

**THE CORPORATION OF THE UNITED COUNTIES**

**OF STORMONT, DUNDAS AND GLENGARRY**

**BY-LAW NO. 5196**

**A BY-LAW** to adopt Official Plan Amendment No. 1 to the Official Plan of the United Counties of Stormont, Dundas and Glengarry.

**WHEREAS** the Official Plan of the United Counties of Stormont, Dundas and Glengarry was adopted by Council on July 17, 2017 and approved by the Minister of Municipal Affairs and Housing on February 4, 2018.

**AND WHEREAS** Section 17 (22) of The Planning Act, R.S.O., 1990 provides for the adoption of an official plan (or amendment) by a municipal council.

**AND WHEREAS** it is deemed that the amendment conforms to the intent of the County Official Plan and will serve to promote orderly development in the Township of North Dundas and the United Counties of Stormont, Dundas and Glengarry.

**NOW THEREFORE** the Council of the Corporation of the United Counties of Stormont, Dundas and Glengarry enacts as follows:

1. That Official Plan Amendment No. 1 to the Official Plan of the Corporation of the United Counties of Stormont, Dundas and Glengarry, attached hereto as Schedule "A" to this By-law, is hereby adopted.
2. That this By-law come into force and effect on the final passing thereof.

**READ** and passed in Open Council, signed and sealed this 15<sup>th</sup> day of April, 2019.



\_\_\_\_\_  
WARDEN



\_\_\_\_\_  
CLERK

**SCHEDULE "A" TO BY-LAW No. 5196**

**AMENDMENT NO. 1 TO THE  
OFFICIAL PLAN FOR THE  
UNITED COUNTIES OF STORMONT,  
DUNDAS AND GLENGARRY**

"Wellings of Winchester"  
Residential Development  
Official Plan Amendment  
Township of North Dundas



**UNITED COUNTIES OF STORMONT  
DUNDAS AND GLENGARRY**

**CERTIFICATION OF COMPLIANCE WITH PUBLIC INVOLVEMENT AND  
NOTICE REQUIREMENTS**

I, Helen Thomson, Clerk, hereby certify that the requirements for the giving of notice and the holding of at least one (1) public meeting as set out in Subsection 17(15) of the Planning Act, R.S.O. 1990, and the giving of notice as set out in Subsection 17(23) of the Planning Act, R.S.O. 1990, have been complied with.

Signed Helen Thomson  
Helen Thomson, Clerk

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Schedule "A"

## **STATEMENT OF COMPONENTS**

**PART A - PREAMBLE** introduces the actual Amendment but does not constitute part of Amendment No. 1 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry.

**PART B - THE AMENDMENT** consists of the following text, which constitutes Amendment No. 1 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry.

**PART C - THE APPENDICES** do not form part of Amendment No. 1 but are provided to clarify the intent and to supply background information related to the Amendment.

## **PART A – PREAMBLE**

### **Purpose**

The purpose of Amendment No. 1 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry (SDG), which is an amendment initiated by an individual pursuant to Section 22 of the Planning Act, is to permit the establishment of a residential housing development in the Urban Settlement Area of Winchester. The application specifically seeks to re-designate the southerly 9.55 hectares of the subject lands within the Urban Settlement Area of Winchester from “Commercial District” and to “Residential District” and to remove the provisions of North Dundas Special Land Use District Policy No. 16 from the lands.

### **Location**

The subject property is described as part of Lot 1, Concession 6 of the former Township of Winchester, Township of North Dundas. The site has an area of approximately 9.55 hectares. It is in the westerly part of the urban Settlement Area of Winchester, on the south side of County Road 3, 300 metres east of County Road 31. See ‘Schedule A’ for a map of the location.

### **Basis**

The subject property currently is designated as Commercial District which provides a full range retail, service commercial, automotive, recreational and resort commercial and personal service uses as well as residential uses (mixed or standalone). The property is also subject to a site-specific policy contained in Section 9.1.1(16) of the Official Plan;

*“Notwithstanding the provisions of the Commercial District to the contrary, residential use(s) shall not be permitted on the ground floor or basement. Residential use may be permitted above the ground floor.”*

The applicant’s proposal is to develop 212 residential townhouse units, along with associated amenities, parking, and open space, on full municipal services. The northerly part of the subject lands will contain the commercial component of the development, therefore, it will remain “Commercial District” and the southerly part of the development will be strictly for residential development and will be re-designated as “Residential District”.

As part of the application, the County required the submission of a Planning Rational that details how the proposed development conforms to the Provincial Policy Statement and Official Plan. The final rationale detailing the proposed OPA’s conformity with the relevant policies is dated February 2019.



## **PART B - THE AMENDMENT**

### **The Introductory Statement**

This part of the document entitled, Part B - The Amendment constitutes Amendment No. 1 to Land Use Schedule A1a (2018) of the Official Plan for the United Counties of Stormont, Dundas and Glengarry.

### **Details of the Amendment**

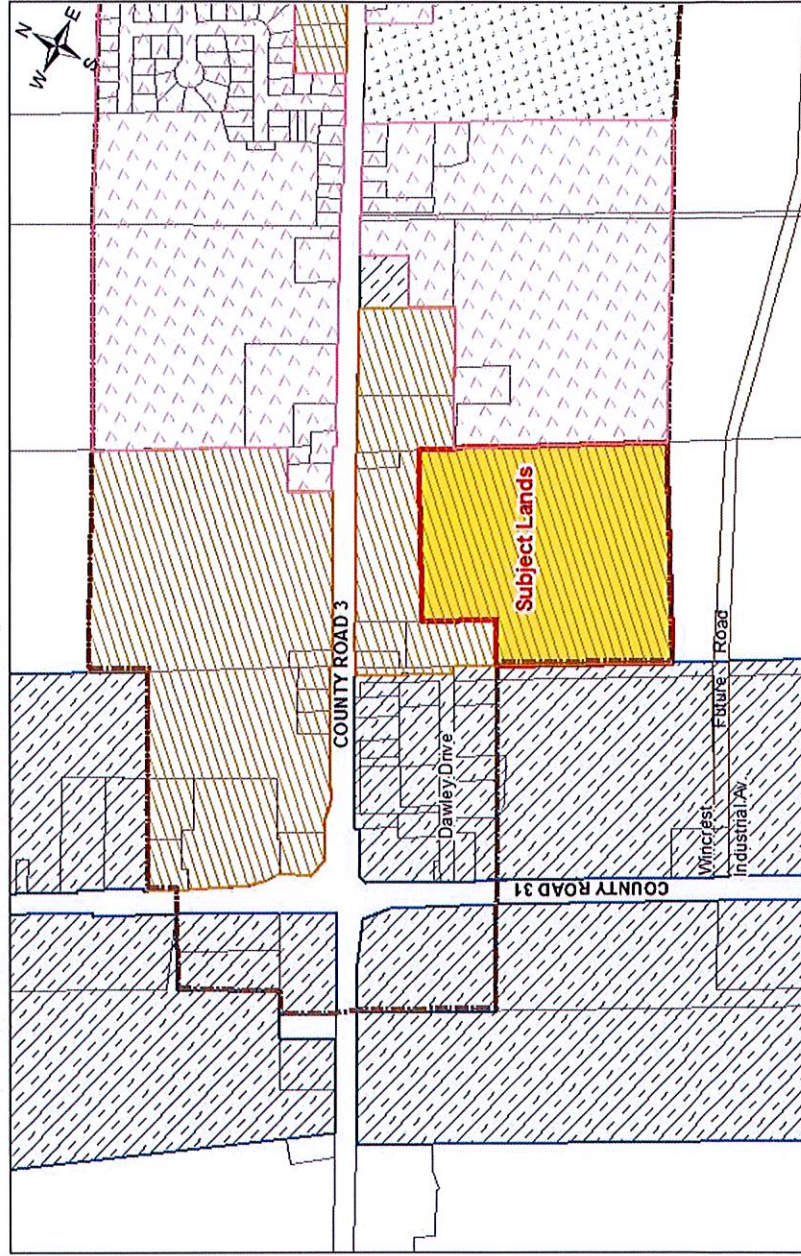
The Official Plan of the United Counties of Stormont, Dundas and Glengarry is amended as follows:

1. Schedule A1a: Land Use Plan, Urban Settlement Area of Winchester is hereby amended by re-designating the Subject Lands shown on Schedule "A" to Amendment No. 1 attached hereto, from "Commercial District" to "Residential District"
2. That Subsection 9.1.1(16) of the Official Plan shall not apply to the Subject Lands as shown on Schedule "A" to Amendment No. 1.

### **Implementation**

1. The policies of the Stormont, Dundas and Glengarry Official Plan related to "Commercial District" and Residential District" are applicable to the subject lands
2. This Amendment shall be implemented through an amendment to the Township of North Dundas Zoning By-law and developed under the Township's Site Plan Control By-law.
3. Entrance permits onto the County Road 3 will be issued under the County's Entrance Permit By-law.

# Schedule 'A' - OPA 36





## **PART C – THE APPENDICES**

**APPENDIX A: NOTICE OF PUBLIC MEETING**

**APPENDIX B: RECORD OF PROCEEDING**

## **Appendix A: Notice of Public Meeting**



## NOTICE OF A PUBLIC MEETING



### CONCERNING A PROPOSED AMENDMENT TO THE OFFICIAL PLAN OF THE UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY AND PROPOSED AMENDMENT TO THE (FORMER TOWNSHIP OF WINCHESTER) ZONING BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS

**TAKE NOTICE** that the Council of The Corporation of the Township of North Dundas will hold a public meeting on the **9<sup>th</sup> day of April, at 7:00 p.m.** at the North Dundas Council Chambers, 636 St. Lawrence Street, Winchester, Ontario to consider proposed amendments to the Official Plan of the United Counties of Stormont, Dundas and Glengarry and to Zoning By-law 12-93 (former Township of Winchester) under Sections 22 and 34 of the *Planning Act, R.S.O. 1990*, Chapter P. 13, as amended.

**THE PROPOSED AMENDMENTS** would change the designation and zoning of the lands legally described as part of Part of Lot 1, Concession 6, Geographic Township of Winchester, now the Township of North Dundas, known as part of 12046 County Road 3, as indicated by the outlined area on the attached Key Map.

### OFFICIAL PLAN AMENDMENT

**IF THE PROPOSED OFFICIAL PLAN AMENDMENT** is adopted, part of the subject lands will be re-designated from **Special Land Use District 15 to Residential District** in the Urban Settlement Area of Winchester. The effect would be that residential uses will be permitted on the ground floor.

**IF YOU WISH TO BE NOTIFIED** of the decision of the United Counties of Stormont, Dundas and Glengarry on the proposed Official Plan Amendment, you must make a written request to the Clerk of the United Counties of Stormont, Dundas and Glengarry, as noted below.

**IF A PERSON** or public body would otherwise have an ability to appeal the decision of the Council of The Corporation of the United Counties to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the United Counties of Stormont, Dundas and Glengarry before the proposed Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision.

**IF A PERSON** or public body does not make oral submissions at a public meeting or make written submissions to the United Counties of Stormont, Dundas and Glengarry before the Official Plan Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The subject land is also the subject of a Zoning By-law Amendment, as noted below, and is not the subject of any other application under the Planning Act.

**ZONING BY-LAW AMENDMENT**

**IF THE PROPOSED BY-LAW AMENDMENT** is adopted, the subject lands will be re-zoned from **Agricultural (AG)** to **Commercial (C)** and **Residential Second Density – Special Exception Five (R2-5)**. The effect would be that part of the subject lands would be able to be used for commercial purposes, part would be able to be used for townhouse dwellings, and part for an accessory clubhouse.

**IF YOU WISH TO BE NOTIFIED** of the decision of the Township of North Dundas on the proposed Zoning By-law Amendment, you must make a written request to the Clerk of the Township of North Dundas, as noted below.

**IF A PERSON** or public body would otherwise have an ability to appeal the decision of the Council of The Corporation of the Township of North Dundas to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of North Dundas before the by-law is passed, the person or public body is not entitled to appeal the decision.

**IF A PERSON** or public body does not make oral submissions at a public meeting or make written submissions to the Township of North Dundas before the By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**ADDITIONAL INFORMATION** relating to the proposed Official Plan Amendment and Zoning By-law Amendment, including additional copies, is available for inspection from Monday to Friday between 8:30 a.m. and 4:30 p.m. at the Township Office located at 636 St. Lawrence Street, or by contacting the Planning Department at (613) 774-2105.

Dated at the Township of North Dundas this 19<sup>th</sup> day of March, 2019.

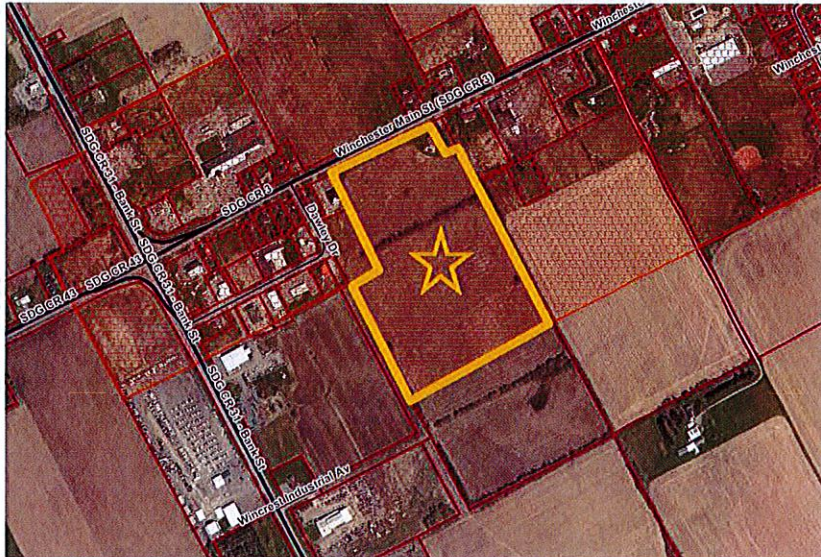
Helen Thomson  
County Clerk  
United Counties of  
Stormont, Dundas &  
Glengarry  
26 Pitt Street, Suite 323  
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1-(800)-267-7158 (Phone)  
(613) 936-2913 (Fax)  
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Jo-Anne McCaslin  
Township Clerk  
Township of North Dundas  
636 St. Lawrence Street  
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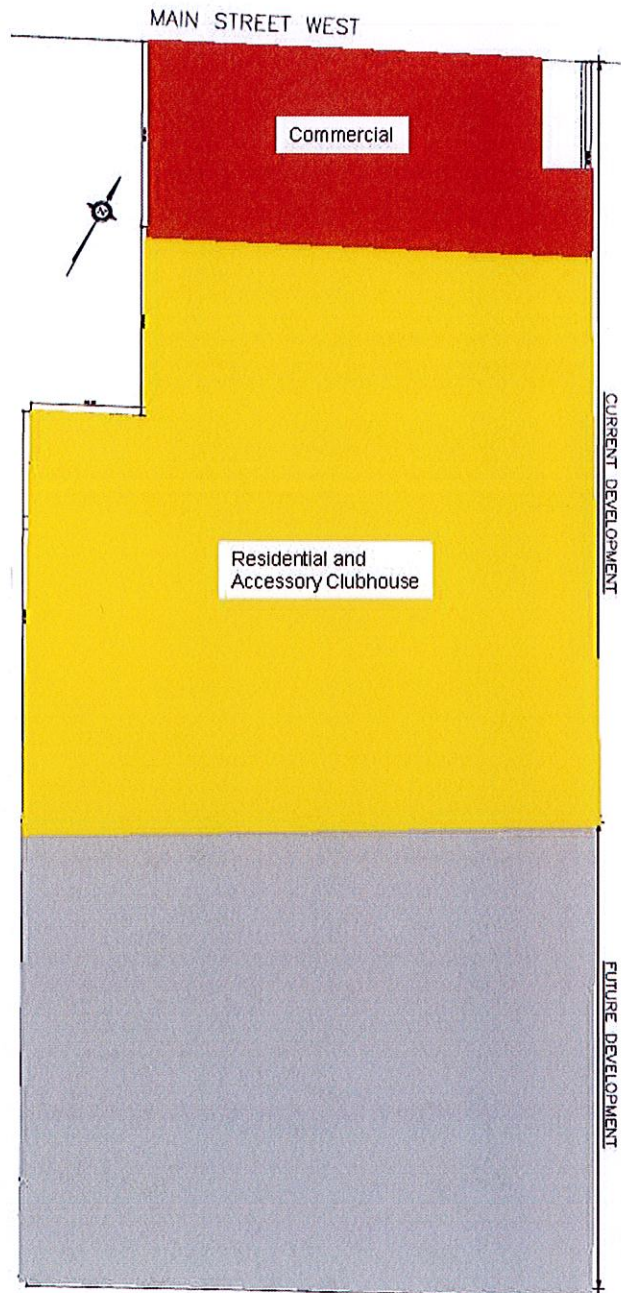




## KEY MAP



**Area affected by the proposed amendments:**  
Part of 12046 County Road 3, Winchester, ON,  
Legally described as part of Part of Lot 1, Concession 6,  
Geographic Township of Winchester, now the Township of  
North Dundas, County of Dundas.



## **Appendix B: Record of Proceedings**



**TOWNSHIP OF NORTH DUNDAS  
PUBLIC MEETING TO HEAR OFFICIAL PLAN AMENDMENT NO.1 AND  
ASSOCIATED ZONING BY-LAW AMENDMENT**

**April 9, 2019  
7:00 pm**

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A Public Meeting of Council, under Sections 17 and 34 of the *Planning Act* was held to hear comments about Official Plan Amendment No. 1 and the associated Zoning By-law Amendment in Council Chambers on Tuesday, April 9, 2019.

**Roll Call:**

Mayor Tony Fraser	Present
Deputy Mayor Allan Armstrong	Present
Councillor Gary Annable	Present
Councillor Tyler Hoy	Present
Councillor John Thompson	Present

Township of North Dundas Staff present included CAO, Angela Rutley; Township Planner, Calvin Pol, and Clerk, Jo-Anne McCaslin who recorded the minutes.

The Applicant, Angela Mariani along with representatives of Nautical Lands Group and Paul Hicks, representing the United Counties of Stormont, Dundas and Glengarry were present.

Several members of the public were also in attendance for the presentation. Attendance Sheet attached.

Chairperson, Tony Fraser called for a motion to open the public meeting.

**Moved by Gary Annable and seconded by John Thompson that the Public Meeting of the Council of the Corporation of the Township of North Dundas to consider a County Official Plan Amendment and a Zoning By-law Amendment to the former Township of Winchester Zoning By-law 12-93, be hereby called to order at 7:00 p.m.  
CARRIED.**

The Chairperson confirmed that in accordance with Section 17 & 34 of the *Planning Act* and Ontario Regulation 543/06 and 545/06, a Public Notice was mailed on March 19<sup>th</sup> to all property owners within 120 metres and the prescribed agencies and public bodies. In addition, a sign was posted on March 19<sup>th</sup>, 2019 on the subject property, in accordance with the *Planning Act*.

The Chairperson declared the meeting properly constituted as per the requirements of the *Planning Act*. An Attendance Sheet was circulated - see attached.



Detailed Planning Reports were previously circulated to Council by Township Planner, Calvin Pol. The Chairman turned the meeting over to Mr. Pol who then made a power point presentation regarding the Official Plan and Zoning By-law Amendments.

He noted the Township of North Dundas was requested by the United Counties to hold a public meeting – (Section 51 (21) of the **Planning Act**.) Mr. Pol advised the purpose of the public meeting was to provide an opportunity for residents to provide comments and feedback regarding the proposed Official Plan Amendment and Zoning By-law Amendment.

If a person or public body does not make oral submissions at this public meeting or make written submissions to the United Counties of Stormont, Dundas and Glengarry at 26 Pitt Street, Suite 208, Cornwall, Ontario, K6J 3P2 before the Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision of the Council of the United Counties of Stormont, Dundas and Glengarry to the Local Planning Appeal Tribunal (the Tribunal).

If a person or public body does not make oral submissions at this public meeting or make written submissions to the Township of North Dundas before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of North Dundas to the Local Planning Appeal Tribunal (the Tribunal).

The Planner explained **OFFICAL PLAN AMENDMENT NO. 01 AND THE ACCOMPANYING ZONING BY-LAW AMENDMENT:**

The applicants have applied for an Official Plan Amendment (OPA #01) to the United Counties of Stormont, Dundas and Glengarry's (SD&G) Official Plan to re-designate the property from Special Land Use District 16 (Commercial District) to Residential District in the Urban Settlement Area of Winchester. The effect would be that part of the property could be developed for residential purposes on the ground floor.

The Township of North Dundas received a site-specific application to amend the former Township of Winchester Zoning By-law No. 12-93, as amended, to permit a senior's housing development consisting of commercial uses, townhouses and an accessory clubhouse. As servicing and other details are required, the subject land will be placed in a holding zone until further details (servicing, site plan, etc) are in place.

The area affected by this By-law is described as Part of Lot 1, Concession 6, Geographic Township of Winchester, now the Township of North Dundas, County of Dundas, municipally known as 12046 County Road 3, Winchester, Ontario.

If the proposed by-law amendment is adopted, the property will be rezoned from Agricultural (AG) to Commercial – Holding One (C-h1) and Residential Second Density – Special Exception Five – Holding One (R2-5h1). The holding provision will have to be lifted before any development can proceed. The intent is to lift the holding in phases, contingent on: sufficient water and wastewater services being available to service this development;

a Functional Servicing Report; servicing agreements, traffic reports, and site plan approval(s).

The property/land to which the proposed Zoning By-law amendment applies is the subject of an Official Plan Amendment (SDG File OPA #01) under the *Planning Act*.

**Comments Received under Section 34(15) of the *Planning Act*:**

Ministries and Public Bodies: South Nation Conservation provided comments stating no objections to the OPA and ZBLA. They stated a clearance letter and permit will be required as the subject property is within a well head protection area. In addition, a storm water permit may be required.

Public comments: no written comments have been received to date.

Comments from the Applicant. Angela Mariani submitted a Planning Justification Report in support of this application. The report was provided to Council and copies were available at the meeting.

The Chairperson asked members of Council if they had any questions or concerns and then opened the Public Meeting to questions and comments from the public.

There were no questions from the public.

Deputy Mayor Armstrong commented he believes this is a very prudent use of the property and is pleased to see this type of development in North Dundas.

Chairman Fraser concurred with Deputy Mayor Armstrong's remarks and advised SDG County Council will consider the Official Plan Amendment on Monday, April 15, 2019.

Kevin Pidgeon of the Nautical Lands Group thanked Planner Calvin Pol for his assistance with the project thus far. He advised his company is pleased to be coming to Winchester (North Dundas) and invited all in attendance to view the Wellings Waterford Community model on-line.

Chairperson Fraser thanked all members of the public for attending.

**Moved by Gary Annable and seconded by John Thompson that the Public Meeting of Council adjourn at 7:35 p.m.**

**CARRIED.**

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Tony Fraser, CHAIRPERSON

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Jo-Anne McCaslin, CLERK



**PUBLIC MEETING UNDER THE PLANNING ACT FOR  
ZONING BY-LAW AMENDMENT  
&  
OFFICIAL PLAN AMENDMENT**

NORTH DUNDAS COUNCIL CHAMBERS- April 9, 2019 at 7:00 pm.

Angela Mariani, Nautical Lands Group

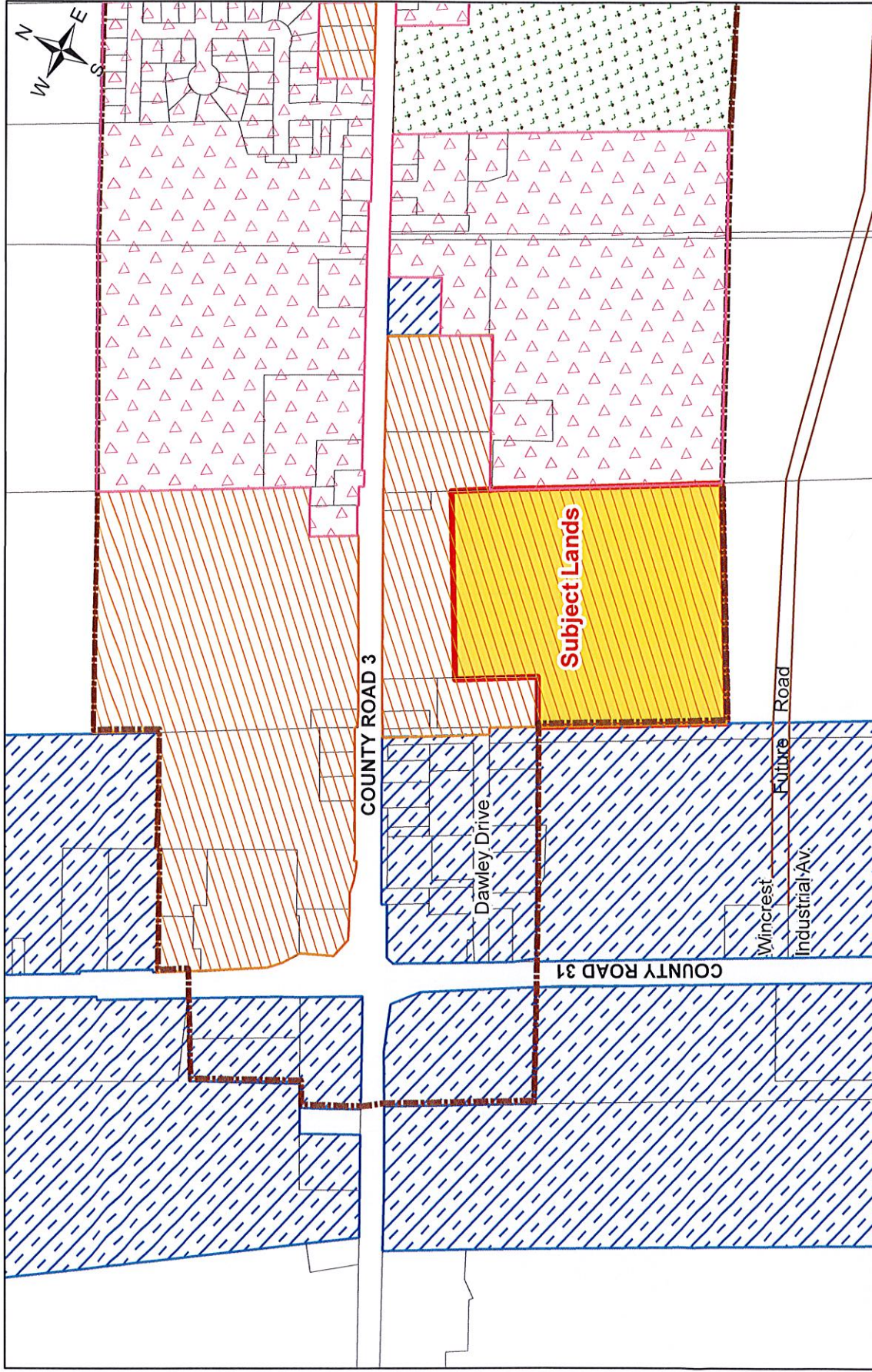
12046 County Road #3. Part of Lot 1, Concession 6  
former Township of Winchester, now the Township of North Dundas.

**ATTENDANCE:**

[illegible]



# Schedule 'A' - OPA 1



## Legend

- Residential District
- Commercial District
- Urban Settlement Area
- Employment District
- Subject Lands
- Major Open Space