



REPORT N° AMÉ-20-09-R

Date	20/02/2020
Submitted by	Claire Lemay
Subject	Zoning By-law Amendment – 1750 Russell Rd – Hortense Lavigne
File N°	D-14-533

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 1750 Russell Road. This proposed amendment is a condition of the provisional approval of a consent application (file number B-CR-023-2019).

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 21, Concession 6, 1750 Russell 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 B-CR-023-2019 which received conditional approval from the Committee of Adjustment in December 2019;

THAT the Planning Committee recommends to Council the approval of a by-law amending the zoning by-law 2016-10 in order to change the zoning category of the property described as Part of Lot 21, Concession 6, 1750 Russell Road from "Rural (RU) Zone" to "Rural – Exception 45 (RU-45) Zone" for the part to be retained, in order to prohibit residential uses on the agricultural property and to modify the zoning category of the portion of the lot including the existing dwelling (the part to be severed) from "Rural (RU) Zone" to "Rural – Exception 55 (RU-55) Zone" in order to permit a lot with minimum 45.0m frontage.

ATTENDU QUE l'amendement proposé au Règlement de zonage pour la propriété décrite comme étant une partie du lot 21, concession 6, 1750 chemin Russell, 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 B-CR-023-2019 qui fut approuvée conditionnellement par le Comité de dérogation en décembre 2019;

QUE le Comité d'aménagement recommande au Conseil l'approbation d'un règlement amendant le Règlement de zonage 2016-10 afin de modifier la catégorie de zonage de la propriété décrite comme étant une partie du lot 21 concession 6, 1750 chemin Russell de « Zone rurale (RU) », à « Zone rurale – Exception 45 (RU-45) » sur la partie à être retenue afin d'interdire des utilisations résidentielles sur le terrain agricole et de modifier la partie avec l'habitation existante, la partie à être détachée, de « Zone rurale (RU) », à « Zone rurale – Exception 55 (RU-55) » afin de permettre la création d'un terrain avec 45,0 m de façade minimale.

4) **BACKGROUND :**

Mrs. Hortense Lavigne, owner of the subject property, submitted an application for consent for a residence rendered surplus due to a farming consolidation in 2019. Mrs. Lavigne is the owner and resident of the house located on the property and she intends to sell the agricultural land to a local farmer and sell the house separately. The consent application obtained the provisional approval of the Committee of Adjustment on December 18th, 2019. One of the conditions of approval is that the applicant obtain a zoning by-law amendment in order to prohibit residential uses on the retained parcel and in order to reduce the minimum lot frontage to 45m for the severed parcel.

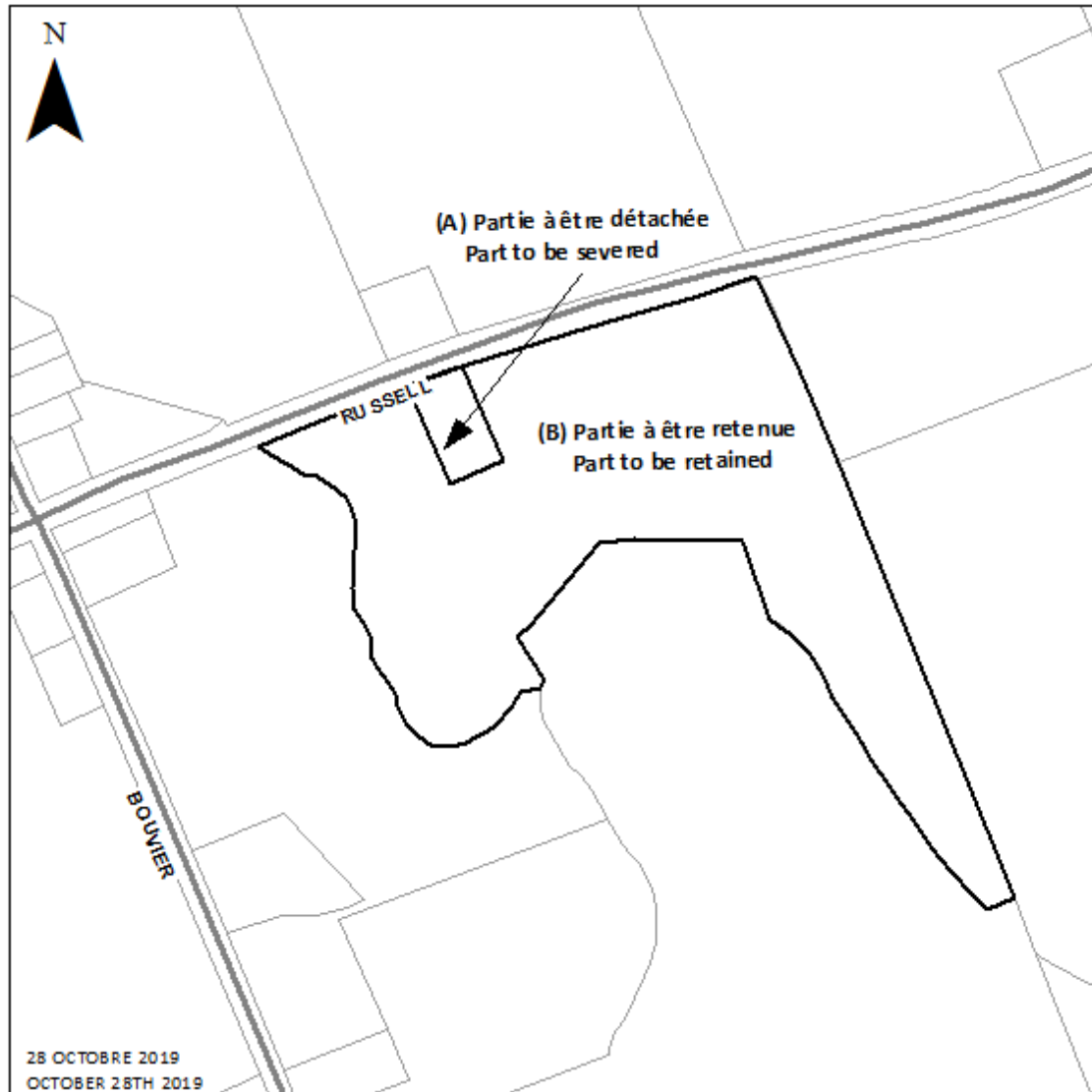
Mrs. Lavigne submitted a complete application for a zoning by-law amendment on February 12th, 2020.

5) **DISCUSSION :**

The subject property is designated as Rural Policy Area on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. The property's southern and western boundary are the Bear Brook River and North Indian Creek watercourses. These watercourses are designated as Fish Habitat in the Official Plan of the United Counties of Prescott and Russell. There is also a Significant Woodland designation and a Significant Wildlife Habitat designation within the subject property. A portion of the subject property is within the 100-year flood plain of the Bear Brook River. There is a sensitive slope located along the North Indian Creek and Bear Brook River. No development is proposed on the subject property; therefore, there is no impact to be had on the natural heritage features and natural hazards due to the proposed zoning by-law amendment.

The subject property is included within the Rural (RU) zone in the City

of Clarence-Rockland's Zoning By-Law No. 2016-10. The subject property has frontage on Russell Road (County Road No. 2), which is designated as a Major Collector in both the Official Plan of the United Counties and the Zoning By-law. The minimum lot frontage for a property on a Major Collector is 100.0m, as indicated on Schedule F of the Zoning By-law 2016-10.



The purpose of the proposed amendment is to modify the zoning category of the part to be retained from "Rural (RU) Zone" to "Rural – Exception 45 (RU-45) Zone" in order to prohibit residential uses on the agricultural property and to modify the zoning category of the portion of the lot including the existing dwelling (the part to be severed) from "Rural (RU) Zone" to "Rural – Exception 55 (RU-55) Zone" in order to permit a lot with minimum 45.0m frontage. The property owner has the intention of selling the agricultural land (the part to be retained) to a local farmer.

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 February 12, 2020. The public meeting of the Planning Committee of March 4 will serve to collect comments from the public.

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:**

Draft By-law 2020-XX