



CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND
PLANNING COMMITTEE

April 8, 2021, 7:00 pm
Teleconference

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CORPORATION DE LA CITÉ DE
CLARENCE-ROCKLAND

COMITÉ DE L'AMÉNAGEMENT

le 8 avril 2021, 19 h 00

Téléconférence

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7.3. Amendement au règlement de zonage – chemin Landry – Guy Desjardins

51

- a. Présentation
- b. Commentaires du comité/public
- c. Recommandation

8. Autres items

9. Ajournement



Declaration of pecuniary interest Déclaration d'intérêt pécuniaire

| | |
|--|--|
| Date of meeting Date de la réunion: | |
| Item Number Numéro de l'item: | |
| Subject of the item: Sujet de l'item : | |
| Name of Council Member Nom du membre du conseil | |

I, _____, hereby declare a pecuniary interest in the matter identified above for the following reason :

| |
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| |

Je, _____, déclare un intérêt pécuniaire en ce qui concerne l'article ci-haut mentionné, pour la raison suivante :

| |
|--|
| |
| |
| |
| |
| |

| Name (print) | Signature | Date |
|--------------|-----------|------|
| | | |

This declaration is filed in accordance with the *Municipal Conflict of Interest Act* and will be recorded in the meeting minutes and will be made available in a public registry. / Cette déclaration est soumise sous la *Loi sur les conflits d'intérêt municipaux* et sera enregistrée dans le procès-verbal de la réunion et sera disponible dans un registre public.

Excerpt from the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50

DUTY OF MEMBER

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Extrait de la Loi sur les conflits d'intérêts municipaux, L.R.O. 1990, chap. M.50

OBLIGATIONS DU MEMBRE

Participation à une réunion où l'affaire est discutée

5 (1) Le membre qui, soit pour son propre compte soit pour le compte d'autrui ou par personne interposée, seul ou avec d'autres, a un intérêt pécuniaire direct ou indirect dans une affaire et participe à une réunion du conseil ou du conseil local où l'affaire est discutée, est tenu aux obligations suivantes :

- a) avant toute discussion de l'affaire, déclarer son intérêt et en préciser la nature en termes généraux;
- b) ne pas prendre part à la discussion ni voter sur une question relative à l'affaire;
- c) ne pas tenter, avant, pendant ni après la réunion, d'influencer de quelque façon le vote sur une question relative à l'affaire. L.R.O. 1990, chap. M.50, par. 5 (1).

Exclusion de la réunion à huis clos

(2) Si la réunion visée au paragraphe (1) se tient à huis clos, outre les obligations que lui impose ce paragraphe, le membre est tenu de quitter immédiatement la réunion ou la partie de la réunion où l'affaire est discutée. L.R.O. 1990, chap. M.50, par. 5 (2).



**CORPORATION OF THE
CITY OF CLARENCE-ROCKLAND
PLANNING COMMITTEE MEETING MINUTES**

March 3, 2021
Teleconference

PRESENT: Mario Zanth, President
Guy Desjardins, Mayor (ex-officio)
Michel Levert, Councillor Ward 7
Sylvie Lalonde, Member
Michel Talbot, Member
Marie-Ève Bélanger, Manager of Development
Maryse St-Pierre, Deputy Clerk

ABSENT: Carl Grimard, Councillor Ward 3

1. Opening of the meeting

The President opens the meeting at 7:05 p.m.

2. Adoption of the agenda

RECOMMENDATION AME2021-04

Moved by Michel Levert

Seconded By Sylvie Lalonde

THAT the agenda be adopted as presented.

CARRIED

3. Declaration of pecuniary interests (none)

4. Adoption of the minutes

RECOMMENDATION AME2021-05

Moved by Michel Levert

Seconded By Michel Talbot

THAT the minutes of the Planning Committee of January 13, 2021, meeting be adopted.

CARRIED

5. Planner's Statement

The planner's statement is presented.

6. Deferred Items (none)

7. Presentations / Reports

7.1 Zoning By-law Amendment – temporary use – Michel Bergeron – 586 de la Baie Road

a. Presentation

Marie-Eve Bélanger presents the zoning by-law amendment request submitted by Michel Bergeron for a property located on de la Baie Road.

b. Committee/Public comments

Further to questions, Marie-Eve Bélanger explains that there were several greenhouses on the site affected by the request, but that they have all been removed.

Further to questions, Marie-Eve Bélanger explains that a new access was built to access the lot in the back and facilitate parking.

Marc Daignault, representative for Mr. Bergeron, explains that the property is already used for storage purposes, but that the purpose of the request is to rent spaces to recreational vehicles and boats. He adds that when people come to do the storage, there will be a little more traffic, but if there are problems, the amendment can be cancelled by the municipality.

Raymond Gouin, lawyer, representing Monique Talbot, explains that Michel Bergeron is not authorized to make the request because the deed of transfer giving him the property is subject to a file in court. He explains the letter he sent on this matter.

c. Recommendation

RECOMMENDATION AME2021-06

Moved by Guy Desjardins

Seconded By Michel Levert

THAT Planning Committee recommends that Council adopts an amendment to the Zoning By-Law 2016-10, in order to change the zoning category of the property known as Part of Lot 32,

Concession 1 (O.S.), save and except Parts 3 and 4, Plan 50R-3896 and Part 2, Plan 50R-9389, former Township of Clarence, now City of Clarence-Rockland from “Special Study Area (SSA) Zone” to “Special Study Area temporary use 1 (SSA-t1) Zone” as recommended by the Infrastructure and Planning Department.

CARRIED

8. **Other Items** (none)

9. **Adjournment**

The meeting is adjourned at 7:44 p.m.

Mario Zanth, President

Maryse St-Pierre, Deputy Clerk



**CORPORATION DE LA
CITÉ DE CLARENCE-ROCKLAND
PROCÈS-VERBAL DU COMITÉ D'AMÉNAGEMENT**

le 3 mars 2021
Téléconférence

PRÉSENT: Mario Zanth, président
Guy Desjardins, maire (ex-officio)
Michel Levert, conseiller quartier 7
Sylvie Lalonde, membre
Michel Talbot, membre
Marie-Ève Bélanger, gestionnaire du développement
Maryse St-Pierre, greffière adjointe

ABSENT: Carl Grimard, conseiller quartier 3

1. Ouverture de la réunion

Le président ouvre la réunion à 19h05.

2. Adoption de l'ordre du jour

RECOMMANDATION AME2021-04

Proposée par Michel Levert

Appuyée par Sylvie Lalonde

QUE l'ordre du jour soit adopté tel que présenté.

ADOPTÉE

3. Déclaration d'intérêts pécuniaires (aucune)

4. Adoption des procès-verbaux

RECOMMANDATION AME2021-05

Proposée par Michel Levert

Appuyée par Michel Talbot

QUE le procès-verbal de la réunion du comité d'aménagement du 13 janvier 2021 soit adopté.

ADOPTÉE

5. **Énoncé de l'urbaniste**

L'énoncé de l'urbaniste est présenté.

6. **Items différés** (aucune)

7. **Présentations / Rapports**

7.1 **Amendement au règlement de zonage - usage temporaire – Michel Bergeron – 586 chemin de la Baie**

a. **Présentation**

Marie-Eve Bélanger présente la demande d'amendement au règlement de zonage soumise par Michel Bergeron pour un terrain situé sur le chemin de la Baie.

b. **Commentaires du comité/public**

Suite aux questions, Marie-Eve Bélanger explique que plusieurs serres se trouvaient sur l'emplacement visé par la demande, mais qu'elles ont toutes été enlevées.

Suite aux questions, Marie-Eve Bélanger explique qu'un nouvel accès a été construit pour accéder au terrain à l'arrière et faciliter le stationnement.

Marc Daignault, représentant pour M. Bergeron, explique que la propriété est déjà utilisée à des fins d'entreposage, mais que le but de la demande est de louer des espaces à des véhicules récréatifs et des bateaux de plaisance. Il ajoute que lorsque les gens vont venir faire le remisage, il y aura un peu plus d'achalandage, mais que s'il y a des problèmes, la modification pourra être annulée par la municipalité.

Raymond Gouin, avocat, représentant de Monique Talbot, explique que Michel Bergeron n'est pas autorisé à faire la demande car l'acte de cession lui donnant la propriété fait l'objet d'un dossier en cour. Il explique la lettre qu'il a remise à cet effet.

c. **Recommandation**

RECOMMANDATION AME2021-06

Proposée par Guy Desjardins

Appuyée par Michel Levert

QUE le comité d'aménagement recommande au conseil d'adopter un amendement au Règlement de Zonage 2016-10 afin de changer le zonage de la propriété décrite comme étant une Partie du Lot 32, Concession 1 (O.S.), sauf et à l'exception des Parties 3 et 4, Plan 50R-3896 et de la Partie 2, Plan 50R-9389, ancien Canton géographique de Clarence, maintenant dans la Cité de Clarence-Rockland de « Zone d'étude spécial (SSA) » à « Zone d'étude spéciale usage temporaire 1 (SSA-t1) », tel que recommandé par le Département d'infrastructure et aménagement du territoire.

ADOPTÉE

8. Autres items (aucune)

9. Ajournement

La réunion est ajournée à 19h44.

Mario Zanth, Président

Maryse St-Pierre, Greffière adjointe



Énoncé de l'urbaniste / Planner's Statement





Énoncé de l'urbaniste / Planner's Statement

- Toute personne présente peut soumettre ses observations et ses commentaires sur les présentes propositions d'ébauche de plan de lotissement ou de la modification au plan officiel ou de la modification au règlement de zonage.
- Toute personne peut obtenir des renseignements sur la ou les présentes demandes en s'adressant au Département d'infrastructure et de l'aménagement du territoire de la Cité de Clarence-Rockland, au 1560 rue Laurier à Rockland (édifice de l'Hôtel de ville) aux heures habituelles de bureau, soit de 8h30 à 16h30 du lundi au vendredi.
- Anyone present at the meeting may submit their concerns or comments in respect to the proposed draft plan of subdivision or to the Official Plan amendment or to the Zoning By-Law amendment.
- Anyone may obtain additional information relating to the present requests by contacting the Infrastructure and Planning Department at the City Hall, located at 1560 Laurier Street in Rockland, between 8:30 A.M. and 4:30 P.M., from Monday to Friday.





Énoncé de l'urbaniste / Planner's Statement

- Si une personne ou un organisme public avait par ailleurs la capacité d'interjeter appel de la décision de du conseil de la Corporation de la Cité de Clarence-Rockland devant le Tribunal d'appel de l'aménagement local, mais que la personne ou l'organisme public ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à la Corporation de la Cité de Clarence-Rockland avant l'adoption du règlement municipal ou du plan de lotissement, la personne ou l'organisme public n'a pas le droit d'interjeter appel de la décision.
- If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Clarence-Rockland 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 Corporation of the City of Clarence-Rockland before the by-law is passed or the approval of a Draft plan of Subdivision, the person or public body is not entitled to appeal the decision.





Énoncé de l'urbaniste / Planner's Statement

- Si une personne ou un organisme public ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à la Corporation de la Cité de Clarence-Rockland avant l'adoption du règlement municipal ou du plan de lotissement, la personne ou l'organisme public ne peut pas être joint en tant que partie à l'audition d'un appel dont est saisie le Tribunal d'appel de l'aménagement local à moins qu'il n'existe, de l'avis de ce dernier, des motifs raisonnables de le faire.
- If a person or public body does not make oral submissions at a public meeting, or make written submissions to Corporation of the City of Clarence-Rockland before the by-law is passed or the Draft Plan of Subdivision is approved, 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.





Énoncé de l'urbaniste / Planner's Statement

- SI VOUS DÉSIREZ être avisé(e) de la décision de la Corporation de la Cité de Clarence-Rockland relativement au présent plan de lotissement proposé ou de la décision relativement à l'amendement au plan officiel ou au règlement de zonage proposé, vous devez présenter une demande écrite à la: Greffière, Cité de Clarence-Rockland, 1560 rue Laurier, Rockland (Ontario) K4K 1P7.
- IF YOU WISH to be notified of the decision of the Corporation of the City of Clarence-Rockland in respect of the proposed plan of subdivision or of the decision in respect of the proposed Official Plan or Zoning Amendment, you must make a written request addressed to the Clerk, City of Clarence-Rockland, 1560 Laurier Street, Rockland, Ontario K4K 1P7.





Énoncé de l'urbaniste / Planner's Statement

- Une personne ou un organisme public dispose d'un délai de 20 jours pour interjeter appel devant le Tribunal d'appel de l'aménagement local (TAAL) suite à l'envoi de l'avis d'adoption. Pour ce faire, la personne ou l'organisme public doit déposer à la Cité un avis d'appel qui explique son opposition au règlement municipal, les motifs à l'appui de son appel, en plus de payer les droits prescrits.
- A person or public body may submit an appeal within 20 days of the receipt of the notice of adoption before the Local Planning Appeal Tribunal (LPAT). However, the person or public body has to file an appeal with the City explaining the reasons supporting the objection to the by-law in addition to paying the required fees.





REPORT N° AMÉ-21-12

| | |
|---------------------|---|
| Date | 23/03/2021 |
| Submitted by | Nicolas Denis |
| Subject | Zoning By-law Amendment – 2925 Rollin Road – H M Koch Dairy Inc |
| File N° | D-14-550 |

1) **NATURE/GOAL :**

The purpose of this report is to present a proposed amendment to the Zoning by-law 2016-10 for the property with civic address 2925 Rollin Road. This proposed amendment is a condition of the provisional approval of a consent application (file number D-10-909).

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

WHEREAS the proposed amendment to the Zoning By-law for the property described as Part of Lot 14, Concession 1, 2925 Rollin Road, is consistent with the Provincial Policy Statement and conforms to the Official Plan of the United Counties of Prescott and Russell; and

WHEREAS the proposed amendment to the Zoning By-law is a required condition of consent application D-10-909 which received conditional approval from the Committee of Adjustment in February 2021;

THAT the Planning Committee recommend to Council the approval of By-law 2021-21, being a by-law to amend the zoning by-law 2016-10 in order to change the zoning category on the part to be severed (2925 Rollin Road) from "General Agricultural – Exception 10 (AG-10) Zone" to "General Agricultural – Exception 23 (AG-23) Zone" in order to permit the lot frontage (30m) and changing the zoning category on the part to be retained (Part of Lot 14, Concession 1) from "General Agricultural – Exception 10 (AG-10) Zone" to "General Agricultural – Exception 24 (AG-24) Zone" in order to permit the lot area (24 ha), remove the residential uses and permit the lot frontage (12m), as recommended by the Infrastructure and Planning Department.

ATTENDU QUE l'amendement proposé au Règlement de zonage pour la propriété décrite comme étant une partie du lot 14, concession 1, 2925 chemin Rollin, est conforme à la Déclaration de principes provinciale et au Plan officiel des Comtés unis de Prescott et Russell; et

ATTENDU QUE l'amendement proposé au Règlement de zonage est une condition requise de la demande d'autorisation D-10-909 qui fut

approuvée conditionnellement par le Comité de dérogation en février 2021;

QUE le comité d'aménagement recommande au Conseil l'approbation du règlement 2021-21, visant à amender le Règlement de zonage 2016-10 afin de modifier la catégorie de zonage de la partie à être détachée (2925 chemin Rollin), de «Zone agricole – exception 10 (AG-10)» à «Zone agricole – exception 23 (AG-23)», afin de permettre la façade de lot (30m) et changer la catégorie de zonage sur la partie à être retenue (partie du lot 14 concession 1) de «Zone agricole – exception 10 (AG-10)» à «Zone agricole – exception 24 (AG-24)», afin de permettre la superficie de lot (24 ha), enlever les usages résidentiels et permettre la façade de lot de 12m, tel que recommandé par le Département d'infrastructure et aménagement du territoire.

4) **BACKGROUND :**

H M Koch Dairy Inc, owner of the subject property, submitted an application for consent in order to create a new lot surplus to a farming operation. The proposed new lot would have a frontage of 30 m on Rollin Road, a depth of 102 m and an area of 0.48 ha. Provisional approval of the Committee of Adjustment on February 25th, 2021 was obtained. One of the conditions of approval is that the applicant obtain a zoning by-law amendment in order to prohibit residential uses, permit a lot area of 24 ha and permit a lot frontage of 12 meters for the retained parcel and permit a lot frontage of 30 meters for the severed parcel.

The owner submitted a complete application for a zoning by-law amendment on March 10th, 2021.

5) **DISCUSSION :**

The subject property is located within the "Agricultural Policy Area" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. Although the Official Plan of the United Counties of Prescott and Russell limits the type of lot creations in this policy area, Section 7.4.2.3.2 does permit surplus residential consents. The Official Plan states:

"Surplus residential consents may be considered for a farm dwelling made surplus to a farming operation as a result of farm consolidation. Farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation. Final approval of a consent shall require that the new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The Consent Approval Authority shall impose a condition on the severance of the surplus farm dwelling which shall require a Zoning By-law amendment

prohibiting the construction of a new residential dwelling on the farmland parcel rendered vacant as a result of the severance.”

Furthermore, the *Provincial Policy Statement (PPS)*, outlines this same point by stating: “ Lot creation in prime agricultural areas is discouraged and may only be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services and the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. (PPS Policy 2.3.4.1 c)”.

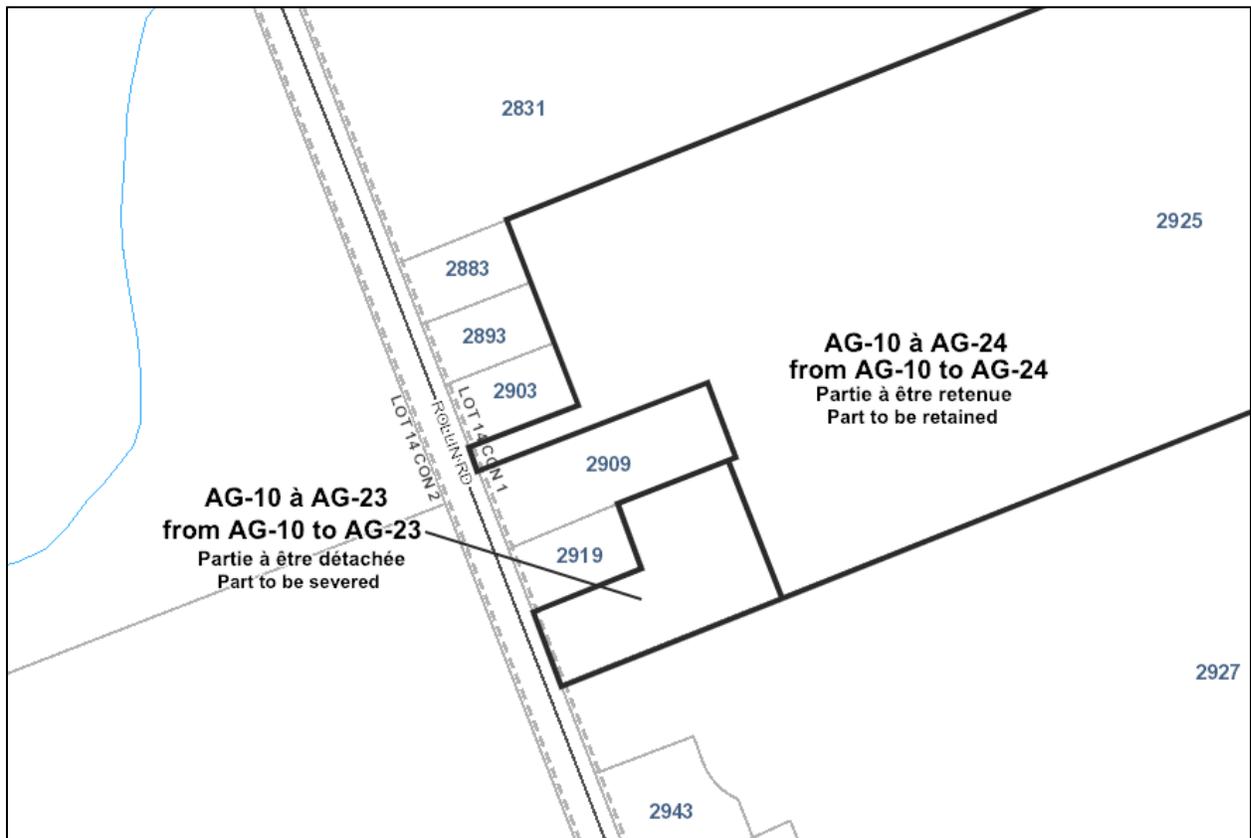


Figure 1 - Keymap

Moreover, the subject property has a watercourse, which is identified as a Fish Habitat and significant woodland located on the eastern portion of the property according to Schedule “B” of the Official Plan of the United Counties of Prescott and Russell. That being said, because the uses exist and no new uses or development are proposed, an Environmental Impact Study is not required.

The property is within a “*General Agricultural – Exception 10 (AG-10) Zone*” according to schedule “A” of the Zoning By-law 2016-10. The existing agriculture and residential uses located on the subject

property are permitted in this zone.

The purpose of the proposed amendment is to modify the zoning category of the property described as Part of Lot 14, Concession 1, 2925 Rollin Road from "General Agricultural – Exception 10 (AG-10) Zone" to "General Agricultural – Exception 23 (AG-23) Zone" in order to permit the lot frontage (30m) and changing the zoning category on the part to be retained from "General Agricultural – Exception 10 (AG-10) Zone" to "General Agricultural – Exception 24 (AG-24) Zone" in order to permit the lot area (24 ha), remove the residential uses and permit the lot frontage (12m).

As mentioned, the owner is proposing a lot frontage of 12m along Rollin Road for the part to be retained. Although this lot frontage does not meet the prescribed zone requirements (60 m), it will provide sufficient space for agricultural vehicles and equipment to properly access the property without hindering neighbouring properties.

The proposed amendment to the Zoning By-law is consistent with the Provincial Policy Statement and conforms to the Official Plan of the United Counties of Prescott and Russell.

6) **CONSULTATION:**

A public notice was sent to all property owners within 120m of the subject property and to commenting agencies and a notice sign was posted on site on March 15, 2021. A public meeting is scheduled for April 8 in order to collect comments from the public and from the Planning Committee.

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

No concerns or no objections were submitted from the United Counties of Prescott and Russell, from the finance department, the Manager of Environment, the protective services department and from the building services.

8) **FINANCIAL IMPACT (expenses/material/etc.):**

N/A

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

By-law 2021-21 Draft

RÈGLEMENT DE ZONAGE N° 2021-21

Amendant le Règlement de zonage n° 2016-10

Corporation de la Cité de Clarence-Rockland

2925 chemin Rollin
Partie du lot 14, concession 1

rédigé par

Cité de Clarence-Rockland
1560, rue Laurier
Rockland (Ontario)
K4K 1P7
(613) 446-6022

ZONING BY-LAW NO. 2021-21

Amending Zoning By-Law No. 2016-10

The Corporation of the City of Clarence-Rockland

2925 Rollin Road
Part of Lot 14, Concession 1

prepared by

City of Clarence-Rockland
1560 Laurier Street
Rockland, Ontario
K4K 1P7
(613) 446-6022

LA CORPORATION DE LA CITÉ DE CLARENCE-ROCKLAND

RÈGLEMENT N° 2021-21

RÈGLEMENT AMENDANT LE RÈGLEMENT DE ZONAGE N° 2016-10;

ATTENDU QUE le Règlement de zonage n° 2016-10 régit l'utilisation des terrains, la construction et l'utilisation des bâtiments et structures sur le territoire de la Cité de Clarence-Rockland; et

ATTENDU QUE le Conseil de la Corporation de la Cité de Clarence-Rockland considère qu'il est opportun d'amender le Règlement de zonage n° 2016-10, tel qu'il suit;

PAR LA PRÉSENTE, le Conseil de la Corporation de la Cité de Clarence-Rockland donne force de loi à ce qui suit:

Article 1 : La propriété décrite comme étant le 2925 chemin Rollin, partie du lot 14, concession 1, identifiée à la cédule «A» ci-jointe, et faisant partie du présent règlement, est le terrain concerné par ce règlement.

Article 2 : La cédule « A » du Règlement de zonage n° 2016-10, est par la présente amendée en modifiant de « *Zone agricole – exception 10 (AG-10)* » à « *Zone agricole – exception 23 (AG-23)* » une partie de la propriété et en modifiant de « *Zone agricole – exception 10 (AG-10)* » à « *Zone agricole – exception 24 (AG-24)* » une partie de la propriété, tel qu'identifiée à la cédule « A » ci-jointe, et faisant partie intégrante du présent règlement.

Article 3 : L'article 12.1.3 (w) du Règlement de zonage n. 2016-10, est par la présente modifiée pour lire comme suit :

« (w) AG-23, 2925 chemin Rollin (partie à être détachée – D-10-909)

Nonobstant toute disposition contraire en vertu du présent Règlement, en ce qui a trait aux terrains zonés AG-23, ceux-ci doivent être utilisés conformément aux dispositions ci-après :

i) Façade de lot (minimum) : 30 m »

Article 4 : L'article 12.1.3 (x) du Règlement de zonage n. 2016-10, est par la présente ajoutée pour lire comme suit :

« (x) AG-24, partie du lot 14, concession 1 (partie à être retenue – D-10-909)

Nonobstant toute disposition contraire en vertu du présent Règlement en ce qui a trait aux terrains zonés AG-24, ceux-ci doivent être utilisés conformément aux dispositions ci-après :

- I) Façade de lot (minimum) : 12 m
- II) Superficie de lot (minimum) : 24 ha
- III) Toutes utilisations résidentielles sont interdites»

Article 5 : Le présent règlement entrera en vigueur à la date de son adoption par le Conseil sous réserve de l'approbation du Tribunal ou suite à la date limite pour le dépôt des avis d'opposition, selon le cas.

FAIT ET ADOPTÉ EN RÉUNION PUBLIQUE, CE 19^{IÈME} JOUR D'AVRIL 2021.

Guy Desjardins, maire

Monique Ouellet, greffière

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2021-21

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2016-10;

WHEREAS Zoning By-Law no. 2016-10 regulates the use of land, and the use and erection of buildings and structures in the City of Clarence-Rockland; and

WHEREAS the Council of the Corporation of the City of Clarence-Rockland considers appropriate to amend Zoning By-Law No. 2016-10, as described;

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

Section 1: The property consists of 2925 Rollin Road, Part of Lot 14, Concession 1, identified on Schedule "A" attached to and forming part of this by-law shall be the lot affected by this by-law.

Section 2: Schedule "A" of Zoning By-Law No. 2016-10 is hereby amended by changing the zoning category of part of the property from "*General Agricultural – Exception 10 (AG-10) Zone*" to "*General Agricultural – Exception 23 (AG-23) Zone*" and changing the zoning category of part of the property from "*General Agricultural – Exception 10 (AG-10) Zone*" to "*General Agricultural – Exception 24 (AG-24) Zone*" as identified on Schedule "A" of the map attached hereto and fully integrated as part of this By-law.

Section 3: Section 12.1.3 (w) of By-law 2016-10 is hereby modified to read as follows:

"(w) AG-23, 2925 Rollin Road (part to be severed – D-10-909)

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AG-23 shall be used in accordance with the following provisions:

i) lot frontage (minimum): 30 m"

Section 4: Section 12.1.3 (x) of By-law 2016-10 is hereby modified to read as follows:

"(x) AG-24, Part of Lot 14, Concession 1 (part to be retained – D-10-909)

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned AG-24 shall be used in accordance with the following provisions:

- i) lot frontage (minimum): 12m
- ii) lot area (minimum): 24 ha
- iii) all residential uses are prohibited "

Section 5: This By-law shall become effective on the date of passing hereof, subject to the approval of the Tribunal or following the last date for filing objections as the case may be.

DATED AND PASSED IN OPEN COUNCIL, THIS 19th DAY OF APRIL 2021.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

NOTE EXPLICATIVE

But et effet du Règlement

Le but du présent règlement consiste à modifier la catégorie de zonage sur la partie à être détachée de « Zone agricole – exception 10 (AG-10) » à « Zone agricole – exception 23 (AG-23) », afin de permettre la façade de lot (30m) et changer la catégorie de zonage sur la partie à être retenue de « Zone agricole – exception 10 (AG-10) » à « Zone agricole – exception 24 (AG-24) », afin de permettre la superficie de lot (24 ha), enlever les usages résidentiels et permettre la façade de lot de 12m. Cette modification est une condition de l’approbation de la demande d’autorisation D-10-909.

Pour tous renseignements supplémentaires relativement à cette modification au Règlement de zonage n° 2016-10, veuillez communiquer avec le Département d’infrastructure et aménagement du territoire à l’Hôtel de ville situé au 1560, rue Laurier ou par téléphone au numéro (613) 446-6022.

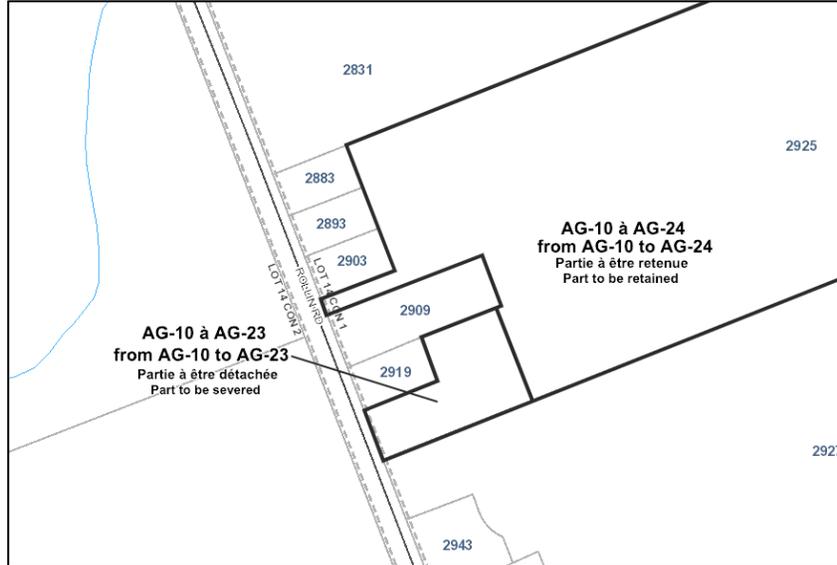
EXPLANATORY NOTE

Purpose and Effects of this By-Law

The purpose of the by-law is to amend Zoning By-Law No. 2016-10 in order to modify the zoning category on the part to be severed from “General Agricultural – Exception 10 (AG-10) Zone” to “General Agricultural – Exception 23 (AG-23) Zone” in order to permit the lot frontage (30m) and changing the zoning category on the part to be retained from “General Agricultural – Exception 10 (AG-10) Zone” to “General Agricultural – Exception 24 (AG-24) Zone” in order to permit the lot area (24 ha), remove the residential uses and permit the lot frontage (12m). This amendment is a required condition of consent application D-10-909.

For further information concerning the amendment to Zoning By-Law No. 2016-10, you may contact the Infrastructure and Planning Department, at the Town Hall, 1560 Laurier Street or by telephone at (613) 446-6022.

CÉDULE « A » / SCHEDULE "A"



| | |
|---|---|
| <p> Terrain(s) touché(s) par ce règlement Area(s) affected by this by-law</p> <p>Changement de zonage /Zone change de/from AG-10 à/to AG-23 et/and AG-24</p> <p>Certification d'authenticité Certificate of Authentification</p> <p>Ceci constitue le plan Cédule «A» du Règlement de zonage n° 2021-21, adopté le 19 avril 2021.</p> <p>This is plan Schedule "A" to Zoning By-Law No. 2021-21, passed the 19th day of April, 2021</p> <hr/> <p>Guy Desjardins, Maire / Mayor</p> | <p>Plan Cédule «A» du règlement n° 2021-21 Schedule "A" to By-Law No. 2021-21</p> <p>2925 Rollin Road, Part of Lot 14, Concession 1 2925 chemin Rollin Partie du lot 14, concession 1</p> <p>Cité de Clarence-Rockland City</p> <p>Préparé par/prepared by Cité de Clarence-Rockland City 1560, rue Laurier Street Rockland, Ontario K4K 1P7</p> <p>Pas à l'échelle/Not to scale</p> <hr/> <p>Monique Ouellet, Greffière / Clerk</p> |
|---|---|



REPORT N° AMÉ-21-13

| | |
|---------------------|---|
| Date | 26/03/2021 |
| Submitted by | Nicolas Denis |
| Subject | Zoning By-law Amendment - 1253 Alma St – Estelle and Michel Bernard |
| File N° | D-14-549 |

1) **NATURE/GOAL :**

The purpose of this report is to present a proposed amendment to the Zoning By-law for the property located at 1253 Alma Street in Rockland. The property owners have requested this amendment in order to permit the construction of a semi-detached dwelling on their property with modified setbacks.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

WHEREAS the proposed amendment to the Zoning By-law for the property described as Lot 86 on Reference Plan Andrew Bell 1908, 1253 Alma Street is consistent with the Provincial Policy Statement and conforms to the Official Plan of the United Counties of Prescott and Russell;

THAT the Planning Committee recommend to Council the approval of By-law 2021-22, being a by-law to amend the zoning by-law 2016-10 in order to change the zoning category of the property described as Lot 86 on Reference Plan Andrew Bell 1908, 1253 Alma Street from "Urban Residential First Density (R1) Zone" to "Urban Residential Second Density - Exception 31 (R2-31) Zone" as recommended by the Infrastructure and Planning Department.

ATTENDU QUE l'amendement proposé au Règlement de zonage pour la propriété décrite comme étant le lot 86 sur le plan de référence Andrew Bell 1908, 1253 rue Alma, est conforme à la Déclaration de principes provinciale et au Plan officiel des Comtés unis de Prescott et Russell;

QUE le comité d'aménagement recommande au Conseil l'approbation du règlement 2021-22, visant à amender le Règlement de zonage 2016-10 afin de modifier la catégorie de zonage de la propriété décrite comme étant le lot 86 sur le plan de référence Andrew Bell 1908, 1253 rue Alma de « Zone résidentielle urbaine de densité 1 (R1) » à « Zone résidentielle urbaine de densité 2 - exception 31 (R2-31) », tel que recommandé par le Département d'infrastructure et aménagement du territoire.

4) **BACKGROUND :**

Estelle and Michel Bernard, owner of the subject property, submitted a complete application for a Zoning By-law Amendment on March 3, 2021 for the property located at 1253 Alma Street in Rockland. The attached *Proposed Site Plan*, prepared by Arpentage Dutrisac Surveying Inc and *Building Plans*, in support of the application were submitted as supporting documents to this application.

5) **DISCUSSION :**

The subject property is located on Alma Street, within the built-up area of the Urban Area of Rockland. The proposed amendment to the Zoning by-law 2016-10 would modify the zoning category from "Urban Residential First Density (R1) Zone" to "Urban Residential Second Density – Exception 31 (R2-31) Zone".

The property owners have the intention of altering the existing detached dwelling, located on the eastern portion of the property, and building an addition on the western portion of the property in order to convert the structure into a semi-detached dwelling. The attached preliminary site plan illustrates the proposed semi-detached dwelling with second units. The proposed driveway will accommodate 6 parking spaces on the property, as required by the Zoning By-law 2016-10 (Table 5.2.1), while providing sufficient room for snow storage and landscaping buffers. Moreover, the applicants also own the property located directly in front of the subject property (1262 Alma Street). This property has nearly identical dimensions. In 2019, the applicants built a semi-detached dwelling and wish to do the same on 1253 Alma Street) in order to maximize the potential of the property and provide additional affordable housing to the community.

In addition, the zoning category "Urban Residential Second Density (R2) Zone" requires a minimum interior side yard width of 3.0 meters when an attached private garage or attached carport is not provided. That being said, the proposed special exception zone would permit an interior side yard setback of 2.76 meters on one side of the proposed structure. This 0.24 meter reduction of the western interior side yard is required in order to accommodate the existing location of the single-family dwelling (4.18 meters from the eastern side lot line) while permitting a reasonably sized dwelling unit to be built on the property. This reduction is not anticipated to have an impact on the functionality of this required yard such as drainage, circulation between yards and parking space. If an attached private garage or attached carport was provided, the structure could be located a minimum of 1.0 meter from the interior side lot line.

Furthermore, the subject property has sufficient frontage on a municipal road to accommodate the proposed use. That being said, it

is important to note that the width of the road right of way is narrower than recommended. The proposed development will offer sufficient parking spaces on the property, which will avoid additional on-street parking. This is an existing safety concern, which affects all properties on Alma Street, regardless of the number of dwelling units on each property.

Provincial Policy Statement

The Provincial Policy Statement 2020 identifies settlement areas as the focus of growth and development. These built-up areas of settlement should encourage intensification and infill development where municipal infrastructure is sufficient to accommodate it. Municipal water and sewer services are available at the site.

Additionally, Policy 1.4.3 of the Provincial Policy Statement requires Planning authorities to provide an appropriate range and mix of housing options and densities to meet projected market based and affordable housing needs of current and future residents. The owners are proposing the construction of a semi-detached dwelling with second units, which will offer additional housing within a built-up neighborhood and provide affordable housing.

Official Plan of the United Counties of Prescott and Russell

The Official Plan of the United Counties of Prescott and Russell encourages residential intensification. Section 2.1.2.1 Residential Intensification specifies that small-scale intensification and infill development in the Urban Policy Area's built-up area shall account for a portion of the County's housing needs.

The County Official Plan also encourages infill development as a way of achieving the Counties' goals regarding affordable housing. Specifically, section 7.6.1 Affordable Housing contains the following policy:

“[...] local Councils will provide for affordable housing by enabling a full range of housing types and densities [...] by: [...] Encouraging infill and housing intensification particularly in urban core areas. This may be achieved through the conversion of single detached dwellings to multiple units [...]”

Section 2.1.2.1, Policy 3 sets out criteria for the evaluation of infill and intensification applications. The following table lists these criteria and the analysis of their application to the proposed zoning by-law amendment for 1253 Alma street.

| Table 1: Residential infill, intensification and redevelopment criteria | |
|---|--|
| The proposed development lands are appropriately suited for intensification in the context of the surrounding neighborhood and the local municipality as a whole | The subject property is within the built-up area of Rockland. The site is located within close walking distance of the Urban Core Area, community facilities and other amenities. |
| The road network can accommodate the traffic generated | Alma Street is very narrow. The proposed semi-detached dwelling would generate slightly more traffic than a single detached dwelling, which is currently permitted and existing on the property. The proposed driveway will accommodate enough space for the vehicles to be parked on the property and avoid additional on-street parking. |
| The proposed development is consistent with the policies of the appropriate land use designation associated with the land | The land use designation in the local Official Plan is "Low Density Residential" which permits both single and semi-detached dwellings. |
| The proposal respects and reinforces the existing physical character of the buildings, streetscapes and parks and open space areas | The scale and massing of the proposed building are in keeping with the generally one- and two-storey dwellings in the neighbourhood. |
| The proposal is compatible with the surrounding development | The proposed semi-detached dwelling with a total of 4 proposed units is compatible with surrounding developments. There are currently two other semi-detached dwellings within 25m of the subject property (1302-1306 Alma Street and 1262 Alma Street). |
| The proposal provide heights, massing and scale appropriate to the site and compatible with adjacent lands | The scale and massing of the proposed building are in keeping with the generally one- and two-storey dwellings in the neighbourhood. |
| The proposal provides adequate privacy, sunlight and views of the sky for existing and new residents | The proposed dwelling would be larger than the current dwelling and would be closer to the westerly neighbour. |
| The proposal screens loading and service areas | N/A |
| The conservation of significant cultural heritage resources | N/A |
| The proposal complies to the | No urban design analysis was |

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| <p>appropriate urban design and built form policies of this Plan and of the local municipality's Official Plan</p> | <p>submitted with the application. The local Official Plan does not contain urban design guidelines. Section 10.17 of the Official Plan of the Urban Area sets out aspirational objectives for high-quality design, aesthetically pleasing built environment, and design elements that complement existing built form. The proposed building architectural elevations are in the attachments to this report along with a proposed floor plan for the dwelling. The look of the proposed building is quite similar to other properties in Rockland and more precisely on Alma Street.</p> |
|---|--|

The County Official Plan encourages infill development as a way of achieving the Counties' goals regarding affordable housing. The proposed dwelling units would provide a much-needed type of affordable rental housing. Specifically, section 7.6.1 Affordable Housing contains the following policy:

"[...] local Councils will provide for affordable housing by enabling a full range of housing types and densities [...] by: [...] Encouraging infill and housing intensification particularly in urban core areas. This may be achieved through the conversion of single detached dwellings to multiple units [...]"

Section 7.4.4 of the County Official Plan lays out criteria for local municipalities to consider when reviewing applications for amendments to the zoning by-law. Some of these criteria are similar to the criteria for infill developments of section 2.1.2.1 listed in Table 1 above. Some of the criteria are not applicable to this project. Table 2 below lists those criteria which remain to be evaluated.

| <p>Table 2: Development Criteria</p> | |
|---|--|
| <p>The provision of safe access onto or from a local or county road or provincial highway.</p> | <p>As noted above, Alma Street is narrow. The proposed site plan includes a front yard setback of 10.19m in order to accommodate the tandem parking of multiple vehicles on the driveway in front of the proposed dwellings.</p> |
| <p>Adequate access to, and provision of, off-street parking.</p> | <p>The proposed site layout includes a total of six parking spaces for the</p> |

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| | four proposed units. The Zoning by-law requires two parking spaces per main unit in a semi-detached dwelling and one parking space for a second unit. |
| Access and manoeuvring of emergency vehicles in providing protection to public and private properties. | Protective services and the United Counties of Prescott and Russell did not have any comments regarding the proposed amendment. |
| Adequate grade drainage or storm water management and erosion control. | A grading plan has been submitted with this proposal. It will be reviewed if a building permit is submitted. Grading must be designed so as to ensure that the property does not drain onto the adjacent lots. |
| The adequacy of school board facilities to accommodate new development or redevelopment and the provision or availability of school bussing. | There are a number of nearby elementary and high schools. School bus service is already available for this area. |

Official Plan of the Urban Area of the City of Clarence-Rockland

The subject property is located within the “Low Density Residential” land use designation on Schedule A of the Official Plan of the Urban Area of the City of Clarence-Rockland. This designation permits single detached and semi-detached dwellings.

Similarly to the Official Plan of the United Counties of Prescott and Russell, the Official Plan of the Urban Area of the City of Clarence-Rockland also contains many policies promoting residential infill and intensification as well as policies aimed at ensuring adequate provision of affordable housing options.

Section 2.14 of the Urban Area Official Plan promotes affordable housing. Specifically, it says:

“Council shall encourage infill and housing intensification, particularly in the core area of the Urban Area. Development standards and densities within the Urban Area should be cost-effective, thereby reducing the costs associated with housing. Alternative housing types, such as garden suites and accessory dwelling units, and secondary dwellings shall be permitted in the Urban Area.”

Conclusions

Overall, the proposed amendment to the zoning by-law meets the criteria set out by the Official Plan of the United Counties for

residential infill and intensification development. The proposed amendment also meets the development criteria of the Official Plan of the United Counties. The only potential concern is the safety of Alma Street due to the narrow right-of-way. This is an existing safety concern, which affects all properties on Alma street, regardless of the number of dwelling units on each property. The municipality should investigate options for improving traffic safety on Alma Street regardless of the proposed zoning by-law amendment for the property located at 1253 Alma Street.

The proposed amendment to the Zoning By-law is consistent with the Provincial Policy Statement and conforms to the Official Plan of the United Counties of Prescott and Russell and to the Official Plan of the Urban Area of the City of Clarence-Rockland. The only potential concern is the security of Alma Street, which staff and Council are already aware of and options for improving security. The proposal would help the City of achieving its goals regarding intensification and affordable housing.

6) **CONSULTATION:**

A public notice was sent to neighbouring property owners within 120m and a notice was posted on site on March 4, 2021.

An oral submission was received from a neighbouring property owner outlining his concerns regarding the safety and circulation issues on Alma Street. The resident does not necessarily object to the proposed development but is very concerned that a higher density will accentuate the existing problem on Alma Street (pedestrian safety, speeding vehicles, higher traffic volume, etc.)

It should be noted that, according to provincial legislation, it is not possible to object to or to appeal to the Local Planning Appeals Tribunal the addition of a second unit on a property.

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

The following departments/agencies responded to the technical circulation with no comments or no concerns: the United Counties of Prescott and Russell, the Protective Services Department, the Community Services Department, the Finance Department, Environmental Services and Building Services.

Infrastructure Services:

- Water and sewer services are available, however, no storm drain is available. A dry well or splash pad will be required in order to properly drain the structure's French drain. The water will be required to be directed towards the front of the property.

- New services will be required for the new dwelling unit (water and sewer).

8) **FINANCIAL IMPACT (expenses/material/etc.):**

There are no direct financial implications associated with the approval of the zoning amendment.

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

By-law 2021-22 Draft
Proposed Site Plan
Building Plans

RÈGLEMENT DE ZONAGE N° 2021-22

Amendant le Règlement de zonage n° 2016-10

Corporation de la Cité de Clarence-Rockland

1253 rue Alma
Lot 86, Plan Andrew Bell 1908

rédigé par

Cité de Clarence-Rockland
1560, rue Laurier
Rockland (Ontario)
K4K 1P7
(613) 446-6022

ZONING BY-LAW NO. 2021-22

Amending Zoning By-Law No. 2016-10

The Corporation of the City of Clarence-Rockland

1253 Alma Street
Lot 86, Plan Andrew Bell 1908

prepared by

City of Clarence-Rockland
1560 Laurier Street
Rockland, Ontario
K4K 1P7
(613) 446-6022

LA CORPORATION DE LA CITÉ DE CLARENCE-ROCKLAND

RÈGLEMENT N° 2021-22

RÈGLEMENT AMENDANT LE RÈGLEMENT DE ZONAGE N° 2016-10;

ATTENDU QUE le Règlement de zonage n° 2016-10 réglemente l'utilisation des terrains, la construction et l'utilisation des bâtiments et structures sur le territoire de la Cité de Clarence-Rockland; et

ATTENDU QUE le Conseil de la Corporation de la Cité de Clarence-Rockland considère qu'il est opportun d'amender le Règlement de zonage n° 2016-10, tel qu'il suit;

PAR LA PRÉSENTE, le Conseil de la Corporation de la Cité de Clarence-Rockland donne force de loi à ce qui suit:

Article 1 : La propriété décrite comme étant le 1253 rue Alma, lot 86, Plan Andrew Bell 1908, identifiée à la cédule «A» ci-jointe, et faisant partie du présent règlement, est le terrain concerné par ce règlement.

Article 2 : La cédule « B » du Règlement de zonage n° 2016-10, est par la présente amendée en modifiant de « *Zone résidentielle urbaine de densité 1 (R1)* » à « *Zone résidentielle urbaine de densité 2 – exception 31 (R2-31)* » la propriété visée, tel qu'identifiée à la cédule « A » ci-jointe, et faisant partie intégrante du présent règlement.

Article 3 : L'article 6.3.3 (ee) du Règlement de zonage n. 2016-10, est par la présente ajoutée et lis comme suit :

« (ee) R2-31, 1253 rue Alma

Nonobstant toute disposition contraire en vertu du présent Règlement en ce qui a trait aux terrains zonés R2-31, ceux-ci doivent être utilisés conformément aux dispositions ci-après :

Pour des *habitations jumelées* :

i) Cour latérale intérieure minimale sans garage privée : 2,76m»

Article 4 : Le présent règlement entrera en vigueur à la date de son adoption par le Conseil sous réserve de l'approbation du Tribunal ou suite à la date limite pour le dépôt des avis d'opposition, selon le cas.

FAIT ET ADOPTÉ EN RÉUNION PUBLIQUE, CE 19^{IÈME} JOUR D'AVRIL 2021.

Guy Desjardins, maire

Monique Ouellet, greffière

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2021-22

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2016-10;

WHEREAS Zoning By-Law no. 2016-10 regulates the use of land, and the use and erection of buildings and structures in the City of Clarence-Rockland; and

WHEREAS the Council of the Corporation of the City of Clarence-Rockland considers appropriate to amend Zoning By-Law No. 2016-10, as described;

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

Section 1: The property consists of 1253 Alma Street, Lot 86, Plan Andrew Bell 1908, identified on Schedule "A" attached to and forming part of this by-law shall be the lot affected by this by-law.

Section 2: Schedule "B" of Zoning By-Law No. 2016-10 is hereby amended by changing the zoning category of the subject property from "*Urban Residential First Density (R1) Zone*" to "*Urban Residential Second Density – Exception 31 (R2-31) Zone*" as identified on Schedule "A" of the map attached hereto and fully integrated as part of this By-law.

Section 3: Section 6.3.3 (ee) of By-law 2016-10 is hereby modified to read as follows:

“(ee) R2-31, 1253 Alma Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned R2-31 shall be used in accordance with the following provision(s):

For *semi-detached dwellings*:

- i) Minimum interior side yard where there is no private garage:
2.76m ”

Section 5: This By-law shall become effective on the date of passing hereof, subject to the approval of the Tribunal or following the last date for filing objections as the case may be.

DATED AND PASSED IN OPEN COUNCIL, THIS 19th DAY OF APRIL 2021.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

NOTE EXPLICATIVE

But et effet du Règlement

Le but du présent règlement consiste à modifier le zonage de la propriété décrite comme étant le 1253 rue Alma de « Zone résidentielle urbaine de densité 1 (R1) », à « Zone résidentielle urbaine de densité 2 – exception 31 (R2-31) ». La zone d'exception spéciale permet une cour latérale intérieure minimale de 2,76 m.

Pour tous renseignements supplémentaires relativement à cette modification au Règlement de zonage n° 2016-10, veuillez communiquer avec le Département d'infrastructure et aménagement du territoire à l'Hôtel de ville situé au 1560, rue Laurier ou par téléphone au numéro (613) 446-6022.

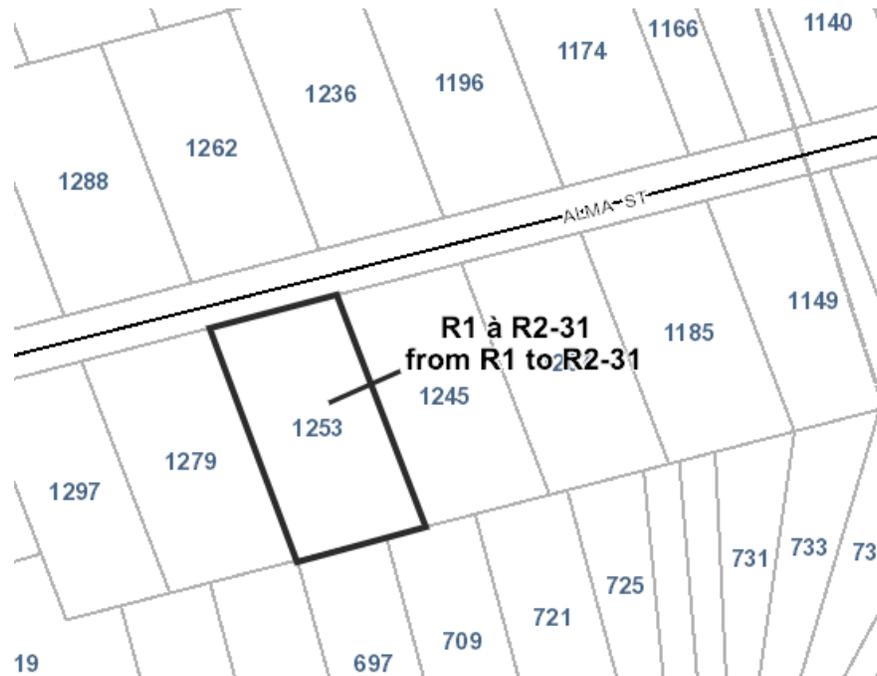
EXPLANATORY NOTE

Purpose and Effects of this By-Law

The purpose of the by-law is to amend Zoning By-Law No. 2016-10 in order to modify the zoning category for the property described as 1253 Alma Street from "Urban Residential First Density (R1) Zone" to "Urban Residential Second Density – Exception 31 (R2-31) Zone". The special exception zone permits an interior side yard setback of 2.76m on each side.

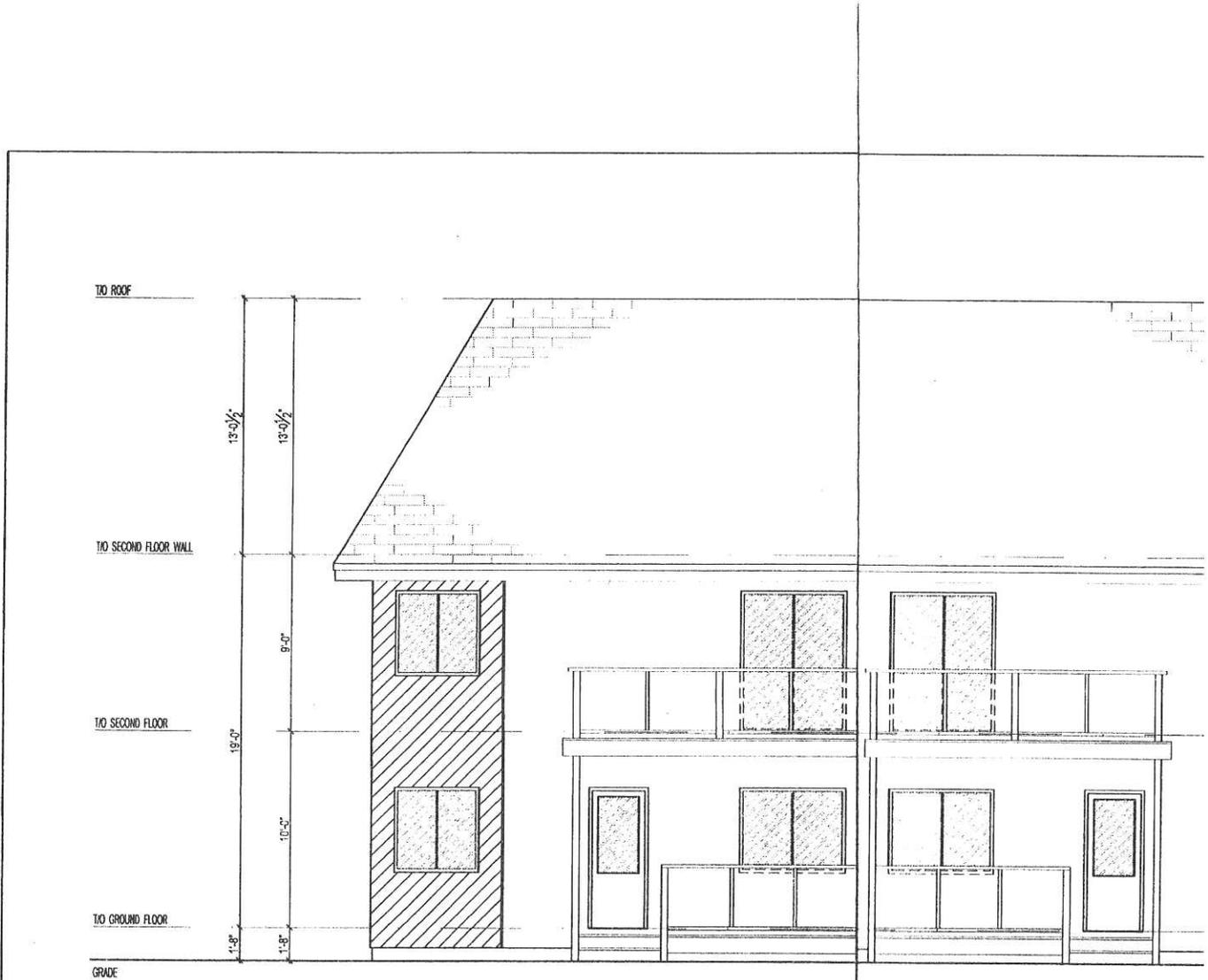
For further information concerning the amendment to Zoning By-Law No. 2016-10, you may contact the Infrastructure and Planning Department, at the Town Hall, 1560 Laurier Street or by telephone at (613) 446-6022.

CÉDULE « A » / SCHEDULE "A"



De/From R1 à/to R2-29

| | |
|---|---|
| <p> Terrain(s) touché(s) par ce règlement Area(s) affected by this by-law</p> <p>Changement de zonage /Zone change de/from R1 à/to R2-31</p> <p>Certification d'authenticité Certificate of Authentification</p> <p>Ceci constitue le plan Cédule «A» du Règlement de zonage n° 2021-22, adopté le 19 avril 2021.</p> <p>This is plan Schedule "A" to Zoning By-Law No. 2021-22, passed the 19th day of April, 2021</p> <hr/> <p>Guy Desjardins, Maire / Mayor</p> | <p>Plan Cédule «A» du règlement n° 2021-22 Schedule "A" to By-Law No. 2021-22</p> <p>1253 rue Alma Street Lot 86, Plan Andrew Bell 1908</p> <p>Cité de Clarence-Rockland City</p> <p>Préparé par/prepared by Cité de Clarence-Rockland City 1560, rue Laurier Street Rockland, Ontario K4K 1P7</p> <p>Pas à l'échelle/Not to scale</p> <hr/> <p>Monique Ouellet, Greffière / Clerk</p> |
|---|---|



1 FRONT ELEVATION
 A1 SCALE : 3/16"=1'-0"

| | |
|--|---------------------------------|
| PROJECT TITLE BERNARD MULTI UNIT RESIDENCE | DRAWN BY: |
| DRAWING TITLE FRONT ELEVATION | DATE: AUGUST 10, 2020 |



1 SIDE ELEVATION
A2 SCALE : 3/16"=1'-0"

PROJECT TITLE
 BERNARD MULTI UNIT RESIDENSE
 DRAWING TITLE
 SIDE ELEVATION

DRAWN BY
 DATE:
 AUGUST 10, 2020



REPORT N° AMÉ-21-04

| | |
|---------------------|---|
| Date | 29/03/2021 |
| Submitted by | Marie-Eve Bélanger |
| Subject | Zoning By-law Amendment –Landry Road – Guy Desjardins |
| File N° | D-14-551 |

1) **NATURE/GOAL :**

The purpose of this report is to present a proposed amendment to Zoning by-law 2016-10 for a property with frontage on Landry Road.

2) **DIRECTIVE/PREVIOUS POLICY:**

N/A

3) **DEPARTMENT'S RECOMMENDATION:**

WHEREAS the proposed amendment to the Zoning By-law for the property described as Part of Lot 3, Concession 6, Part 1 on Reference Plan 50R-11102, Landry Road, is consistent with the Provincial Policy Statement and conforms to the Official Plan of the United Counties of Prescott and Russell; and

WHEREAS an amendment to the Zoning By-law was required as a condition of consent application D-10-897 which received conditional approval from the Committee of Adjustment in September 2020;

WHEREAS Zoning By-law 2020-96 rezoned the subject lands to a "Restricted Agricultural – Exception 4 (AR-4) Zone" to recognize a 2,02 hectare lot area.

WHEREAS the additional regulations for Restricted Agricultural uses only permits existing dwellings or dwellings on existing lots;

THAT the Planning Committee recommend to Council the approval of a by-law to amend the zoning by-law 2016-10 in order to change the "Restricted Agricultural – Exception 4 (AR-4) Zone" to permit residential uses and accessory residential uses, as recommended by the Infrastructure and Planning Department.

ATTENDU QUE l'amendement proposé au Règlement de zonage pour la propriété décrite comme étant une partie du lot 3, concession 6, partie 1 sur le plan de référence 50R-11102, chemin Landry, est conforme à la Déclaration de principes provinciale et au Plan officiel des Comtés unis de Prescott et Russell; et

ATTENDU QU'UN amendement au Règlement de zonage était une condition requise de la demande d'autorisation D-10-897 qui fut

approuvée conditionnellement par le Comité de dérogation en septembre 2020;

ATTENDU QUE le règlement 2020-96 a modifier la catégorie de zonage de la propriété décrite à « Zone agricole restreinte – Exception 4 (AR-4) » afin de permettre une superficie de 2,02 ha.

ATTENDU QUE la zone Agricole Restreinte permet seulement des maisons existantes ou des maisons sur des terrains existants.

QUE le Comité d'aménagement recommande au Conseil l'adoption d'un règlement visant à amender le Règlement de zonage 2016-10 afin de modifier la « Zone agricole restreinte – Exception 4 (AR-4) » afin de permettre les utilisations résidentielles accessoires, tel que recommandé par le département d'infrastructure et aménagement du territoire.

4) **BACKGROUND :**

Mr. Guy Desjardins, owner of the subject property, submitted an application for consent in order to create a new lot for the purpose of severing the portion of the property on which greenhouses are located. The proposed new lot would have a frontage of 92 m on Landry Road, a depth of 156 m and an area of 2.02 ha. The consent application obtained the provisional approval of the Committee of Adjustment on September 23rd, 2020. One of the conditions of approval was that the applicant obtain a zoning by-law amendment in order to prohibit residential uses and accessory residential uses and permit a lot area of 38.28 ha for the retained parcel and permit a lot area of 2.02 ha for the severed parcel.

Mr. Guy Desjardins submitted a complete application for a zoning by-law amendment on October 5th, 2020 and Zoning By-law 2020-96 was approved which rezoned the subject lands to a "Restricted Agricultural – Exception 4 (AR-4) Zone" to recognize a 2,02-hectare lot area.

However, the additional regulations for Restricted Agricultural uses only permits existing dwellings or dwellings on existing lots. Therefore, this rezoning application is to add residential uses to this new lot to be created.

5) **DISCUSSION:**

The subject property is located within the "Agricultural Policy Area" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. Although the Official Plan of the United Counties of Prescott and Russell limits the type of lot creations in this policy area, Section 7.4.2.3.1 does permit farm consents. The Official Plan states:

"Farm lot size shall be maintained as large as practical and farm consents to land severance shall only be considered where the Consent Approval Authority is satisfied that the lots be:

- 1. of a size appropriate for the type of agricultural uses common in the area; within the United Counties of Prescott and Russell, both the severed and retained parcels shall be generally 40 hectares in size, and;*
- 2. sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations;*
- 3. the proposed consent does not create or promote inappropriate agricultural land fragmentation;*
- 4. the farm buildings either existing or proposed will be sufficiently separated from buildings on adjacent lots to comply with the Minimum Distance Separation Formulae II as amended from time to time."*

That being said, the applicant requested the creation of a new lot with a total area of 2.02 hectares. Although, this lot area is not close to the desired 40 hectares for a severed parcel in an agricultural policy area, it is appropriate for the current type of agricultural use. The existing greenhouse and nursery does not require a large portion of land to operate efficiently. It requires limited space for the structures and possible expansion, for a parking area and for appropriate sewage and water services (if required). Consequently, the proposed lot seeks to accommodate the current use while limiting the amount of land lost for more traditional agricultural uses, such as growing crops. The retained parcel will maintain 38.28 hectares, which will satisfy the general intent of creating appropriate size lots in this policy area and will stay sufficiently large enough to maintain the flexibility it requires to accommodate future types of agricultural operations.

Consent application D-10-897 received conditional approval from the Committee of Adjustment in September 2020.

Zoning By-law 2020-96 rezoned the subject lands to a "Restricted Agricultural – Exception 4 (AR-4) Zone" to recognize a 2,02-hectare lot area. However, the additional regulations for Restricted Agricultural uses only permits existing dwellings or dwellings on existing lots.

The property is within a "*Restricted Agricultural (AR) Zone*" according to schedule "A" of the Zoning By-law 2016-10. The existing greenhouses and nursery located on the subject property fall under the agriculture use definition and is permitted in this zone.

The purpose of the proposed amendment is to modify the zoning category of the property described as Part of Lot 3, Concession 6, Part 1 on Reference Plan 50R-11102, Landry Road to add residential uses to the "Restricted agricultural – Exception 4 (AR-4) Zone".

Considering this lot will be used for an agricultural use a dwelling is considered appropriate on this AR lot.

The proposed amendment to the Zoning By-law is consistent with the Provincial Policy Statement and conforms to the Official Plan of the United Counties of Prescott and Russell.

6) **CONSULTATION:**

A public notice was sent to all property owners within 120m of the subject property and to commenting agencies and a notice sign was posted on site on March 19, 2021. A public meeting is scheduled for April 8, 2021 in order to collect comments from the public and from the Planning Committee.

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

No concerns or no objections were submitted from the United Counties of Prescott and Russell, from the finance department, the protective services department, and from the community services department.

8) **FINANCIAL IMPACT (expenses/material/etc.):**

N/A

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

By-law 2021-XX

RÈGLEMENT DE ZONAGE N° 2021-XX

Amendant le Règlement de zonage n° 2016-10

Corporation de la Cité de Clarence-Rockland

chemin Landry
Partie du lot 3, concession 6, partie 1 sur le plan de référence 50R-11102

rédigé par

Cité de Clarence-Rockland
1560, rue Laurier
Rockland (Ontario)
K4K 1P7
(613) 446-6022

ZONING BY-LAW NO. 2021-XX

Amending Zoning By-Law No. 2016-10

The Corporation of the City of Clarence-Rockland

Landry Road
Part of Lot 3, Concession 6, Part 1 on Reference Plan 50R-11102

prepared by

City of Clarence-Rockland
1560 Laurier Street
Rockland, Ontario
K4K 1P7
(613) 446-6022

LA CORPORATION DE LA CITÉ DE CLARENCE-ROCKLAND

RÈGLEMENT N° 2021-X

RÈGLEMENT AMENDANT LE RÈGLEMENT DE ZONAGE N° 2016-10;

ATTENDU QUE le Règlement de zonage n° 2016-10 réglemente l'utilisation des terrains, la construction et l'utilisation des bâtiments et structures sur le territoire de la Cité de Clarence-Rockland; et

ATTENDU QUE le Conseil de la Corporation de la Cité de Clarence-Rockland considère qu'il est opportun d'amender le Règlement de zonage n° 2016-10, tel qu'il suit;

PAR LA PRÉSENTE, le Conseil de la Corporation de la Cité de Clarence-Rockland donne force de loi à ce qui suit:

Article 1 : La propriété décrite comme étant partie du lot 3, concession 6, partie 1 sur le plan de référence 50R-11102, identifiée à la cédule « A » ci-jointe, et faisant partie du présent règlement, est le terrain concerné par ce règlement.

Article 2 : L'article 12.2.3 (d) du Règlement de zonage n. 2016-10, est par la présente modifiée pour lire comme suit :

« (d) AR-4, 1410 chemin Landry

Nonobstant toute disposition contraire en vertu du présent Règlement, en ce qui a trait aux terrains zonés AR-4, ceux-ci doivent être utilisés conformément aux dispositions ci-après :

- i) Superficie de lot (minimum) : 2,02 ha »
- ii) Nonobstant 12.2.1(1), les utilisations résidentielles et résidentielles accessoires sont permises selon le tableau 12.2.2.

Article 3 : Le présent règlement entrera en vigueur à la date de son adoption par le Conseil sous réserve de l'approbation du Tribunal ou suite à la date limite pour le dépôt des avis d'opposition, selon le cas.

FAIT ET ADOPTÉ EN RÉUNION PUBLIQUE, CE XX^{IÈME} JOUR D'AVRIL 2021.

Guy Desjardins, maire

Monique Ouellet, greffière

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2021-XX

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2016-10;

WHEREAS Zoning By-Law no. 2016-10 regulates the use of land, and the use and erection of buildings and structures in the City of Clarence-Rockland; and

WHEREAS the Council of the Corporation of the City of Clarence-Rockland considers appropriate to amend Zoning By-Law No. 2016-10, as described;

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

Section 1: The property consists of Part of Lot 3, Concession 6, Part 1 on Reference Plan 50R-11102, identified on Schedule "A" attached to and forming part of this by-law shall be the lot affected by this by-law.

Section 2: Section 12.2.3 (d) of By-law 2016-10 is hereby modified to read as follows:

"(d) AR-4, 1410 Landry Road

Notwithstanding the provisions of this By-law to the contrary, the lands zoned AR-4 shall be used in accordance with the following provisions:

- i) lot area (minimum): 2.02 ha"
- ii) Notwithstanding 12.2.1 (1) all residential and accessory residential uses are permitted in accordance with table 12.2.2.

Section 3: This By-law shall become effective on the date of passing hereof, subject to the approval of the Tribunal or following the last date for filing objections as the case may be.

DATED AND PASSED IN OPEN COUNCIL, THIS XXth DAY OF APRIL 2021.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

NOTE EXPLICATIVE

But et effet du Règlement

Le but du présent règlement consiste à modifier la « Zone agricole restreinte – exception 4 (AR-4) », afin de permettre les usages résidentiels et résidentiels accessoires.

Pour tous renseignements supplémentaires relativement à cette modification au Règlement de zonage n° 2016-10, veuillez communiquer avec le Département d'infrastructure et aménagement du territoire à l'Hôtel de ville situé au 1560, rue Laurier ou par téléphone au numéro (613) 446-6022.

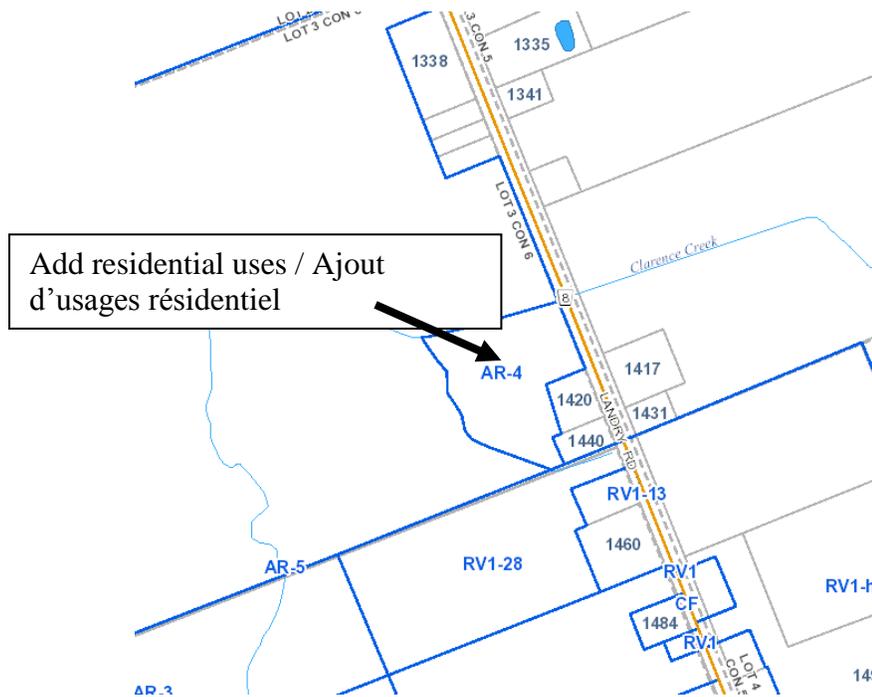
EXPLANATORY NOTE

Purpose and Effects of this By-Law

The purpose of the by-law is to amend Zoning By-Law No. 2016-10 in order to modify the "Restricted Agricultural – Exception 4 (AR-4) Zone" in order to permit residential uses and accessory residential uses.

For further information concerning the amendment to Zoning By-Law No. 2016-10, you may contact the Infrastructure and Planning Department, at the Town Hall, 1560 Laurier Street or by telephone at (613) 446-6022.

CÉDULE « A » / SCHEDULE "A"



| | |
|---|--|
| <p>Terrain(s) touché(s) par ce règlement Area(s) affected by this by-law</p> <p>Certification d'authenticité Certificate of Authentication</p> <p>Ceci constitue le plan Cédule «A» du Règlement de zonage n° 2021-XX, adopté le XX avril 2021.</p> <p>This is plan Schedule "A" to Zoning By-Law No. 2021-XX, passed the XX day of April, 2021</p> | <p>Plan Cédule «A» du règlement n° 2021-XX Schedule "A" to By-Law No. 2021-XX</p> <p>Landry Road, Part of Lot 3, Concession 6, Part 1 on Reference Plan 50R-11102 chemin Landry, Partie du lot 3, concession 6, partie 1 sur le plan de référence 50R-11102</p> <p>Cité de Clarence-Rockland City</p> <p>Préparé par/prepared by Cité de Clarence-Rockland City 1560, rue Laurier Street Rockland, Ontario K4K 1P7</p> <p>Pas à l'échelle/Not to scale</p> |
| <p>Guy Desjardins, Maire / Mayor</p> | <p>Monique Ouellet, Greffière / Clerk</p> |