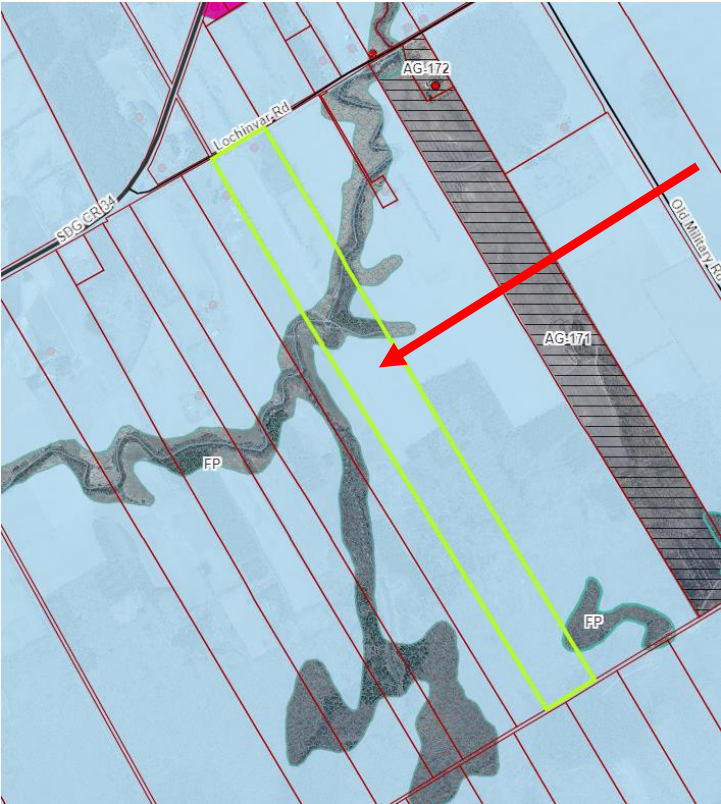




**Official Plan designation: Agricultural Resource Lands**



**Zoning designation: General Agricultural (AG) & Floodplain (FP)**



**Purpose of application:** to re-zone both the severed and retained portion subject to Consent Application B-7-24 condition No. 3 & 4 as follows;

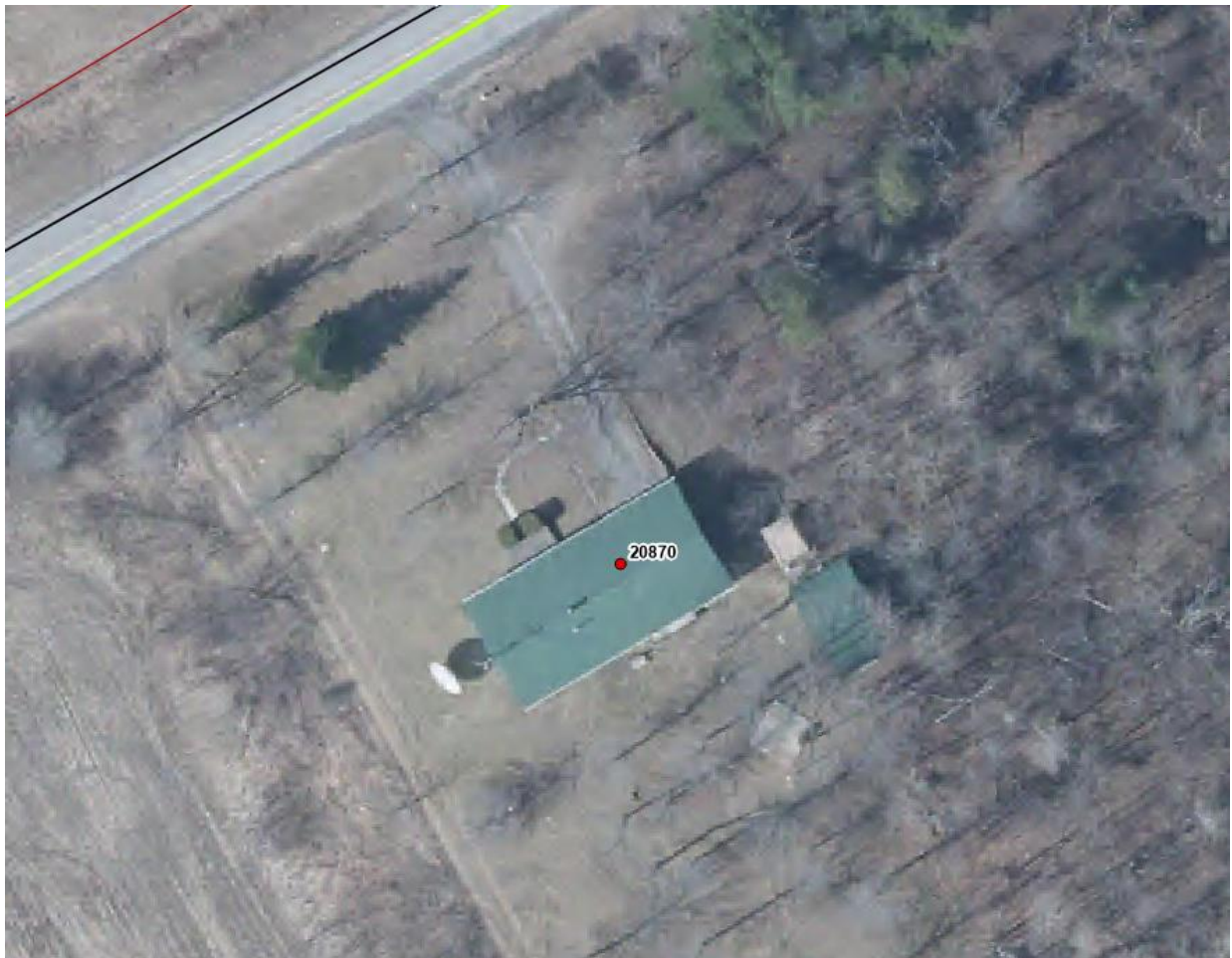
The **retained** portion of the property (101.06 acres) from General Agricultural (AG) to General Agricultural Special Exception (AG-244) to:

- acknowledge the deficiency in lot frontage (Lochinvar Road) from the required 200m to the proposed 126.79m and;
- prohibit residential development and;

The **severed** portion of the property (1.13 acres) from General Agricultural (AG) to General Agricultural Special Exception (AG-245) to:

- prohibit agricultural uses.

**Discussion:** The subject land area is approximately 102.19 acres. The applicant received conditional approval from the United Counties of Stormont Dundas & Glengarry on February 22, 2024, to sever approximately 1.13 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 agricultural portion lot frontage where 200m is required but only 126.79m is proposed, hence the request for a reduction for the lot frontage through this zoning amendment.

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. The septic system is located just North of the dwelling and is compliant with Ontario Building Code for all setbacks.

There are currently three entrances on the property, two for the residential portion with the one more East assigned civic number 20870 Lochinvar Road for the dwelling, which will remain. There is also an existing entrance to remain for the agricultural portion, located West of the fence line, West of the new proposed property line, with no assigned civic number as of yet. No new entrances are proposed.





The owner will not have to apply for any change-of-use permit for any buildings as there are no buildings used for agricultural purposes on the newly created residential lot, and there are no buildings on the agricultural portion. 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 mostly Agricultural Resource Lands for all adjacent and neighboring properties.

The surrounding zoning is mostly 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.







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.



## **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)**

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.**