

**THE CORPORATION OF THE UNITED COUNTIES**

**OF STORMONT, DUNDAS AND GLENGARRY**

**BY-LAW NO. 5381**

**A BY-LAW** to adopt Official Plan Amendment No. 16 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.

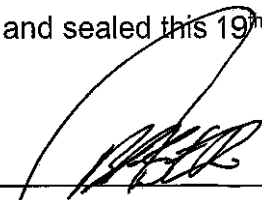
**AND WHEREAS** Official Plan Amendment No. 16 is a site-specific amendment which will remove the Salvage Yard District designation on Part 1 of Plan 14R6670 in the Township of North Glengarry, the severed portion of Consent No. B-38-22, whereby re-designating the land to Rural District.

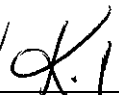
Official Plan Amendment No. 16 will also permit a Special Land Use District on Part of Lots 2 & 3, Concession 5, in the Township of North Glengarry, the retained portion of Consent No. B-38-22 to permit a garden shed construction business in addition to the Salvage Yard District polices.

**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. 16 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 19<sup>th</sup> day of December 2022

  
\_\_\_\_\_  
WARDEN

  
\_\_\_\_\_  
CLERK

**SCHEDULE "A" TO BY-LAW No. 5381**

**AMENDMENT NO. 16 TO THE  
OFFICIAL PLAN FOR THE  
UNITED COUNTIES OF STORMONT,  
DUNDAS AND GLENGARRY**

Owner: Heinrich Bartsch & Getruda Bartsch

Official Plan Amendment  
Special Land Use District

Township of North Glengarry



**UNITED COUNTIES OF STORMONT  
DUNDAS AND GLENGARRY**

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

I, Kimberley Casselman, 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- ----"---'."-----  
Kimberley Casselman, Clerk

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Appendix A: Notice of Public Meeting  
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## **STATEMENT OF COMPONENTS**

### **PART A • PREAMBLE**

Introduces the actual Amendment but does not constitute part of Amendment No. 16 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. 16 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry.

### **PART C - THE APPENDICES**

Do not form part of Amendment No. 16 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. 16 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry, being an amendment initiated by an individual pursuant to Section 22 of the *Planning Act*, resulting in a Salvage Yard District with a site-specific exemption and Provincially Significant Wetlands on the retained lands of severance application B-38-22 and a Rural District and Provincially Significant Wetlands on the severed lands, in the Township of North Glengarry. This will permit rural industrial uses related to the owner's existing garden shed building business on the retained lands and residential uses on the severed lands. This special land use district will be reflected on Schedule A5 of the SDG OP.

### **Location**

The subject property is described as being Part of Lots 2 & 3, Concession 5, in the former Township of Kenyon, now the Township of North Glengarry, located at 20221 Kenyon Concession Road 5, Alexandria. The severed lands have approximately 72.24 m of frontage on Kenyon Concession Road 5 and the retained lands have approximately 146.30 m of frontage on Kenyon Concession Road 5. The severed lands measure an area of approximately 20.03 acres in size and the retained lands measure an area of approximately 23.91 acres in size. The subject property is located on the north side of Kenyon Concession Road 5, south-west of the intersection of Kenyon Concession Road 5 and County Road 34. The lands surrounding the property are designated as Rural District, some of which are residential, with some Provincially Significant Wetlands to the west.

### **Basis**

In the Official Plan for the United Counties of Stormont, Dundas and Glengarry, the property is presently designated as "*Salvage Yard District, Provincially Significant Wetlands, and Rural District*". The purpose of the Salvage Yard District designation is to provide an area for the storage, crushing, dismantling, recycling, sorting or transfer of vehicles, building materials, nonhazardous wastes, junk and other materials away from settlement areas. Provincially Significant Wetlands should be conserved and protected for their ecological functions including flood prevention, water quality improvement, economic and recreational opportunities, and wildlife habitat. The retained property includes existing vegetation on the northern half and is currently developed with four existing structures located on the property, including a residential dwelling and 3 commercial buildings. The severed property does not contain any buildings and is mostly covered by existing vegetation.

The lands were previously used for a wrecking yard and a used car parts business but are no longer being used for this purpose. A Phase II Environmental Site Assessment has been submitted for this property. The retained property is currently operating a home-based business constructing garden sheds. The proposed site-specific land use district would permit the owners to continue to operate their home-based business. The proposed use of the site for constructing garden sheds will utilize existing buildings, and will not conflict with the residential uses, agricultural uses or the provincially significant wetlands on abutting lands. Overall, with

the exception of the amendment for the use, the proposal meets the general intent of the Official Plan policies.

## **PART B -THE AMENDMENT**

### **The Introductory Statement**

All this part of the document entitled, Part B - The Amendment, consisting of the following text and Schedule "A", constitutes Amendment No. 16 to 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 A5: Township of North Glengarry is hereby amended to remove the Salvage Yard District designation on "Part A", whereby re-designating the land to Rural District and to re-designate "Part B" to a Special Land Use District on Schedule "A" to Amendment No. 16 attached hereto, into "Section 9.1 Special Land Use Districts."
2. "Table 9.1.6 - Special Land Use Districts, Township of North Glengarry" is hereby amended by adding the following:

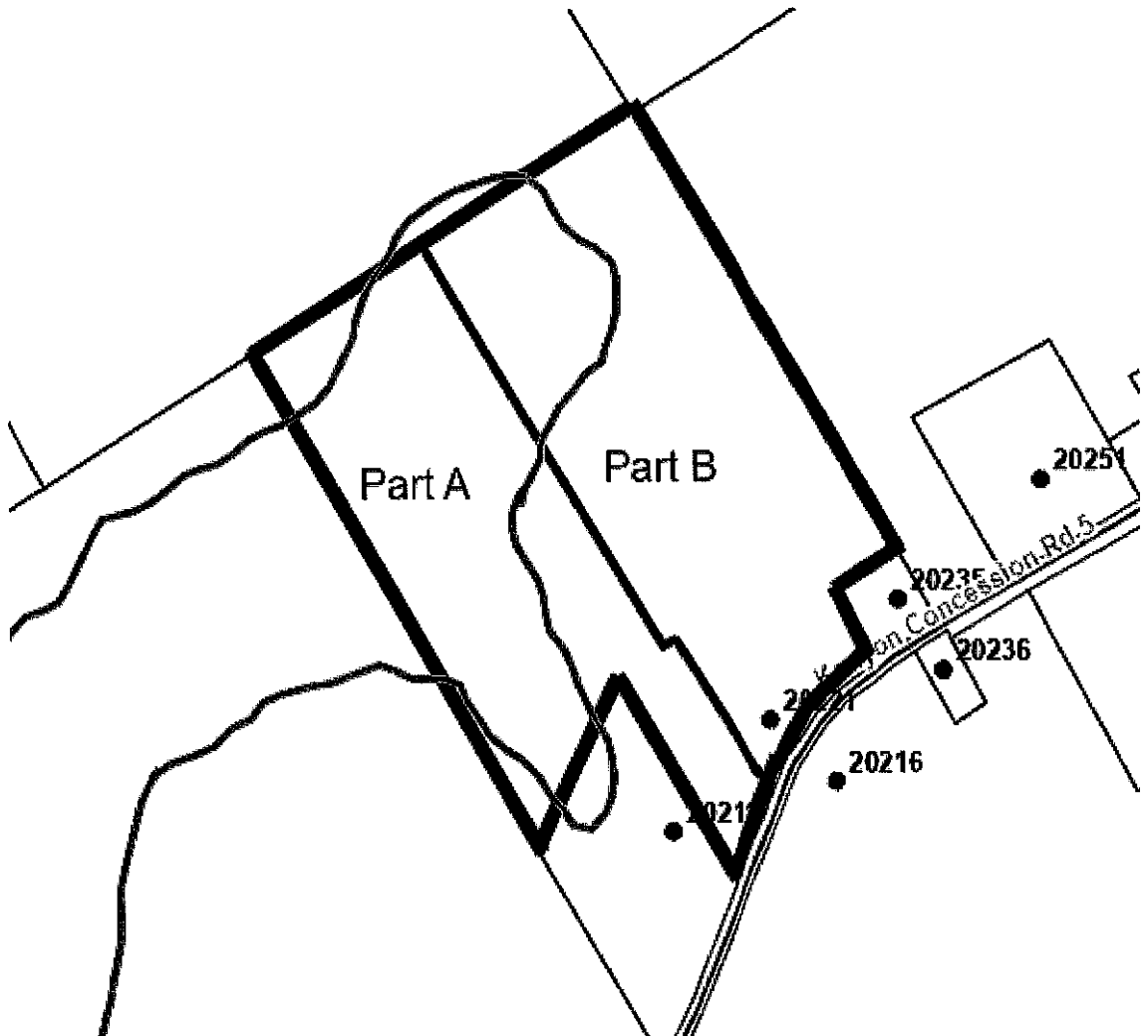
*"Notwithstanding the Salvage Yard District polices to the contrary in this Official Plan, a garden shed construction business shall be a permitted use on the retained porlion of consent application No. B-38-22, "Patt B", of the subject lands."*

### **Implementation**

1. The existing policies of the Stormont, Dundas and Glengarry Official Plan respecting the Rural District and other general policies are still applicable to the "Part B" as shown on Schedule "A".
2. The existing policies of the Stormont, Dundas and Glengarry Official Plan respecting the , Salvage Yard District and other general policies are still applicable to the "Part B" as shown on Schedule "A".
3. The Amendment shall be implemented through an amendment to the Township of North Glengarry's Zoning By-law.

**Schedule "A"**  
**OPA 16**

- : Provincially Significant Wetland
- : Subject Property
- "Part A": Severed portion of consent application No. B-38-22
- "Part B": Retained portion of consent application No. B-38-22





## **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 PROPOSING AN AMENDMENT TO THE (FORMER TOWNSHIP OF KENYON) ZONING BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

TAKE NOTICE that the Council of the Corporation of the Township of North Glengarry will hold a public meeting on the **21st of November at 6:00 p.m.** at the North Glengarry Township Office, 3720 County Road 34, (1st Street, Ontario) to hear the planning merit and gather public input regarding a proposed amendment to the Official Plan of the United Counties of Stormont, Dundas and Glengarry under section 2 of the Planning Act, R.S.O. 1990, as amended.

THE LANDS in which the Official Plan Amendment Zoning a-1w Amendment apply to are legally described as being: Part of Lots 2 & 3, Concession 5, in the Township of Kenyon, now the Township of North Glengarry, located at 21st Street, Concession 5, Alexandria and the shaded area on the attached Key Plan.

THE PROPOSED OFFICIAL PLAN AMENDMENT would change the Official Plan designations of "Rural District" and "Rural District" to "Rural District" and the over 100 lands of several lots in the Rural District with site-specific exemption of the residential land, of 0.1 hectares, adjacent to B-30-22 to the industrial use, as related to the existing garage, building business on the farm in the BMS and residential use on the site. The proposed Official Plan Amendment is to allow for the building of a residential building on the site, as related to the existing garage, building business on the farm in the BMS and residential use on the site. The proposed Official Plan Amendment is to allow for the building of a residential building on the site, as related to the existing garage, building business on the farm in the BMS and residential use on the site. The proposed Official Plan Amendment is to allow for the building of a residential building on the site, as related to the existing garage, building business on the farm in the BMS and residential use on the site.

#### NOTICE FOR THE OFFICIAL PLAN AMENDMENT

If you wish to be notified of the adoption of the proposed Official Plan Amendment, or if you wish to request a copy of the Official Plan, you must make a written request to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario) or to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario) or to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario).

If a person or public body wishes to make a submission at a public meeting, the person or public body must submit a written submission to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario) or to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario) or to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario).

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ANY PERSON who wishes to make a submission at a public meeting must submit a written submission to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario) or to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario) or to the Clerk of the Corporation of Stormont, Dundas and Glengarry (311, 1st Street, Cornwall, Ontario).

ADDITIONAL INFORMATION regarding the proposed Official Plan Amendment is available from Monday to Friday between 8:00 a.m. and 4:00 p.m. at the

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**Kimberly C1:i1 .e11m.1\_11**  
County Clerk  
**United Counties- Of**  
Montgomery & (Hengatf)  
26 Pitt Street, Suite 32  
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(61) 936-2913 (Fax)  
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**-Sarah Kinison**  
Chief Administrator  
Township of Northglengary  
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Alexandria, ON, K0C 1A0  
(613)-525-1625 (Phone)  
(613)-525-1149 (fax)  
[www.northglengary.ca](http://www.northglengary.ca)

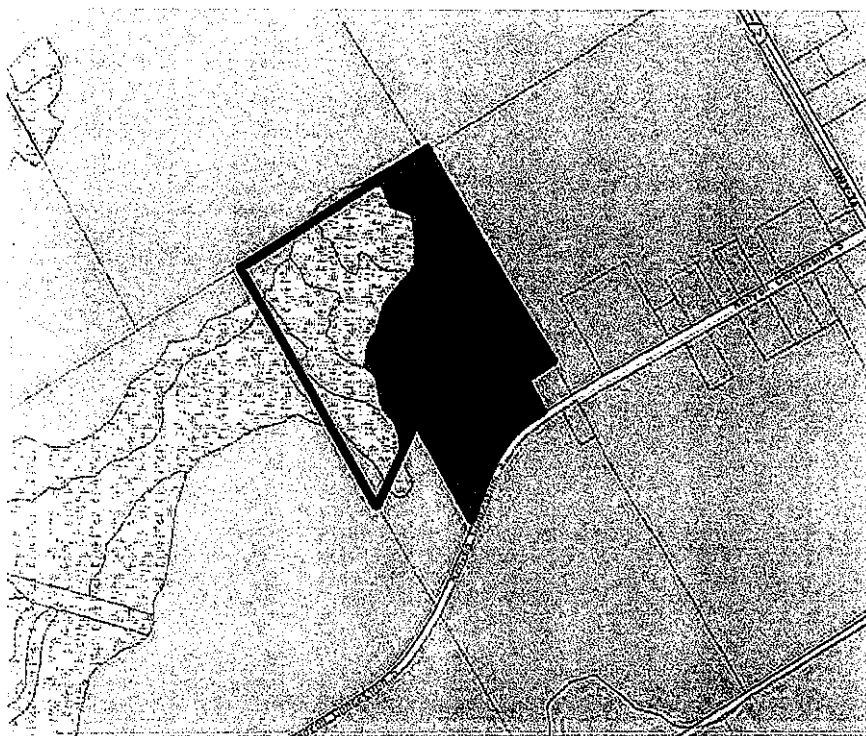
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## KEY MAP

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**Legend OPA 16**

- .. Salvage Yard District
- Rural District
- Provincially Significant Wetlands



**Area Affected by the Proposed Amendments:**

20221 Kenyon Concession Road 5, Alexandria, ON  
Legally described as being Part of Lots 2 & 3, Concession 5, in the former Township of Kenyon, now the Township of North Glengarry

## Appendix B: Record of Proceedings

CORPORATION OF  
TOWNSHIP OF NORTH GUNGARRY

Council Meeting

Item # /?-  
Date: Monday, November 28, 2022

Motion by: Michael Madden  
Seconded by: Jeff Manley

The Council of the Township of North Gungarry supports the United Counties of Stormont Dundas & Glengarry's proposed Official Plan Amendment No. 16 and the rezoning application Z-12-2022 be brought in Council at a public hearing on November 28, 2022 for further consideration and approval, and the Council's approval of the Official Plan Amendment.

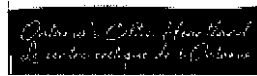
Carried

Motion

Motion

Mayor / Deputy Mayor

NORTH  
**GLENGARRY**  
NORD



STAFF REPORT  
PUBLIC MEETING OF PLANNING

November 22, 2022

TO= Mayor and Council Members

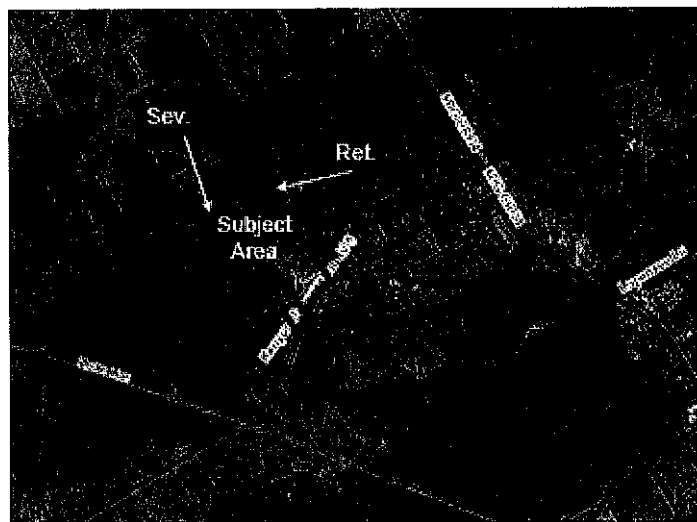
FROM Stephanie McNeil, Municipal Planning Consultant  
Jacob Rheume, Director of Building, By-law & Planning

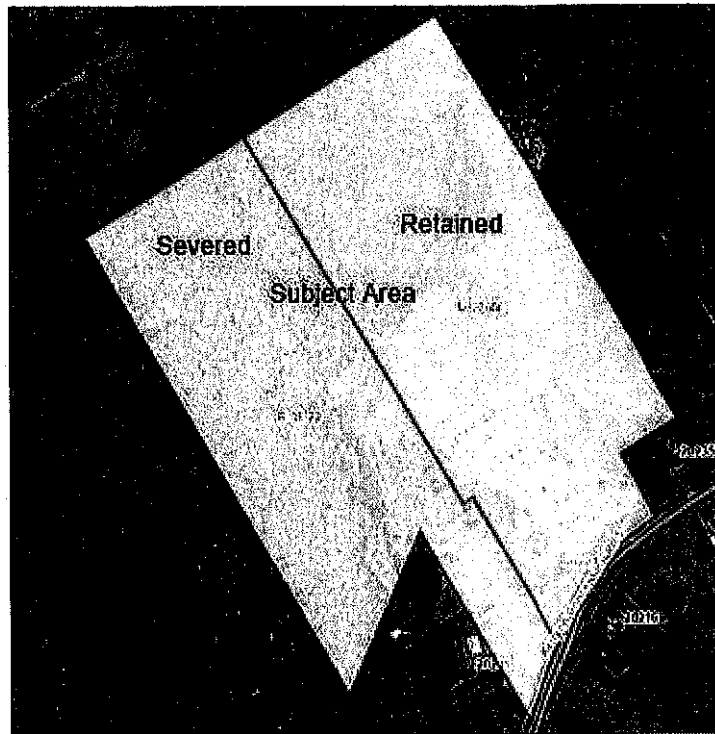
RE: Rezoning By-law, Amendment No. Z-12-2022 & Official Plan Amendment No. 16

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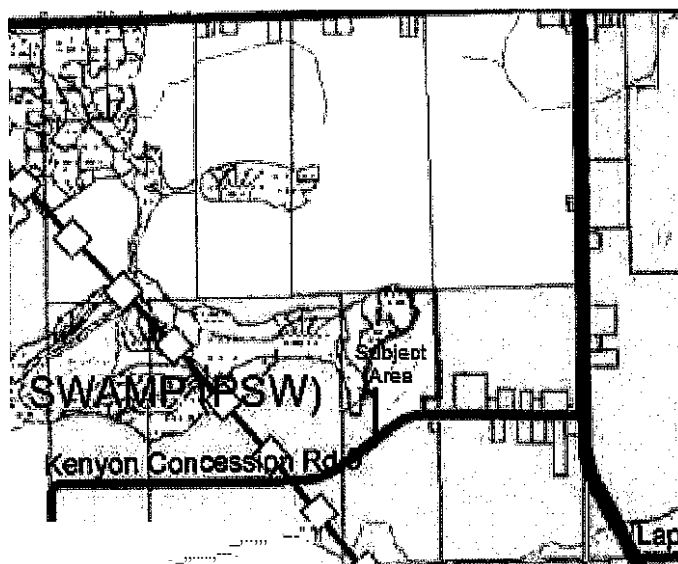
Owner= ~~Heinrich Bartz & Gertruda Bartz~~

Location: 202.21 Kenyon Crescent, Unit 5, Alexandria, ON  
Cons. Part Lots 2 & 3, geographic Township of Kenyon  
Severely and Retained Portions of Consent No. B-38-22

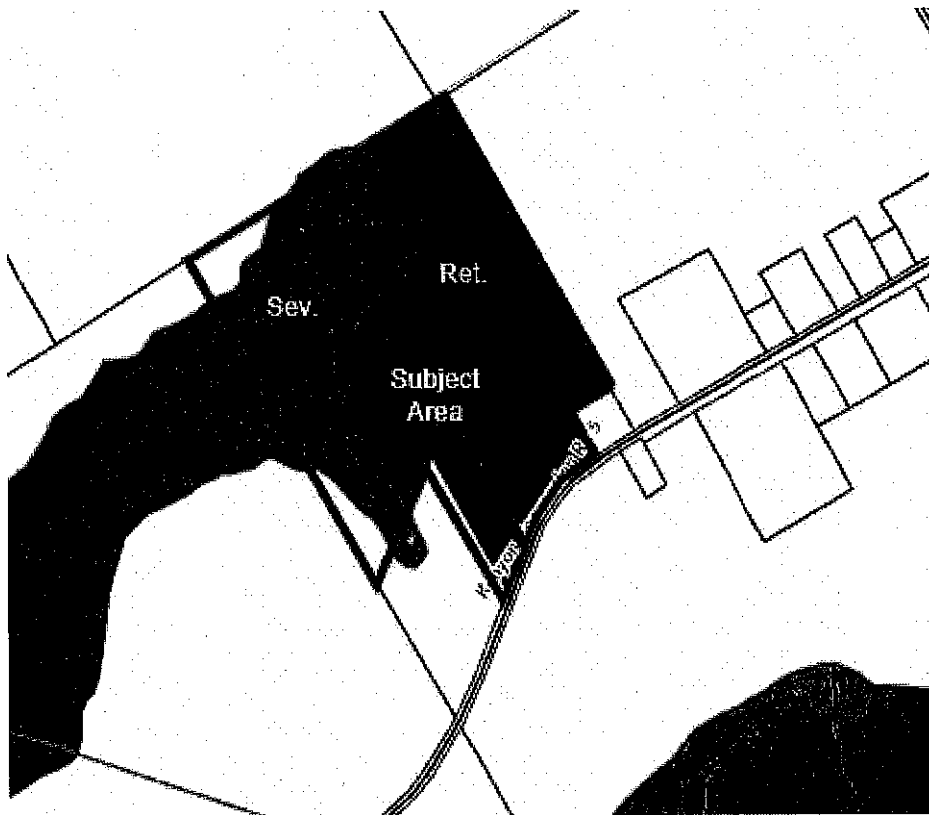




Official PJan designation: "Salvage Yard District" and "Provincially Significant Wetland"



**Zoning designation:** "Wrecking Yard" and "Provincially Significant Wetland"



**Purpose of the Applications:**

Official Plan

To remove the Salvage Yard District designation on the severed portion of Consent No. B-38-22, whereby re-designating the land to rural district.  
to re-designate the retained portion of Consent No. B-38-22, to a Special Land Use district to address the rural industrial use related to the owner's existing garden shed construction business, in addition to the salvage yard district policies.

Zoning By-law:

To re-zone the severed portion of Consent No. B-38-2.2 from "Wrecking Yard (WV)" to "Rural (RU)"  
To re-zone the retained portion of Consent No. B-38-22 from "Wrecking Yard (WY)" III to "Wrecking Yard - Special Exception 2 (WY-2)" to permit the landowner's existing garden shed construction business.



**Background:**

A consent application on the subject property was submitted to the County to add land, previously used as a salvage yard, to a neighbouring rural residential property. The retained lands are also currently not used as a salvage yard, though a garden shed construction business and residential use remain on the retained lands of the consent application. Together with a supporting Record of Site, the application received conditional approval from the County. The applicant submitted a concurrent Official Plan Amendment and Zoning By-law Amendment to remove a salvage yard use on the severed portion, and permit an existing garden shed construction business on the retained portion to satisfy a condition of Consent approval for Application No. B-38-22.

The subject property is described as being Part of Lots 2 & 3, Concession 5, in the former Township of Kenyon, now the Township of North Glengarry, located at 20221 Kenyon Concession Road 5, Alexandria. The severed lands include approximately 72.24 m of frontage on Kenyon Concession Road 5 and measures approximately 20.03 acres in size. The retained lands include approximately 145.3 m of frontage on Kenyon Concession Road 5 and measures approximately 23.91 acres in size. The property is located on the north side of Kenyon Concession Road 5, southwest of the intersection of Kenyon Concession Road 5 and County Road 34. Surrounding land uses include rural residential uses and Provincially Significant Wetlands. Part of the subject lands are designated Provincially Significant Wetlands as well and are not proposed to change.

To permit the existing uses on both the benefiting lot and the retained lot, amendments to the United Counties Official Plan and Township of North Glengarry Zoning By-law are required, as the designation and zoning of the lands do not allow for the proposed and existing uses.

In accordance with the Planning Act, a public meeting is being held, and notice was circulated by regular mail, e-mail, advertised in the Glengarry News and posted at the property. As of the writing of this report, no public or agency comments (aside from RRCA, see below) were received by the Township or United Counties.

We have received a comment from RRCA as Provincially Significant Wetlands are mapped within 120m of the subject lot. The wetland is known as Mud Lake Swamp. Development or site alterations within and setback 120m from the Provincially Significant Wetlands shall require permission from the Raisin Region Conservation Authority, as per O. Reg. 175/06.

The process of concurrently filing an Official Plan Amendment and Zoning Amendment application includes the public meeting being held this evening at the lower-tier municipality (Township), a resolution of support will be issued by Council and sent to the United Counties. This is required prior to County Council considering the Official Plan Amendment to ensure the Township and County are both in favor of this amendment. The Zoning By-law Amendment is to be brought back to Council at a later date, only after the County made their decision on the amendment. The reason for this order of process is simply because in this case, as the proposed ZBA would not be compliant with the OP, it would not be "recommended" until the OP is amended. The zoning by-law amendment will be passed by Council subsequently.

### 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 United Counties also is reviewing the concurrent consent application for a kn addition to an adjacent residential lot.
- The Township of North Glengarry is the administrator and 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 conform 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 lands are located within the "Rural Area" and "Rural Lands" as defined in the PPS.

Section 1.1.1 supports healthy, vibrant 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 avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 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 through goods and services. While Section 1.1.5 speaks of permitted uses on rural lands of which include, residential development that is locally appropriate, home occupations and home industries, and that such development be compatible with the rural landscape.

### United Counties of SDG Official Plan (OPI)

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 Official Plan also seeks to protect and enhance the character of existing urban areas and the stability of existing and well-established residential neighborhoods by ensuring that development and redevelopment is compatible with the scale and density of existing development.

The subject property is currently designated as "Salvage Yard District" and "Provincially Significant Wetland."

The severed portion of Consent No. B-38-22 is proposed to be re-designated as "Rural District" and maintain the area currently designated as "Provincially Significant Wetlands."

The retained portion of Consent No. B-3S-22 is proposed to be re-designated as "Special Land Use District" to include the existing garden shed construction business in addition to the uses permitted in the salvage yard district. The areas of the land that are currently designated as "Provincially Significant Wetlands" will continue to be designated as such.

#### **N3.4.6 Rural District**

*The Rural District contains a variety of land uses, such as farms, forests, small industrial, golf courses, and in many places small clusters of residential and commercial development. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location and a limited amount of residential development where such development will not preclude continued agricultural and non-residential uses.*

*"When considering an application to amend the zoning By-law to permit other uses identified above, the following matters must be considered:*

- a. The use would not be better located in a Settlement Area or the urban*
- b. The volume and pattern of traffic generated by the development will not interfere with the proper functioning of the local road network;*
- c. The proximity of adjacent landowners or the mitigation of potential adverse impacts from lighting, noise, odour, dust or traffic can be achieved by separating the land uses, buffering, or other measures as part of the development;*
- d. The potential for reducing possible impacts on existing agricultural uses or nearby rural residential or settlement areas, where relevant;*
- e. The development is in keeping with the surrounding rural character and landscape;*
- f. Aesthetics, landscaping, design and compatibility and environmental protection provisions of the Official Plan;*
- 9. Non-residential uses will only be considered where suitable screening and buffering can be provided and generally these uses will not be considered in vulnerable drinking water protection areas, immediately adjacent to residential areas, or in water areas; and*
- h. The impact that the development will have on the protection of tree cover as result of proposed site clearing and grading, fencing, security lighting, and other similar site provisions.*

Table 3.5 of the Official Plan highlights the generalized list of permitted uses in the rural district and salvage yard district. Rural district uses include low density housing (severed portion), whereas the salvage yard district explicitly permits only salvage-related activities. The salvage

yard district does not permit rural industrial uses, such as the existing garden shed construction business.

The proposed uses are best situated in the rural area. An Official Plan amendment is required to change the designation of the subject lands.

Wrecking Yard Zoning By-law

The subject lands are zoned "Wrecking Yard" and "Provincially Significant Wetland" in the township's zoning by-law. The proposed, more sensitive land *USES* do not fall into the permitted uses of the "Wrecking Yard" zone. A zoning amendment is required to change the zoning of the subject lands.

Analysis:

Considering the analysis provided herein and the supporting Record of Site Condition (RSC) submitted with the Consent application, staff are of the opinion that the Official Plan Amendment and Zoning Amendment:

- are consistent with the Provincial Policy Statement;
- would be in conformity with the applicable policies of the United Counties of SOG - 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 remove the "Wrecking Yard" zone and replace with "Rural" on the severed portion of Consent No. B-38-22, and amend the "Wrecking Yard (WY)" zone to "Wrecking Yard - Special Exception 2 (WY-2)" to permit the existing garden shed construction business. In addition, the other "Wrecking Yard (WY)" uses on the retained lands of Consent No. BcSS-22.

Environmental Considerations:

The applicant has provided an adequate Record of Site Condition (RSC) to address the proposed sensitive land use on the subject land. No additional negative impacts to the environment are anticipated by the proposal.

Recommended Conditions:

None.