

THE CORPORATION OF THE UNITED COUNTIES
OF STORMONT, DUNDAS AND GLENGARRY

BY-LAW NO. 5431

A BY-LAW to adopt Official Plan Amendment No. 15 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.

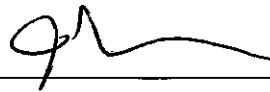
AND WHEREAS Section 17 (22) of the Planning Act, R.S.O., 1990 provides for the adoption of an official plan (or amendment) by a municipal council.

AND WHEREAS Official Plan Amendment No. 15 is a site-specific amendment which permits a warehouse and open storage to only part of the subject lands described as Part 1 on RP8R917; Part 1 on RP8R2879, as shown on Schedule "A"

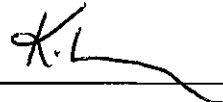
NOW THEREFORE the Council of the Corporation of the United Counties of Stormont, Dundas and Glengarry enacts as follows:

1. That Official Plan Amendment No. 15 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 18th day of December, 2023.



WARDEN



CLERK

SCHEDULE "A" TO BY-LAW No. 5431

**AMENDMENT NO. 15 TO THE
OFFICIAL PLAN FOR THE
UNITED COUNTIES OF STORMONT,
DUNDAS AND GLENGARRY**

Owner: Graham Jack Durant & Mary Eliza Durant

Official Plan Amendment
Special Land Use District

Township of North Dundas



**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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STATEMENT OF COMPONENTS

PART A - PREAMBLE

Introduces the actual Amendment but does not constitute part of Amendment No. 15 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. 15 to the Official Plan for the United Counties of Stormont, Dundas and Glengarry.

PART C - THE APPENDICES

Do not form part of Amendment No. 15 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. 15 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 Special Land Use District, in the Township of North Dundas to permit a warehouse and open storage uses using existing buildings on the property. This special land use district will be reflected on Schedule A1 of the SDG OP.

Location

The subject property is described as being Part of Lot 15, Concession 6, in the former Township of Winchester, now the Township of North Dundas, located in the Agricultural Resource Lands. The subject property is in the shape of a “u” with a lot area of roughly 8 acres and has approximately 144.3m of frontage on Kittle Road. The subject property is located at 13055 Kittle Road, just south of the intersection of Boyne Road and Kittle Road. The lands surrounding the property are designated as Agricultural Resource Lands, most of which are primarily active agricultural fields, with a few residential uses. The abutting property to the west, located at 13057 Kittle Road, and surrounded to the north, east and south by the subject property, consists of a residential dwelling. There is an existing easement that serves as access for the shared well that is located on the subject property. In addition, the easement serves as a right of way for the residents of the abutting property to access their garage using the north laneway.

Basis

In the Official Plan for the United Counties of Stormont, Dundas and Glengarry, the property is presently designated as “*Agricultural Resource Lands*”. The purpose of this designation is to protect prime agricultural land for agriculture and agricultural-related uses. The subject property is currently developed with four existing structures located on the property which include a residential dwelling and three storage buildings. The property includes some existing vegetation, and the development is set farther back from the road.

The property owners have been using the subject property for storage facilities and intend to continue and broaden this activity, allowing for greater variety of storage on-site. The owners intend to store furniture and vehicles while retaining the existing dwelling on the site. This continued use is not anticipated to impact any surrounding lands, nor have any negative effect of agricultural related uses over the long-term. The proposal seeks to use existing buildings and infrastructure to continue storage uses and activity. The proposal will not result in the loss of any agricultural lands, as the subject lands, which are relatively small and unable to support significant agricultural activity, are not currently being used for agriculture and will continue for residential and commercial use.

The proposed site-specific land use district would permit the applicants to continue usage of their storage facilities and give them the opportunity to broaden this activity to include a greater variety of storage and expand their business. The proposed use of the site for on-site storage will utilize existing buildings and will not conflict with normal agricultural operations on abutting lands. Overall, with the exception of the amendment for the use, the proposal meets the general intent of the Official Plan policies.

Given that the site will be used for commercial/industrial storage and will be in close proximity to an existing dwelling, a site plan control application and approval will be required by the Township of North Dundas. A combination of setbacks, fencing, berms and vegetation will likely be required to reduce the adverse impacts on the abutting residential dwelling. There is an existing easement that serves as access for the shared well that is located on the subject property. In addition, the easement serves as a right of way for the residents of the abutting property to access their garage using the north laneway.

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.15 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:

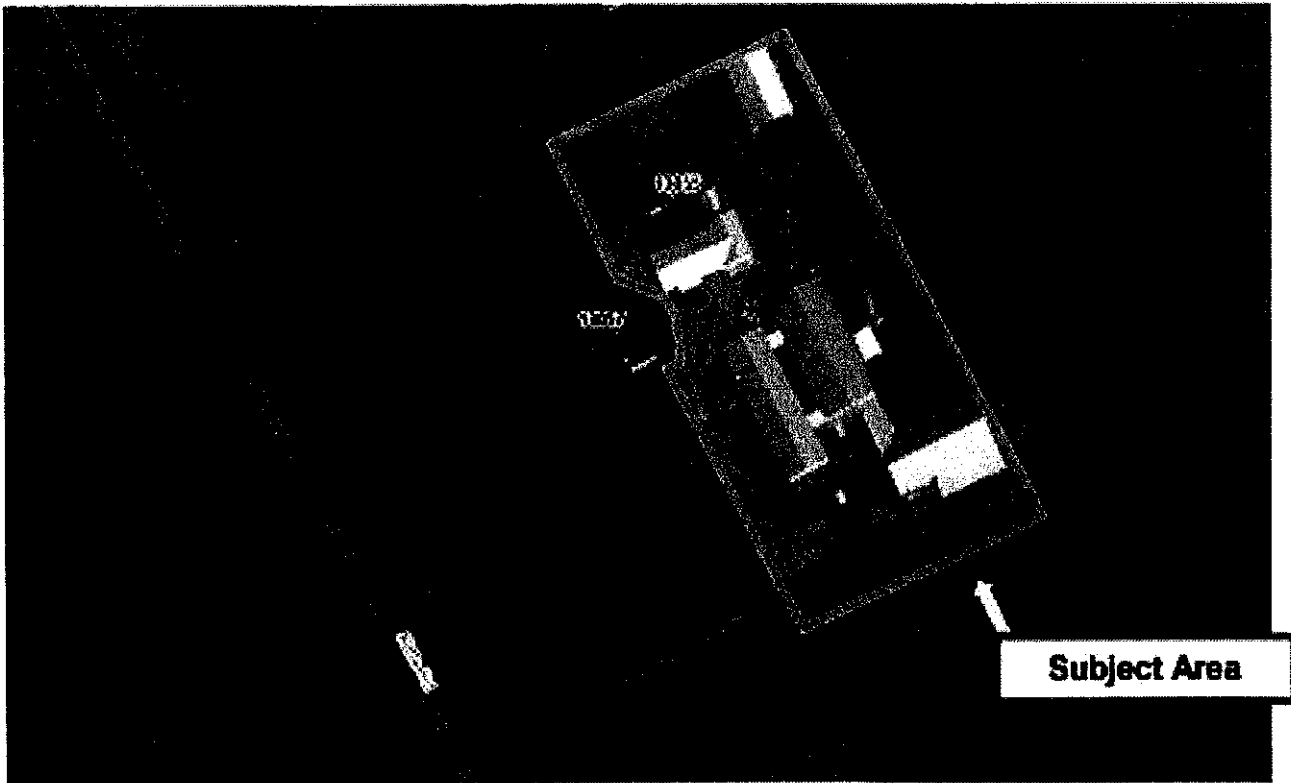
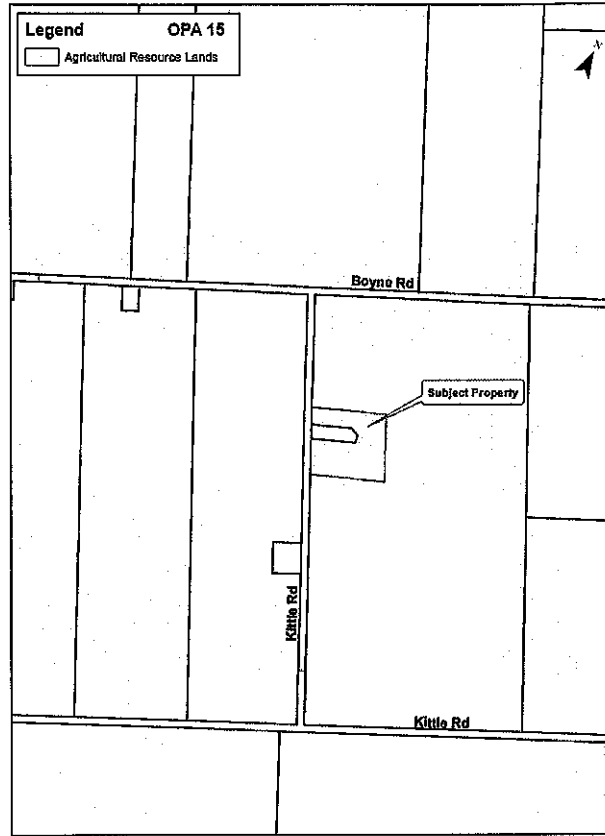
1. Schedule A1: Township of North Dundas is hereby amended by re-designating the lands shown as "Subject Property" on Schedule "A" to Amendment No. 15 attached hereto, into "Section 9.1 Special Land Use Districts."
2. "Table 9.1.1 - Special Land Use Districts, Township of North Dundas" is hereby amended by adding the following:

"Notwithstanding the Agricultural Resource Lands policies to the contrary, warehouse and open storage shall be permitted on a portion of the lands described as Part 1 on RP8R917; Part 1 on RP8R2879 and that the subject property is subject to site plan control (an industrial use), and that the owner enter into a Site Plan Control Agreement with the Township of North Dundas."

Implementation

1. The existing policies of the Stormont, Dundas and Glengarry Official Plan respecting Agricultural Resource Lands and other general policies are still applicable to the subject lands.
2. The Amendment shall be implemented through an amendment to the Township of North Dundas's Zoning By-law.

Schedule "A"
OPA 15



PART C – THE APPENDICES

APPENDIX A: NOTICE OF PUBLIC MEETING

APPENDIX B: RECORD OF PROCEEDING

APPENDIX C: PLANNING RATIONALE

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 9th of August at 6:30 p.m. at the North Dundas Council Chambers, 636 St. Lawrence Street, Winchester, Ontario to hear the planning merits and gather public input regarding a proposed amendment to the Official Plan of the United Counties of Stormont, Dundas and Glengarry and consider a proposed amendment to Zoning By-law 12-93 (former Township of Winchester) under Sections 17, 22 and 34 of the *Planning Act, R.S.O. 1990*, Chapter P. 13, as amended.

THE LANDS to which the Official Plan Amendment and Zoning By-law Amendment apply to is legally described as, Part of Lot 15 on Concession 6, former Township of Winchester, now the Township of North Dundas, County of Dundas, municipally known as 13055 Kittle Road, Chesterville, Ontario, as indicated by the blue outlined area on the attached Key Map.

- 1. THE PROPOSED OFFICIAL PLAN AMENDMENT # 15** would change the Official Plan designation from "Agricultural Resource Lands" to "Special Land Use District" to permit the applicants to continue usage of their storage facilities and give them the opportunity to broaden this activity to include a greater variety of storage and expand their business. If the proposed amendment is adopted by the United Counties, the subject lands will be designated as "Special Land Use District" and cease to be designated as "Agricultural Resource Lands".

NOTICE FOR THE OFFICIAL PLAN AMENDMENT

If you wish to be notified of the adoption of the proposed Official Plan Amendment, or of the refusal of a request to amend the Official Plan, you must make a written request to the United Counties of Stormont, Dundas and Glengarry, 26 Pitt Street, Cornwall, Ontario, K6J 3P2. Any appeal of the proposed Official Plan Amendment must be made to the Clerk of the United Counties after the United Counties have rendered its decision in this matter.

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 proposed Official Plan Amendment # 15 is adopted, the person or public body is not entitled to appeal the decision of the United Counties of Stormont, Dundas and Glengarry to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to United Counties of Stormont, Dundas and Glengarry before the Official Plan Amendment #15 is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

- 2. THE PROPOSED ZONING BY-LAW AMENDMENT** would change the zoning of the land from the "Agricultural Special Exception 18 (AG-18)" and Agricultural "AG" zone to "Agricultural Special Exemption Forty Two (AG-42)" zone. The purpose of the amendment is to permit warehousing and open storage on the subject property. If the By-law is adopted by North Dundas Township Council, the subject lands will be zoned to permit a warehouse and open storage facility on the property.

NOTICE FOR THE ZONING BY-LAW AMENDMENT

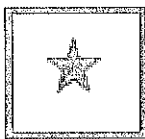
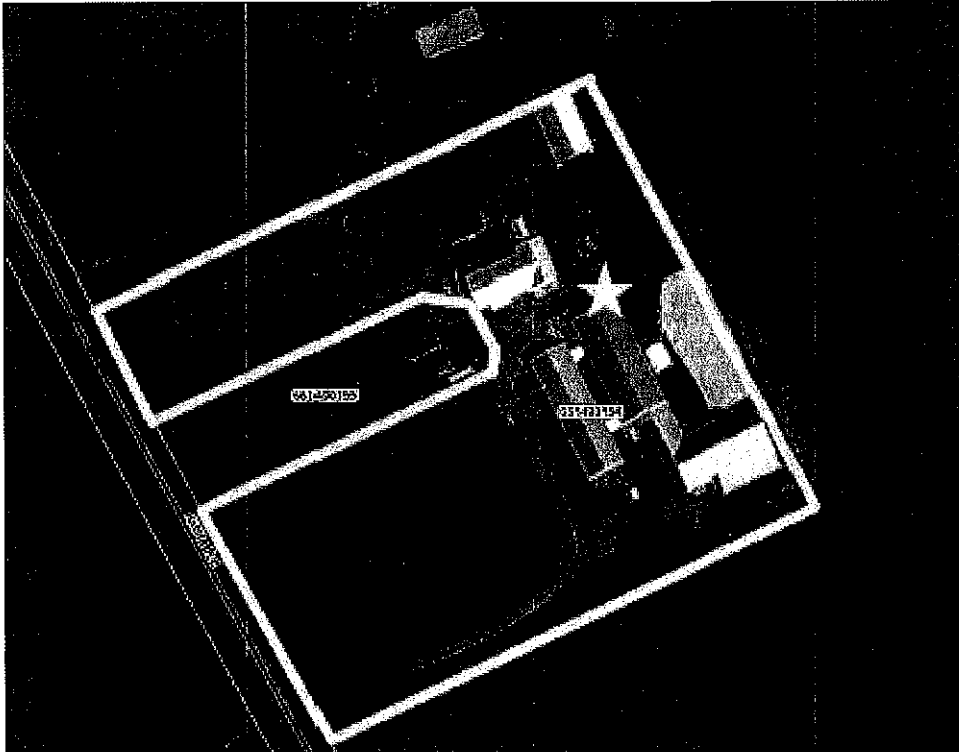
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of North Dundas before the Zoning By-law

PUBLIC MEETING
NOTICE

~ 3 ~

OFFICIAL PLAN AMENDMENT
ZONING BY-LAW AMENDMENT

KEY MAP



Area Affected by the Proposed Amendments:

Part of Lot 15 on Concession 6, former Township of Winchester,
now the Township of North Dundas, County of Dundas,
municipally known as 13055 Kittle Road, Chesterville, Ontario

Appendix B: Record of Proceedings



ACTION REQUEST Planning, Building & Enforcement

To: Mayor and Members of Council

Date of Meeting: August 9, 2022

Subject: Zoning Bylaw and Official Plan Amendment Request - Durant

RECOMMENDATION:

THAT Council recommend to the Council of the United Counties of Stormont, Dundas, Glengarry that the application for an Official Plan Amendment (#15), be deferred until a complete site plan application is received regarding all commercial/industrial uses on the subject property and that Site Plan Control be a requirement within OPA #15;

AND THAT Council hereby requires that a change of use/building permit be successfully obtained and final inspection granted for the accessory apartment dwelling within the warehouse, or that the accessory office be reinstated to the satisfaction of the Township of North Dundas Chief Building Official.

BACKGROUND:

On March 23rd 2022, the Township of North Dundas received a Zoning Amendment Application for warehousing and outdoor storage in an Agricultural (AG) zone. The Township accepted the Application as completed at the July 12th 2022 meeting of Township Council, and requested a public meeting be held on August 9th 2022 regarding the application.

The United Counties of Stormont, Dundas, and Glengarry also received an application for an Official Plan Amendment to redesignate the lands from Agricultural Resource Lands to Special Land Use District to permit the applicants to continue the usage of their storage facilities and give the opportunity to broaden this activity to include a greater variety of storage options and expand their business.

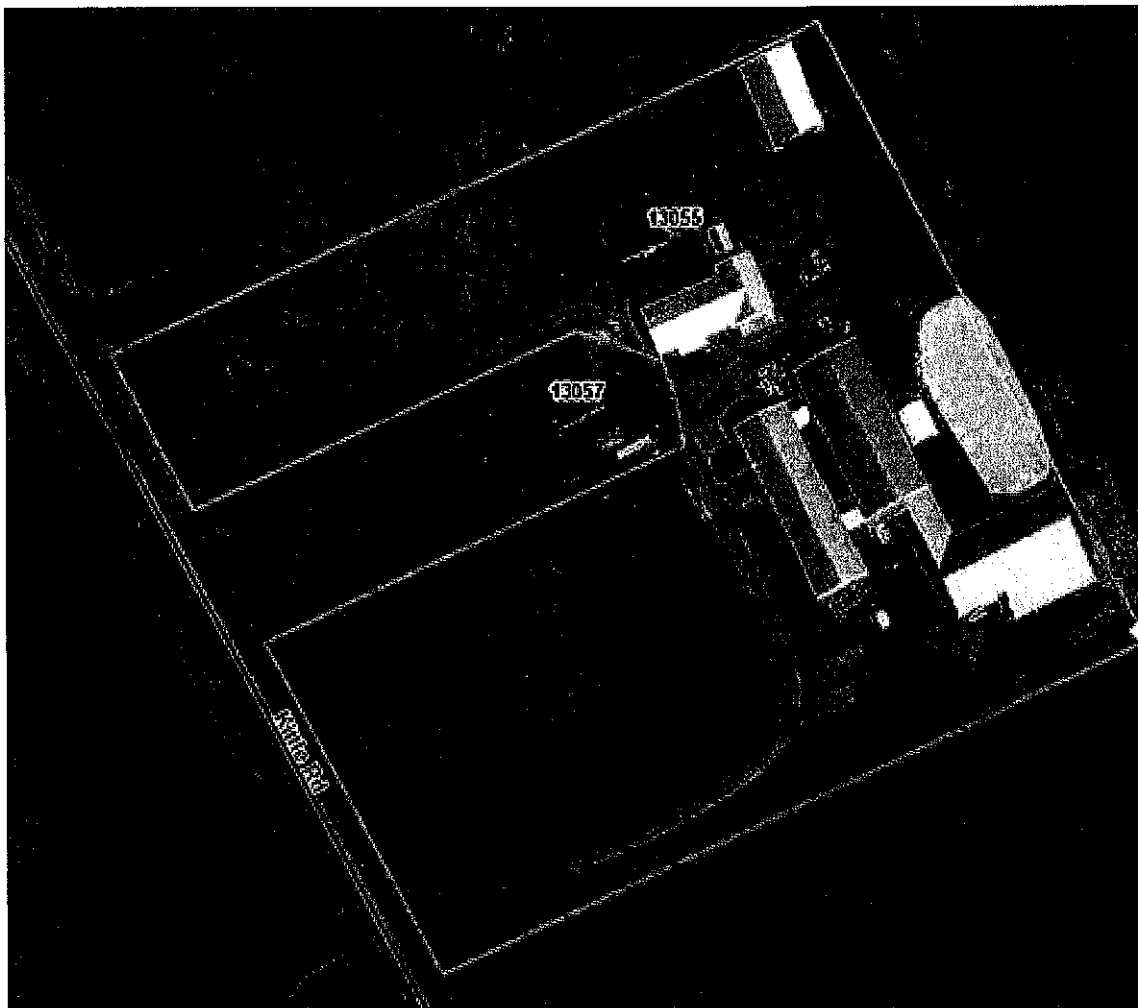
Prior to the Township approving a zoning amendment, an Official Plan amendment must be adopted by County Council. Both amendments must conform with the 2020 Provincial Policy Statement, which has very restrictive policies for commercial/industrial uses within prime agricultural areas (Policies 2.3.3 and 2.3.6).

Permitted Uses in prime agricultural areas are limited to: agriculture uses, agriculture-related uses and on-farm diversified uses.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

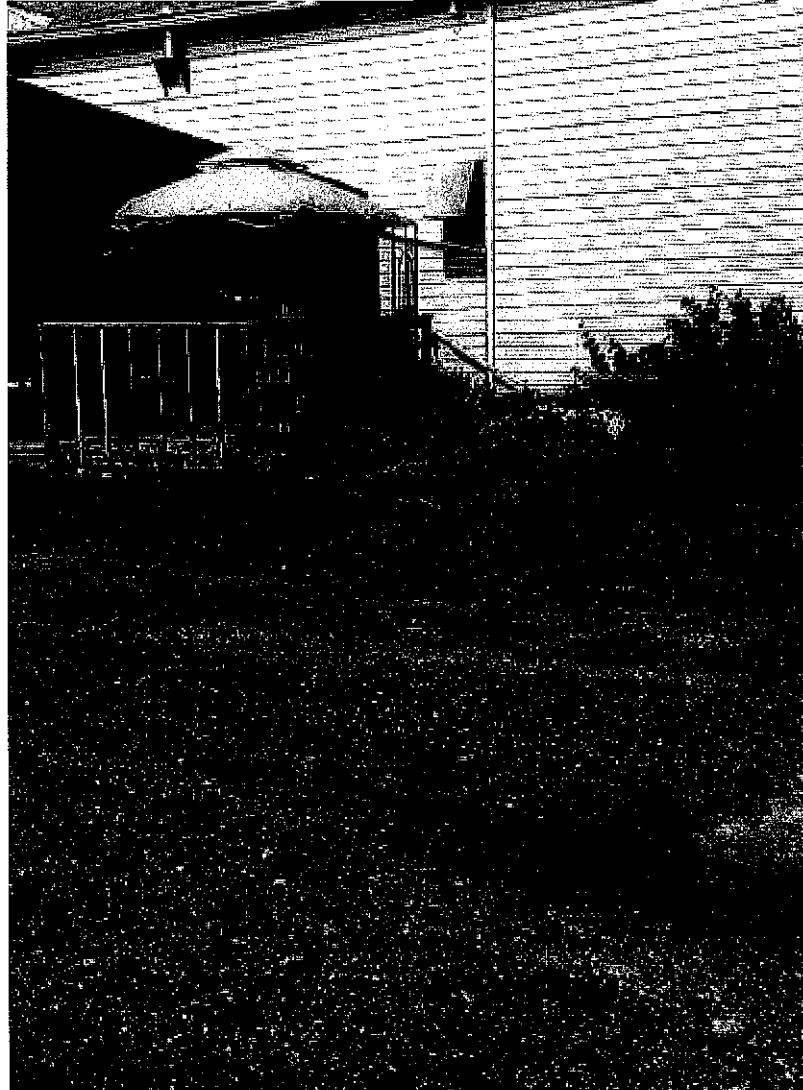
The application submitted is unclear on the proposed expansions, particularly outdoor

storage (where this will be located on the subject property (approximately 8 acres)). Given that the site will be used for commercial/industrial storage and will be in close proximity to an existing dwelling, a site plan application and approval should be applied. The current site plan bylaw does not include agriculturally zoned lands, as they are exempt being typically agricultural uses. However, this amendment will permit commercial/industrial type uses, which are subject to site plan approval. Therefore, the Official Plan Amendment needs to clearly specify that the special exception sought includes a requirement that Site Plan Control Approval applies. This is particularly important given the proximity of the proposed commercial/industrial uses abutting an existing residential dwelling (13057 Kittle Road). A combination of setbacks, fencing, berms and vegetation will likely be required to reduce the adverse impacts on the abutting residential dwelling.



Upon a site visit for the zoning amendment, it was determined that there were existing sensitive land uses not noted in the application. In addition, the existing warehouse currently has an illegal occupied residential dwelling unit within it, which has been illegally occupied for some time without a valid building permit. After discussion with the applicant and their representatives the intention is for the residential use within the warehouse to continue. A

change of use/building permit and septic permit will be required to make the accessory dwelling unit legal. As the accessory dwelling unit never received approvals and is illegal at this time, these applications should be sought and approved, before Council approves the rezoning application. The proposed zoning amendment will need to consider that there are currently two (2) accessory residential dwellings on the subject property (one legal, one illegal). This is relevant, as the proposed amendments will move the property toward a commercial/industrial type property compared with what exists today.



Therefore, Staff recommend that Township Council not recommend approval of Official Plan Amendment #15 to County Council until the existing illegal residential unit receives a valid building permit and a final inspection (or is reinstated as an accessory office (to the satisfaction of the Chief Building Official)), and that the Official Plan Amendment include a requirement for site plan control for the commercial/industrial uses on the subject property and that a site plan control application be submitted to the Township.

OPTIONS AND DISCUSSION:

1. **Approve the recommendation** - recommended.
2. **Do not approve the recommendation** - not recommended.
3. **Modify the recommendation** – Council can add to or modify the recommendation

FINANCIAL ANALYSIS:

No impact at this time.

OTHERS CONSULTED:

Applicant

Applicant's agents

Chief Building Official

Director of Planning, United Counties of Stormont, Dundas, and Glengarry.

South Nation Conservation Authority (septic approval)



ACTION REQUEST
Planning, Building & By-law Services

To: Mayor and Members of Council

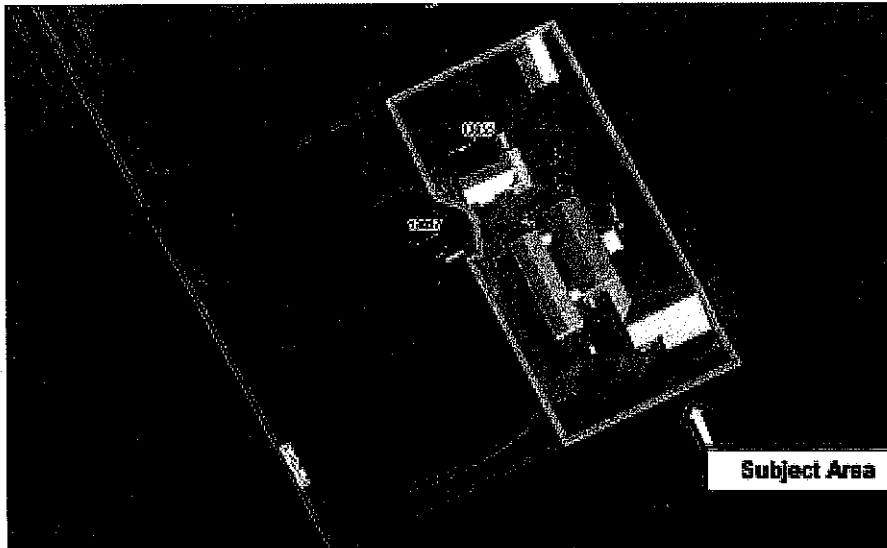
Date of Meeting: November 14, 2023

Subject: OPA Resolution for 13055 Kittle Road Rezoning

RECOMMENDATION:

BE IT RESOLVED THAT Council supports Official Plan Amendment #15, subject to the following amendments thereto:

1. That Part B, Section 2 be modified to reflect a change in area covered by Official Plan Amendment #15 as follows:
"Notwithstanding the Agricultural Resource Lands policies to the contrary, warehouse and open storage shall be permitted on lands described as part of Part 1 on Plan 8R917 and part of Part 1 on RP8R2879 (being part of 13055 Kittle Road), save and except Part 1 on Plan 8R3135."
2. That OPA#15 requires the subject property to be subject to site plan control (an industrial use), and that the owner enter into a Site Plan Control Agreement with the Township of North Dundas.
3. That the OPA#15 Schedule "A" be modified to only apply to part of the subject lands as shown in the attached diagram:



BACKGROUND:

On March 23rd 2022, the Township of North Dundas received a Zoning Amendment Application for warehousing and outdoor storage in an Agricultural (AG) zone. The Township accepted the Application as completed at the July 12th 2022 meeting of Township Council, and requested a public meeting be held on August 9th 2022 regarding the application.

The United Counties of Stormont, Dundas, and Glengarry also received an application for an Official Plan Amendment to redesignate the lands from Agricultural Resource Lands to Special Land Use District to permit the applicants to continue the usage of their storage facilities and give the opportunity to broaden this activity to include a greater variety of storage options and expand their business.

Prior to the Township approving a zoning amendment, an Official Plan amendment must be adopted by County Council.

On August 9th, 2022, Council passed the following resolution:

THAT Council recommend to the Council of the United Counties of Stormont, Dundas, Glengarry that the application for an Official Plan Amendment (#15), be deferred until a complete site plan application is received regarding all commercial/industrial uses on the subject property and that Site Plan Control be a requirement within OPA #15;

AND THAT Council hereby requires that a change of use/building permit be successfully obtained, and final inspection granted for the accessory apartment dwelling within the warehouse, or that the accessory office be reinstated to the satisfaction of the Township of North Dundas Chief Building Official.

Kollaard Associates Inc. staff are working on the Site Plan and Site Plan Application.

The Owner has applied for and obtained a building permit to renovate the illegal apartment back into an office. A final inspection was completed for this change of use permit.

Based on the draft site plan and a detailed review of the Official Plan Amendment (OPA #15), three modifications to OPA#15 are recommended:

1. Correct the legal description of the property to exclude 13057 Kittle Road. The current legal description includes the neighbouring residential property.
2. Modify the text of OPA#15 to require that the property be subject to Site Plan Control and a Site Plan Control Agreement. The intended use is industrial, but the property is in an Agricultural Zone. Site Plan Control does not apply in Agricultural Zones, therefore the OPA needs to specify that Site Plan Control applies to this exception zone. The main purpose for site plan control is to buffer the abutting residential dwelling from industrial activities (vehicle and truck traffic).
3. Reduce the area to which the Official Plan Amendment applies to only the area being used, rather than the whole property. This is to avoid outdoor storage in the front and

side yards.

Once Official Plan Amendment #15 is adopted by County Council, Township Council can consider the Zoning Amendment and a Site Plan Control Agreement.

OPTIONS AND DISCUSSION:

1. Approve the recommendation - recommended.
2. Do not approve the recommendation - not recommended.

FINANCIAL ANALYSIS:

None at this time. Once the zoning is approved and the use commences, there will likely be an increase in tax assessment.

OTHERS CONSULTED:

United Counties of Stormont, Dundas and Glengarry
CBO
Interim Deputy CBO
Applicant
Applicant's Planner
Agent's Engineer

ATTACHMENTS:

None

**THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS
RESOLUTION**

Regular Meeting

Resolution: 2023 - 404

Date: November 14, 2023

Moved By:

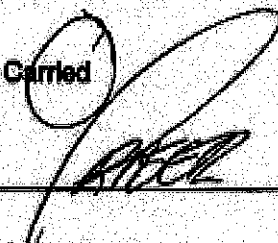
L.M. Annable

Seconded By:

M. ...

BE IT RESOLVED THAT Council supports Official Plan Amendment #15, subject to the following amendments thereto:

1. That Part B, Section 2 be modified to reflect a change in area covered by Official Plan Amendment #15 as follows: "Notwithstanding the Agricultural Resource Lands policies to the contrary, warehouse and open storage shall be permitted on lands described as part of Part 1 on Plan 8R917 and part of Part 1 on RP8R2879 (being part of 13055 Kittle Road), save and except Part 1 on Plan 8R3135."
2. That OPA#15 requires the subject property to be subject to site plan control (an industrial use), and that the owner enter into a Site Plan Control Agreement with the Township of North Dundas.
3. That the OPA#15 Schedule "A" be modified to only apply to part of the subject lands as shown in the attached diagram.

Carried 

Deferred

Defeated

MAYOR

Recorded Vote:	Yea	Nay
Mayor Fraser	—	—
Deputy Mayor Bergeron	—	—
Councillor Annable	—	—
Councillor Uhrig	—	—
Councillor Lennox	—	—

Appendix C: Planning Rationale



August 2, 2022

United Counties of SDG
26 Pitt Street, Suite 223
Cornwall, ON
K6J 3P2

Township of North Dundas
636 St Lawrence Street
Winchester
K0C 2K0

**RE: Official Plan Amendment and Zoning By-law Amendment – REVISED REPORT
13055 Kittle Road
Lot 15, Concession 6
Geographic Township of Winchester
Township of North Dundas
Owners: Graham Jack Durant & Mary Eliza Durant**

To Whom it May Concern,

ZanderPlan Inc. has been retained by the property owners to assist with on Official Plan Amendment and Zoning By-law Amendment application for the property ("Subject Property") located at 13055 Kittle Road in the Geographic Township of Winchester. The subject property is irregular in shape with approximately 144.37m of frontage on Kittle Road and measures 8.00 acres in size. The purpose of this report is to provide planning justification for an Official Plan Amendment and Zoning By-law Amendment to permit a change in use on the property. The Zoning by-law Amendment will rezone the entire property to permit warehousing and open storage in addition to the existing permitted uses. The Official Plan Amendment will create a Special Land Use District to permit storage on Agricultural Resource Lands.

Subject Lands

The subject lands are situated on Part of Lot 15, Concession 6, in the Geographic Township of Winchester, in an area characterized by rural activity. The subject property is in the shape of a "u" with a lot area of 8.00 acres in size and has approximately 144.3m of frontage on Kittle Road (Figure 1). There are four existing buildings on the site including a house and three storage buildings. The warehouse building contains an accessory apartment which was established in the former office approximately ten years ago. The abutting property to the west, located at 13057 Kittle Road, is characterized with primarily residential activity. There is an existing easement that serves as access for the shared well that is located on the subject property. In addition, the

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easement serves as a right of way for the residents of the abutting property to access their garage using the north laneway.

The purchaser of the subject property is proposing to continue the use of the property for warehousing and storage, while maintaining the dwelling and the accessory apartment. In addition, the purchaser would like to have outdoor storage of vehicles, boats, trailers, RVs, etc, which can be fully screened from the road and abutting properties with privacy fencing.



Figure 1. Aerial Photograph of Parcel Boundary of 13055 Kittle Road
Source: AgMaps

Provincial Policy Statement

Under the authority of Section 3 in the *Planning Act*, the Provincial Policy Statement (PPS, 2020) provides policy direction on matters of Provincial interest related to land use planning and development. The PPS identifies matters of Provincial interest that must be considered when planning applications are filed in Ontario. Approval authorities are required to ensure that decisions on planning matters are consistent with these policies.

The proposed development is consistent with Section 1.0 Building Strong Healthy Communities, as it represents development which promotes efficient land use and development patterns. The subject property is a relatively small lot in an agricultural area, and is already developed with a number of buildings and private servicing. The proposed uses of the property would use the

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existing buildings and infrastructure. As per **Section 1.1.1**, the change in storage facility represents efficient development and land use patterns that do not prevent expansion of settlement areas by using the existing infrastructure. The subject property is not in proximity to a settlement area, and will continue with access from the existing County Road. The proposed uses will contribute to the local economy through associated jobs and support a greater mix of land uses. **Section 1.1.4** speaks to Rural Areas in Municipalities. As per **Section 1.1.4.1**, the proposal uses existing rural infrastructure and servicing facilities efficiently by using existing infrastructure and buildings to continue storage uses. The proposal does not result in the loss of any agricultural lands nor is it anticipated to have any impact on agricultural land uses that are located nearby.

Section 1.2.6 speaks to land use compatibility, where major facilities and sensitive land uses shall be planned and developed to avoid and minimize any potential adverse effects. The continued use of storage facility in the existing buildings is not anticipated to cause any adverse effects on surrounding rural lands. Future development on the property, including the proposed outdoor storage of vehicles, boats, trailers, etc, can be fenced and/or screened as needed to minimize visual impacts on nearby lots if required.

Section 1.1.5 speaks to directing development on rural lands where permitted uses include development that is compatible with the rural landscape and can be sustained by rural service levels. The proposed amendments are compatible with rural lands and will not require additional servicing, as the site is already serviced with a private well and septic system. As per **Section 1.1.5 (g)** permitted uses on rural lands include "other rural land uses". A warehouse use such as the storage of furniture and vehicles, and associated outdoor storage, can be considered as "other rural land uses" and would therefore be permitted on rural lands. It would contribute to a diversified economy in the rural area, and utilize a parcel of land that is already developed and is functionally too small for agricultural use.

Section 1.6.6.1 speaks to sewage, water, and stormwater services. **Section 1.6.6.1 (b)** speaks to the accommodation of growth that promotes the efficient use for existing municipal sewage services. As the subject property is located in a rural area where municipal services are not available, the property would not require any new infrastructure or public service facilities, optimizing existing infrastructure available for the site. The existing buildings are already serviced with private services onsite.

Section 2.0 Wise Use and Management Resources speaks to the maintenance and protection of the natural heritage, water, agricultural, and cultural heritage. The subject property falls in a

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rural/agricultural area, and is designated for agriculture in the Official Plan. However, the small lot is already developed with a dwelling and storage buildings which are not used for agricultural purposes. **Section 2.3.1** speaks to prime agricultural areas that need to be protected for long-term agricultural use. The proposal seeks to use existing infrastructure to continue storage uses and activity. The existing buildings have no known impact on agricultural lands or operations. The proposal will not inhibit the long-term use of the prime agricultural area, as the subject lands are not currently being used for agriculture and will continue for residential and commercial use. **Section 2.3.6.2** speaks to non-agricultural uses in prime agricultural areas that mitigate the impact of new or expanding development on these lands. The proposal for a change in permitted storage will not affect any agricultural operation, as the existing infrastructure does not pose as a threat or impeded on the existing natural resources. The site already contains a dwelling and storage buildings which are currently zoned for this use. The proposal will allow for a broader range of uses in the storage buildings, with no additional impact on agricultural lands anticipated.

Section 3.0 protecting Public Health and Safety speaks to reducing the potential risks of features such as erosion hazards, mine hazards and other natural and human made hazards. It is notable that development should be directed away from areas where there is an unacceptable risk to public health or safety. There are no known natural or human made hazards in proximity to the site. The existing buildings and infrastructure do not have any negative impact on surrounding land uses and a change in permitted uses to allow for continued storage activity will comply with all safety and public health policies outlined in this section.

Overall, the proposed amendments to permit a greater range of storage on the subject property is consistent with the policies in the 2020 Provincial Policy Statement.

United Counties of Stormont, Dundas, and Glengarry Official Plan

The current Official Plan for the United Counties of Stormont, Dundas, and Glengarry was adopted in 2018. The subject property falls within the Agricultural Resources land use designation on the Official Plan Schedule A1 within the Township of North Dundas (Figure 2).

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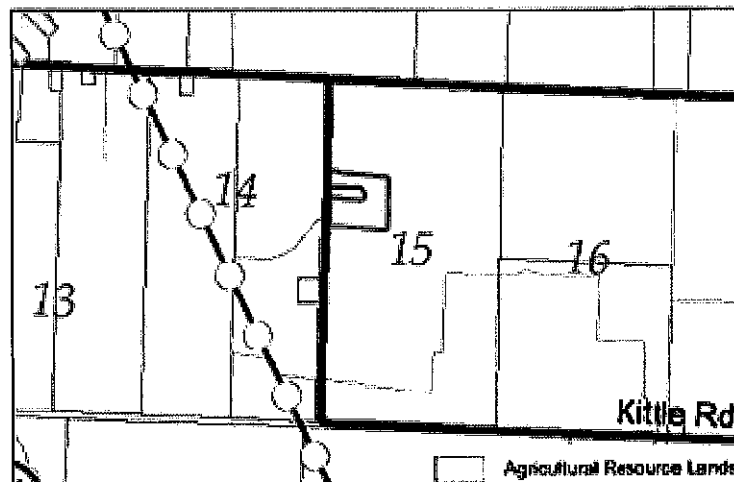


Figure 2. Official Plan Designation – Schedule A Land Uses
Source: United Counties of Stormont, Dundas, and Glengarry Official Plan

Section 5.2 of the Official Plan speaks to resource management policies by protecting resources and minimizing land use conflicts. Table 5.2 in Section 5.2.2 speaks to the scope of permitted and prohibited use in the Agricultural Resource land use designation. Any land uses that conflict with normal agricultural operations is prohibited. The existing infrastructure complies with provisions set out in Table 5.2 and does not impact the surrounding agricultural lands or activity. The subject property is relatively small, thus unable to support significant agricultural activity. Permitted uses in Table 5.2 include legally existing uses, buildings, or structures. The existing buildings are currently used for storage, and do not preclude agricultural activity. The Official Plan Amendment intends to continue the use of the storage facility, allowing for greater variety of storage on site. The purchaser intends to store furniture and vehicles while retaining the existing dwelling and accessory dwelling unit on the site. This continued use is not anticipated to impact any surrounding lands, nor have any negative effect of agricultural related uses over the long-term. Outdoor storage of vehicles, boats, trailers, RVs, et is also proposed on the site.

Section 5.3 of the Official Plan speaks to policies set out for Agricultural Resource Lands. Section 5.3.2 outlines the scope of permitted uses on Agricultural Resources Lands including agricultural related-uses, existing dwellings, and public service facilities. This section permits the use of existing dwellings that are legally existing uses, buildings, or structures. The dwelling on the subject property is existing and would therefore be recognized as a permitted use. The proposal seeks an Official Plan Amendment to permit a warehouse and open storage, in addition to the residential use.

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As per **Section 5.3.2**, existing lots of record on prime agricultural lands may be used for non-agricultural uses provided there are no reasonable alternate locations which avoid prime agricultural areas. Given that much of the land in the Geographic Township of Winchester is designated as Agricultural Resource Lands, it is difficult to avoid prime agricultural areas. It can be said that there are no reasonable alternate locations since there is limited supply of commercial or other lands in the Township of Winchester. In addition, the subject property is already zoned and recognized for storage use, and the proposed amendments would not be a significant deviation from this current permitted use. As per **Section 5.3.2**, existing non-agricultural buildings or structures may be expanded provided they will be compatible with farm operations. There is no anticipated impact on surrounding agricultural uses or farming operations from the use of the subject property for storage.

is the property owners are proposing an Official Plan Amendment to designate the subject property under a Special Land Use District to permit the continuation of storage use on the subject lands. **Section 9.1** speaks to Special Land Use Districts, outlining permitted uses and development criteria for various locations. The proposed Special Land Use District would permit the storage of furniture and vehicles in Agricultural Resource Lands. **Table 9.1.1** outlines all Special Land Use districts in the Township of North Dundas. The proposed wording and addition to **Table 9.1.1** is below:

Item	Roll Number	Legal Description	Development Criteria
X	0511-016-006-33800	Pt. Lot 15, Conc 6.	Notwithstanding the Agricultural Resource Land policies to the contrary, warehouse and open storage shall be permitted on lands.

Overall, this proposal meets the general intent of the Official Plan, and the amendment will not conflict with normal agricultural operations.

Township of Winchester Zoning By-law No. 12-93

The subject property falls into the Agricultural zone as shown on Schedule A – Township of Winchester according to Zoning By-law No. 12-93 (Figure 3). The southern portion of the subject property is zoned as AG-18 and is subject to the special provisions set under the exception zone.

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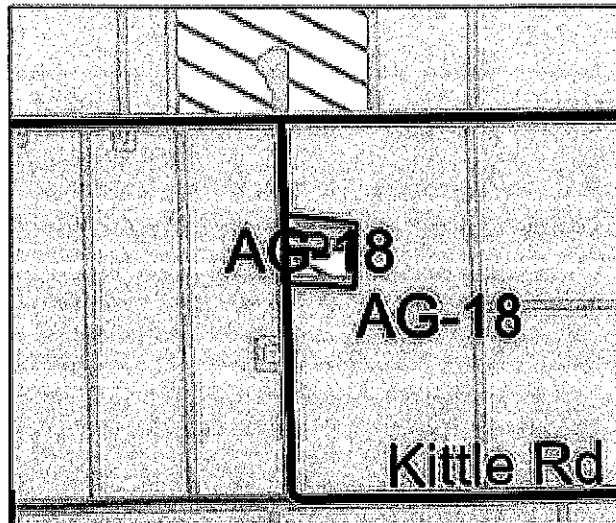


Figure 3. Zoning By-Law 12-93 – Schedule A
Source: Township of Winchester

Section 2.70 of the Zoning By-law defines open storage as “the storage of goods, merchandise, or equipment outside of a building or structure on a lot or portion thereof, including such uses as automobile and trailer sales lots and building supply outlets”. **Section 2.102** defines warehousing as a “building used or intended to be used for bulk storage and wholesale of goods, commodities, wares, merchandise, or materials but not including hazardous or noxious chemicals or similar substances”. As per **Section 2.0**, the proposal intends to rezone the subject property to permit Warehousing and Open Storage, in addition to the existing permitted uses on the site. The owners intend to use indoor and outdoor storage on the subject property; outdoor storage is intended for vehicles, trailers, boats, RVs and similar equipment, to be screened with privacy fencing.

Section 12 speaks to permitted uses in the Agricultural zone including accessory dwellings, agricultural uses, and rural home occupations. **Section 12.1(c){xviii}** speaks to exceptions in the AG-18 zone. The existing land uses comply with the policies set out in this section as the existing infrastructure and buildings area used for storage including the warehousing of dry goods as permitted under AG-18. The proposal seeks a Zoning By-law Amendment to permit additional storage uses by rezoning the property under a new exception zone. The exception zone would apply to the entire property and would seek to permit the addition of indoor and outdoor warehouse and open storage, in addition to the existing permitted uses.

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As per **Section 12.1 (c)**, the warehouse and open storage would follow zoning requirements for *other uses*. The requirements set out under this provision includes a minimum lot area of 38 hectares (93.90 acres) with a lot frontage of 100 metres. The subject property has a lot area of 8.00 acres in size, and a lot frontage of 144.37 metres on Kittle Road. The subject property does not meet the minimum lot area requirement; therefore, an exception for lot area will also be included in the Zoning By-law Amendment. This is not anticipated to have any impact on surrounding lands and operations as it was previously used as a storage facility for other goods. The dwelling, buildings and accessory apartment are already existing on the site at this time. Future outdoor storage can be screened with privacy fencing. Any concerns with screening or buffering can be addressed at the approval stage and subject under Site Plan Control.

As per **Section 12.1 (c)** the proposed wording for the Special Exception Zone is listed below:

Agricultural Zone – Exception “X” (AG-X)

Notwithstanding the provisions of Section 12.1 to the contrary, on lands zoned as AG-X, a warehouse and the use of indoor and outdoor open storage is permitted subject to the following requirements.

*(a) Zone Requirements
Lot Area (minimum)*

8.00 acres

Summary

The applicant is seeking an Official Plan Amendment and Zoning By-law Amendment for the subject property located at 13055 Kittle Road in the Geographic Township of Winchester. The land is currently designated under Agricultural Resource Lands as per the United Counties of Stormont, Dundas, and Glengarry Official Plan, and is zoned under Agricultural (AG) and AG-18 zones as per Zoning By-law No. 12-93. The property owners were previously using these lands for storage facilities and intend to continue and broaden this activity. The existing dwelling and accessory apartment would be retained onsite. The Official Plan Amendment is proposed to create a Special Land Use District to permit warehouse and open storage uses. A Zoning By-law Amendment is sought to create a Special Exception Zone to permit the indoor and outdoor use of open storage and warehouse storage in an AG zone; the proposed new zone would apply to the entire subject property. The proposal meets the general objectives set out in the United Counties of Stormont, Dundas, and Glengarry Official Plan and is consistent with the 2020 Provincial Policy Statement.

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Should you have any further questions, please do not hesitate to contact the undersigned.

Sincerely,



Tracy Zander, M.Pl, MCIP, RPP