



File Number D-14-612.

Report n° PE2024-025
Date: May 8, 2024
Submitted by: Fabien Lalande
Subject: Zoning by-law amendment – 882 Rollin

Nature/Goal

The purpose of this report is to present a proposed zoning by-law amendment for the property whose civic address is 882 Rollin Road to implement a minimal geotechnical setback of 25.8 m from toe of slope and to permit the construction of a single detached dwelling unit.

Directive/Previous policy

N/A

Department's recommendation

Whereas the proposed amendment to the Zoning By-law for the property at 882 Rollin Road, legally described as Part of Lot A and B, Concession 2, being Part 1 on Plan 50R-5115 in the geographic township of Clarence, now in the City of Clarence-Rockland is consistent with the Provincial Policy Statement, and conforms to the Official Plan of the United Counties of Prescott and Russell; and

Whereas a zoning amendment to the Zoning By-law was required as a condition of consent application B-008-2023 which received conditional approval from the Approval authority of the United Counties of Prescott and Russell on January 10, 2024;

That the council adopts by-law 2024-52 to change the zoning category from "Rural (RU) Zone" to "Agricultural – Exception 30 (AG-30) Zone and Agricultural (AG) Zone".

Attendu que la modification proposée au règlement de zonage pour la propriété du 882 chemin Rollin, légalement décrite comme faisant Partie du Lot A et B, Concession 2, étant la partie 1 sur le plan 50R-5115, dans le canton géographique de Clarence, maintenant dans la cité de Clarence-Rockland, est conforme à la déclaration de principes provinciale et conforme 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 B-008-2023 qui fut approuvée conditionnellement par l'entité approbatrice des Comtés Unis de Prescott et Russell le 10 janvier 2024;

Que le conseil adopte le règlement 2024-52 pour changer la catégorie de zonage de « Zone Rurale (RU) » à « Zone Agricole – Exception 30 (AG-30) et

Zone Agricole (AG)».

Background

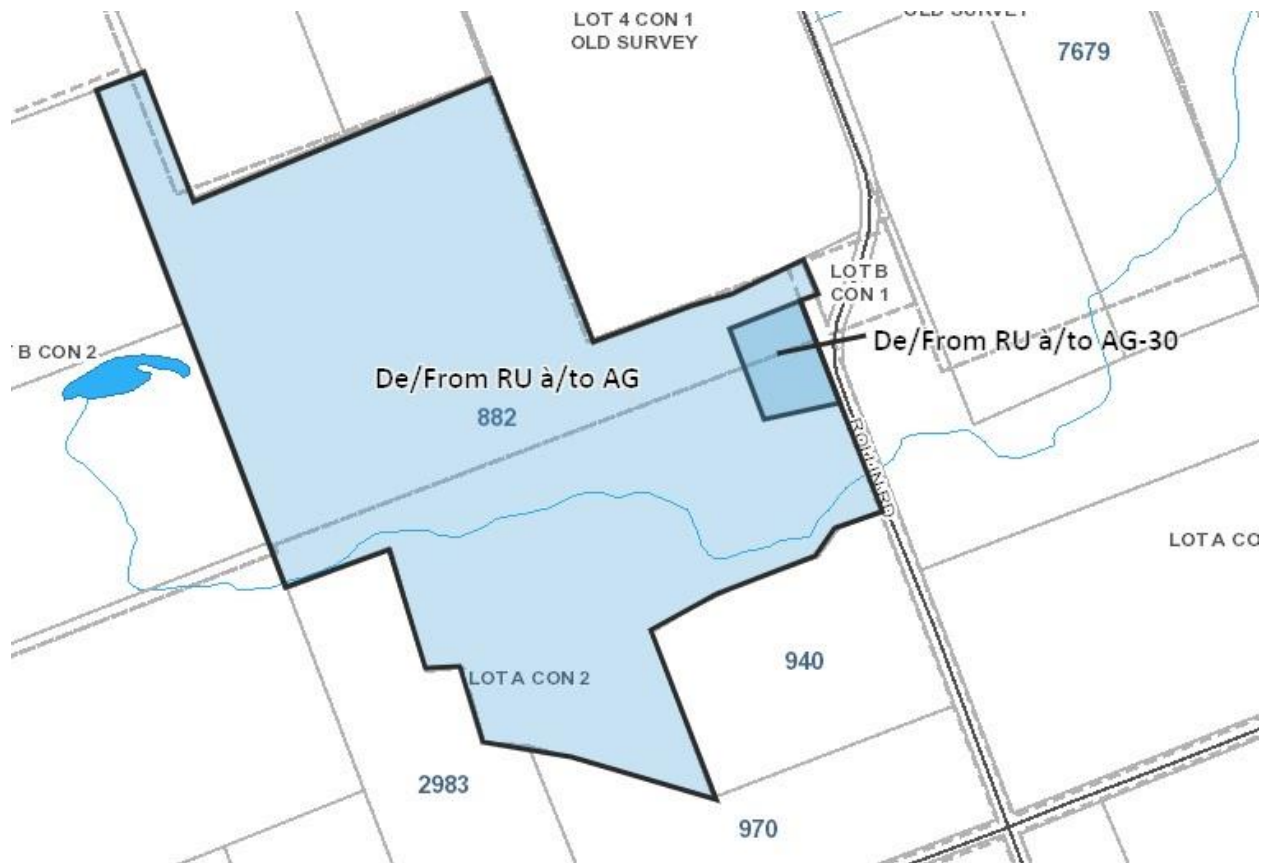
The proposed zoning by-law amendment would change the zoning category of the subject property from "Rural (RU) Zone" to "Agricultural – Exception 30 (AG-30) Zone and Agricultural (AG) Zone" to implement a minimal geotechnical setback of 25.8 m from toe of slope and to permit the construction of a single detached dwelling unit. This rezoning is a condition that was required by the City of Clarence-Rockland for the severance file B-008-2023.

Discussion

The affected property is described as Part of Lot A and B, Concession 2, being Part 1 on Plan 50R-5115 in the geographic township of Clarence, now in the City of Clarence-Rockland civic address 882 Rollin Road.

The zoning of retained parcel will be changed from Rural (RU) zone to Agricultural (AG) zone in order to be consistent with the Agricultural designation of the newly adopted official plan of the United Counties of Prescott and Russell.

In addition to the rezoning from RU to AG, the AG zone exception 30 will be added to the severed parcel in order to implement a minimal geotechnical setback of 25.8 m from the toe of slope if a house would be built on the future lot.



Consultation

A public notice was sent to all property owners within 120 meters of the property in question and to agencies. Furthermore, a notice board was posted on the site within the prescribed timeframe. The planning committee recommended the adoption of the zoning by-law amendment during the public meeting that was held on April 24, 2024.

Recommendations or comments from committee/ other departments

No concerns or objections were submitted from the United Counties of Prescott and Russell, South Nation Conservation, Enbridge, the Department of Finance, the Engineering Department, the Building Department, the Fire Department, and the Operations Department.

Financial impact (expenses/material/etc.)

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment is refused and appealed, an external planner and external legal counsel would need to be retained.

Legal implications

If the proposed zoning by-law is adopted and an appeal submitted to the Ontario Land Tribunal, the preparation of the necessary documentation for the Tribunal and the making of submissions to the Tribunal could be done within

staff resources.

If the zoning amendment is refused, reasons must be provided. The City Clerk and Chief Administrative Officer would seek to retain an external planner to provide an affidavit in support of the refusal for the initial Tribunal review of the item should an appeal of the refusal be forthcoming. External legal counsel would also be retained to represent the City at the Tribunal.

Risk management

N/A

Strategic implications

N/A

Supporting documents

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Cover Letter