



STAFF REPORT PUBLIC MEETING OF PLANNING

February 22, 2024

TO: Mayor and Council Members

FROM: Lindsay Parisien, Municipal Planning Consultant

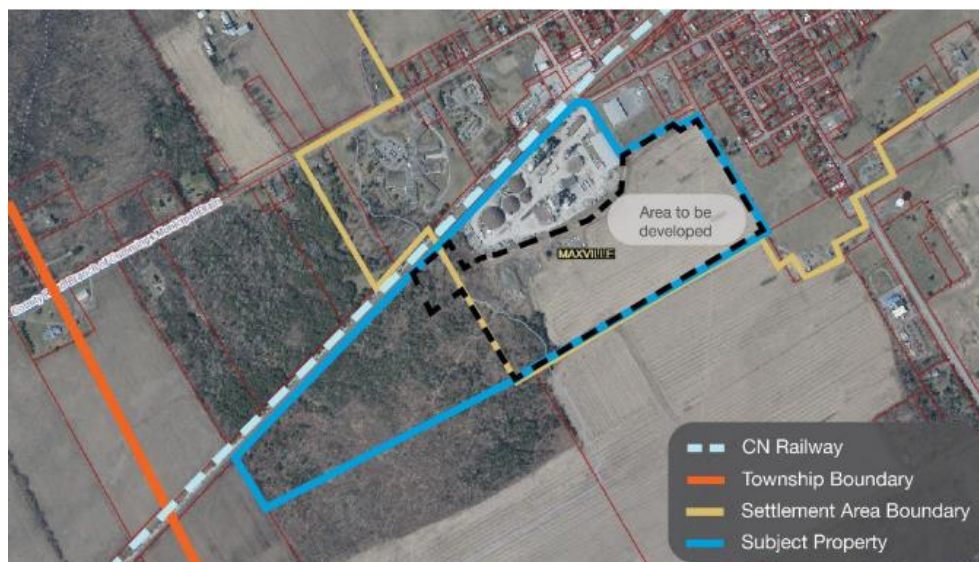
RE: Z-19-2023 Public Meeting - OPA 21 Report - Final.docx

Owner: MacEwen Agricentre Inc.

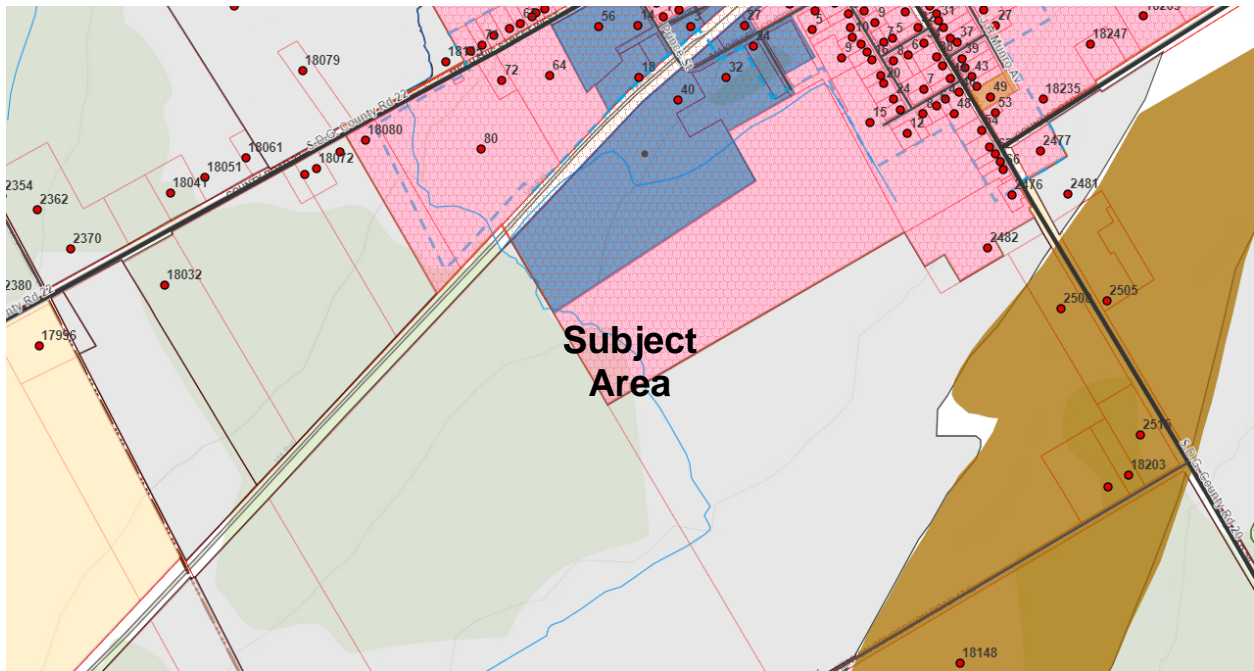
Location: 40 Catherine Street West, Maxville, ON
Concession 17 Indian Lands, Parts of 10 to 15 on Plan 32, Block F and Lots 4 to 7,
being Parts 1 to 5 on Reference Plan 14R-1585 and Parts 1 to 3 on Reference Plan
14R-2661 in the geographic Township of North Glengarry

Recommendation:

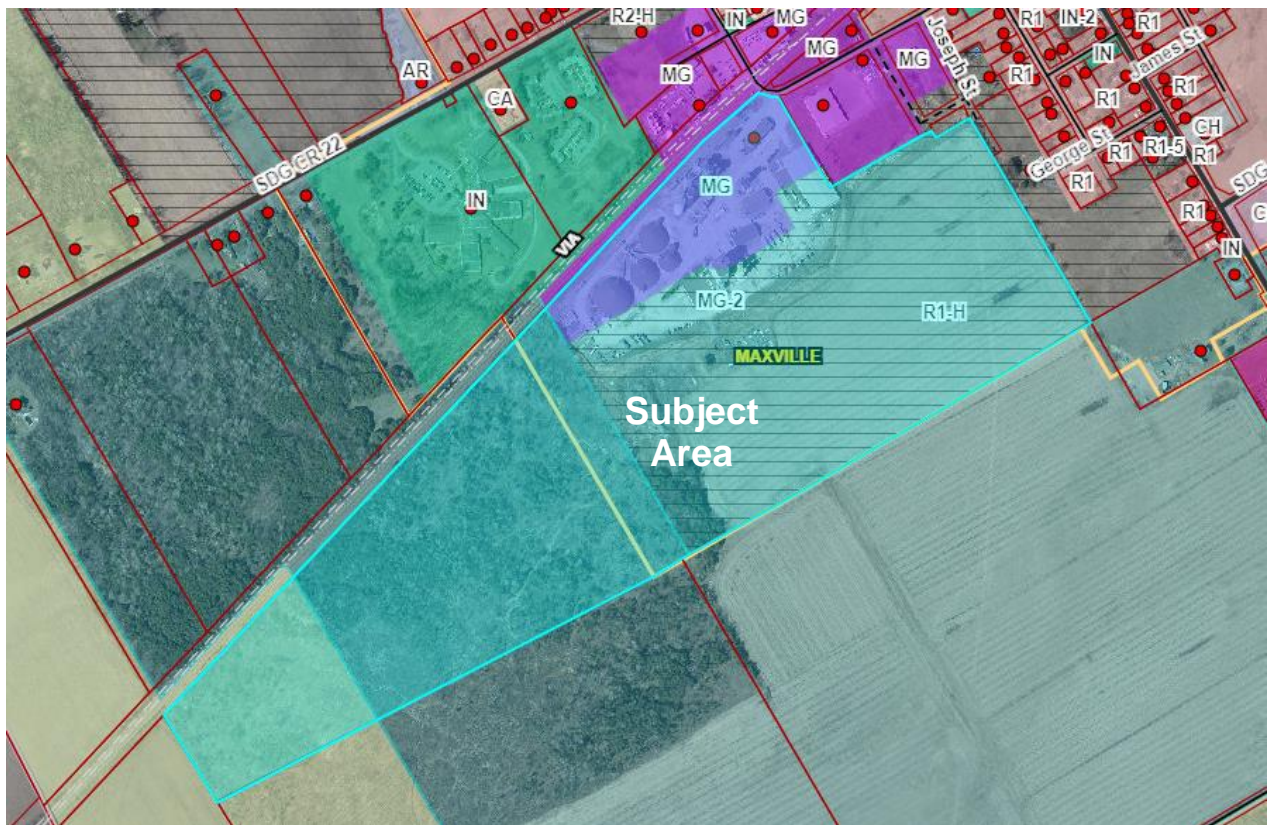
That the Council of the Township of North Glengarry recommends that the United Counties of Stormont, Dundas and Glengarry approve proposed Official Plan Amendment 21 for 40 Catherine Street West, Maxville, ON



Official Plan designation: ““Employment District”, “Residential District” and “Rural District”



Zoning classification: “General Industrial – Special Exceptions 2”, “Restricted Agricultural” and “Residential First Density - Holding” and “Rural”



Purpose of the Applications:

Official Plan:

- To re-designate approximately 16.1 hectares of land from “Residential District” to “Employment District” designation to permit the expansion of the existing commercial business and industrial use known as MacEwen Agricentre on site which is permitted in the Employment District land use designation.

Zoning By-law:

- To re-zone a portion of the subject site from “Residential First Density (R1)” zone to “General Industrial – Special Exception 2 (MG-2)” to permit the expansion of the existing commercial business (MacEwen Agricentre) and industrial use.
- The special exceptions to the General Industrial zone will address separation distances to the existing residential uses and reduction in technical parking requirements and relief from zone standards such as building height and lot frontage.

Background:

The applicant submitted a concurrent Official Plan Amendment and Zoning By-law Amendment to re-designate and rezone a part of the subject property. The subject property is legally described as being Part of Lots 10 to 15 Concession 17 Indian Lands, in the former Township of Kenyon, now the Township of North Glengarry, located at 40 Catherine Street West, Maxville. The subject property has 25 m of frontage on Catherine Street West and measures approximately 34.3 hectares in total area. The portion of the subject property being re-designated and rezoned is approximately 16.1 hectares in area. The existing site has one vehicle access from Catherine Street for ingress and egress, which accommodates all truck and employee vehicular traffic. The surrounding lands are predominantly designated Rural District to the south and west, Residential District and Employment District to the north and east.

The purpose of the Official Plan Amendment and Zoning By-law Amendment are to re-designate a portion of the subject property from “Residential District” to “Employment District” within the Urban Settlement Area as well as rezone it from “Residential First Density - Holding” to “General Industrial with Special Exceptions”. The owner is proposing to expand the existing Agricentre operation towards the south and west of its current operations within the subject property. The proposed development will consist of a new seed storage warehouse, a fertilizer blending facility, and a truck repair station. Therefore, in order to permit the proposed expansion of the Agricentre at this location, both amendments to the United Counties Official Plan and Township of North Glengarry Zoning By-law are required, as part of the area in which the proposed expansion being considered, currently does not allow for the proposed industrial use.

In support of the proposed amendments a Planning rationale and Land Use Compatibility Study was prepared by Fotenn and submitted for review on behalf of the owner. As mentioned above, the proposed development is subject to a rezoning that will include site-specific exceptions and will identify the 70-metre separation distance requirement to the nearest residential properties. The inclusion of this site-specific zoning provision will ensure that the development complies with Provincial D-Series Land Use Compatibility Guidelines and will also ensure that any future

changes in use on the property would require public notice through a rezoning or variance if the use were to be proposed within the buffer area.

In accordance with the *Planning Act*, a public meeting is being held on Monday February 26th, and notice was circulated by regular mail to assessed property owners and posted on site. Comments from the public were received from an assessed landowner who expressed concerns with regards to the potential noise, on-site lighting and increase in traffic that may impact the surrounding residential neighbourhood. However, this individual also recognizes how the jobs created by this local business benefits members of the community and is generally supportive of the expansion.

The process of concurrently filling an Official Plan Amendment and Zoning Amendment application includes the public meeting, and resolution of support, prior to County Council considering the Official Plan Amendment. The Zoning By-law Amendment is to be brought back to Council at a later date.

Policy Considerations:

The following is a summary of the agency roles in the approvals process:

- The **United Counties of Stormont, Dundas, and Glengarry** is the administrator and approval authority for official plan amendments (OPAs). Notwithstanding this, local municipalities often host public meetings and assist in facilitating the OPA process, given that the County OP also acts as the local OP.
- The **Township of North Glengarry** is the approval authority for zoning by-law amendments. Zoning amendments cannot be passed unless they conform to the OP.

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 (PPS)

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. The subject property is partially located within an urban settlement area and rural area. The proposed business operation expansion is anticipated to span across both areas within the site. Therefore, the following PPS policies have been reviewed and are applicable to the subject property's proposed development:

Policy 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; and, by avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas.

Policy 1.1.4.1 goes on to suggest that rural areas should be supported by building on rural character, leveraging rural amenities and assets, as well as promoting a diverse economic base and employment opportunities through goods and services including value-added products. Additionally, Policy 1.1.5.2 refers to various permitted uses on rural lands which include agricultural uses, agriculture-related uses, on-farm diversified uses in accordance with provincial standards and that such development be compatible with the rural landscape.

Policy 1.3.1 also applies as Planning authorities shall promote economic development and competitiveness by providing opportunities for employment uses which support a wide range of economic activities and ancillary uses and take into account the needs of existing and future businesses. Policy 1.3.2.3 provides further support for the proposed amendments and development as employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Based on this review of the PPS, the proposed development is consistent with the policies of the Provincial Policy Statement 2020. The site is located within an urban settlement area and a rural area and the proposed expansion of the existing Agricentre operation makes efficient use of the existing property. The intended uses associated with the proposed expansion are appropriate within the urban settlement area as well as the rural area. The proposed development will make use of existing municipal services that currently service the subject property. Furthermore, the proposed expansion of the MacEwen Agricentre will contribute to the municipality's economic base and create more employment opportunities within Maxville and the broader Township of North Glengarry.

The proposed Official Plan amendment will redesignate a portion of the property from Residential District to Employment District, thus, adding to the supply of employment lands within the settlement area. Although redesignating the lands will result in the removal of residential lands from the settlement area, the increased area of employment lands will ensure that sensitive uses will not encroach into the limited supply of employment lands planned for the area. Moreover, the removal of residential lands will not negatively impact the overall supply of residential land, as there is a significant amount of land designated and zoned for future residential development within the settlement area.

United Counties of SDG Official Plan (OP)

The Official Plan contains a number of goals and strategic objectives; growth is the goal to direct most forms of development to support the efficient use of land. The strategic objective is to encourage infilling, intensification, and development in appropriate locations and with appropriate built form and design. The subject property is currently designated as "Employment

District”, “Residential District” and “Rural District”. The areas of the subject property that are currently designated as “Employment District” will be maintained.

In the Official Plan for the United Counties of Stormont, Dundas and Glengarry, the property is located partially within an “*Urban Settlement Area*” and partially within the “*Rural Area*”. A portion of the subject property that is currently developed is located within the Urban Settlement Area of Maxville and has a split designation of Employment District and Residential District. Residential, Commercial and Employment Districts are the primary designations within Urban Settlement Areas, Employment District uses may include a mix of industrial uses, manufacturing, construction, warehousing, offices, employment supportive commercial uses including associated retail and ancillary facilities, public service facility and institutional uses. The area presently operating as the MacEwen Agricentre (industrial use) is established within the Urban Settlement Area that is designated Employment District.

Table 3.5 of the Official Plan highlights the generalized list of permitted uses in the employment district. Employment district uses include class I, II and III industrial uses as well as associated and ancillary facilities with the main use. The subject property is currently being used as the MacEwen Agricentre and the owner intends to maintain the existing business and industrial use by expanding its operations. However, the area in which the owner has proposed to expand is further south and west of current operations, but all proposed expanded developments will remain within the property boundaries.

For clarity, the southern portion of the split land use designation is currently designated as “Residential District” which does not permit the industrial land use and the area further west of the existing buildings on site is designated as “Rural District” but is located outside the urban settlement area boundary. Therefore, both areas (South and West) require amendments to the Official Plan to accommodate the full build out of the proposed business expansion.

The Official Plan Amendment is appropriate and desirable for these lands, as the proposed development will contribute to employment opportunities within Maxville and the surrounding area. The expansion of an existing business operation on the subject property represents efficient development and can be adequately serviced. As part of the Official Plan Amendment, it is recognized that residential lands will be redesignated within the Settlement Area, however, as previously mentioned, a significant amount of land will remain available for residential development within the Settlement Area. The remaining residential lands will immediately abut other residential areas and properties that already exist. From a long-range planning and compatibility perspective, it is appropriate to locate residential uses adjacent to existing residential uses or other sensitive land uses as opposed to allowing an incompatible industrial land use to be established.

Township of North Glengarry Zoning By-law 39-2000

The subject property has multiple zones that apply to this site. The property is currently zoned “General Industrial”, “General Industrial, Special Exception 2” “Residential First Density with a Hold”, “Restricted Agricultural” and “Rural” in the Township’s zoning by-law. The proposed expansion of the MacEwen Agricentre (Industrial use), encroaches into an area of the property

in which the zone does not permit the industrial land use of the Agricentre as this use is only permitted in the “General Industrial” zone.

The proposed Zoning By-law Amendment is appropriate, as the development generally complies with the applicable MG zone standards as well as all other applicable Zoning By-law provisions, such as outdoor storage. The Zoning By-law Amendment will facilitate the orderly expansion of existing industrial use, which serves as a large employer of Maxville and contributes to employment within the Township of North Glengarry.

The proposed special exception for the subject property will maintain the provision for a minimum 70-metre setback to a property line that abuts a residential property as outlined in the MG-2 zone. Maintaining this existing provision which currently applies to a portion of the subject property will ensure adequate separation distances to sensitive land uses in accordance with the MOECP’s D-Series Guidelines on Land Use Compatibility. As outlined above, the special exception will also include a provision that removes the requirement for parking under Section 3.21 of the Zoning By-law and will increase the maximum permitted height within the MG zone, aligning with the required needs of the Agricentre operation.

Analysis:

Considering the analysis provided herein and the supporting Planning Rationale and Land Use Compatibility Study submitted with the application, staff are of the opinion that the Official Plan Amendment and Zoning By-law Amendment:

- are consistent with the Provincial Policy Statement;
- would be in conformity with the applicable policies of the United Counties of SDG Official Plan; and,
- represents good planning, having had regard for matters of Provincial interest outlined in Section 2 of the Planning Act.

Therefore, staff recommend that Council support by way of resolution, the proposed Official Plan Amendment and at a future Council meeting, approve the Zoning By-law amendment on the subject lands to rezone a the “Residential First Density” zone to “General Industrial – Special Exception 2 (MG-2)” to permit the expansion of the existing MacEwen Agricentre. A detailed zone analysis was completed by Fotenn and included as a part of the Planning rationale. The proposed site-specific exceptions to the zone standards being requested are as follows: reduction in minimum lot frontage, increase in maximum building height and reduction in total parking requirements. However, it should be noted that the subject property’s lot frontage has a legal non-complying status with the existing lot fabric and land use.

Land Use Compatibility Considerations:

The applicant has prepared a Land Use Compatibility Study to address the proposed minimum separation distance setbacks with the surrounding residential land uses which are considered to be more sensitive than the subject property. Based on this assessment and review of the D-Series Guidelines on Land Use Compatibility, the minimum recommended setback of 70 metres from the sensitive land use (residential lands) to the expansion of the industrial use (existing MacEwen

Agricentre) will be provided. Therefore, adequate separation distance is achieved. The location of buildings will also be reviewed through site plan control.

Recommended Conditions:

None.

Conclusion:

The proposed Official Plan Amendment and Zoning By-law Amendment applications to permit the expansion of the existing MacEwen Agricentre operation on the subject property constitutes good planning and is in the public interest. The proposed development is consistent with the Provincial Policy Statement (2020) as the proposed expansion represents efficient development of an existing property and fosters employment opportunities within the settlement area of the Township of North Glengarry and greater Counties of SDG.

The proposed development conforms with the County Official Plan, including policies as they relate to Employment Districts, Rural Lands, Rural Districts, and Industrial areas. The proposed development is appropriate in both the Urban Settlement Area as well as the Rural Area and generally complies with the applicable requirements and provisions in the Township of North Glengarry Zoning By-law. The requested amendments are appropriate and are not anticipated to result in adverse impacts on the neighbouring properties. Furthermore, the D-Series Guidelines on Land Use Compatibility was reviewed and the proposed expansion of an industrial use will provide the minimum recommended setback of 70 metres from the sensitive land use.