

THE CORPORATION OF THE TOWNSHIP OF NORTH
GLENGARRY

Public Meeting of Planning

Monday, February 26, 2024, 5:00 pm

Council Chamber

3720 County Road 34

Alexandria, On. K0C 1A0

The Council of The Township of North Glengarry would like to advise the public that this meeting is or maybe recorded by either the press or any other individuals.

1. DISCLOSURE OF CONFLICT OF INTEREST

2. ACCEPT THE AGENDA (Additions/Deletions)

3. RATIFY MINUTES

a. Public Meeting of Planning Minutes - Jan 29 2024

4. ZONING AMENDMENT & OP AMENDMENT

a. Z-19-2023 / OP No. 21

5. OLD BUSINESS

6. NEW BUSINESS

7. NOTICE OF MOTION

8. ADJOURNMENT

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Public Meeting of Planning

Monday, January 29, 2024

5:45 pm

Council Chamber

3720 County Road 34

Alexandria, On. K0C 1A0

COUNCIL MEMBERS Mayor: Jamie MacDonald

PRESENT:

Deputy Mayor: Carma Williams

Councillor (At Large) - Jacques Massie

Councillor (Kenyon Ward) - Jeff Manley

Councillor (Alexandria Ward) - Michael Madden

Councillor: Brian Caddell

Councillor: Gary Martin

MUNICIPAL STAFF CAO/Clerk - Sarah Huskinson

PRESENT:

Director of Building, By-law & Planning - Jacob Rhéaume

Deputy Clerk: Jena Doonan

Chantal Lapierre

1. DISCLOSURE OF CONFLICT OF INTEREST

- No declarations of interest.

2. ACCEPT THE AGENDA (Additions/Deletions)

Resolution No. 1

Moved By: Gary Martin

Seconded By: Jeff Manley

THAT the Council of the Township of North Glengarry accepts the Public Meeting of Planning Agenda of Monday, January 29th/2024.

Carried

3. RATIFY MINUTES

Resolution No. 2

Moved By: Brian Caddell

Seconded By: Michael Madden

THAT the Council of the Township of North Glengarry accepts the minutes of the Public Meeting of Planning of Monday, November 27th/2023.

Carried

4. ZONING AMENDMENTS

a) Z-18-2023

Owners: Bassima El Zahabi & Maged Kassis

Location: 64 Lochiel St E Alexandria

Purpose of Application: To re-zone the property from Residential Fourth Density Special Exception (R4-7) to Residential Fourth Density Special Exception (R4-8) to permit a five-unit apartment building with four parking spaces, a reduction of one space from the required five parking spaces.

The clerk asked for comments from the public in attendance and from members of Council.

Deputy Mayor: Carma Williams – Asked if there was a basement apartment? And was concerned about the parking. Another tenant means another vehicle. And wanted to know if there was any overnight parking?

Director of Building, By-law & Planning - Jacob Rhéaume – Explained that there is no apartment in the basement, it's a crawl space with a low ceiling. Continued by saying that with the parking spaces in the front, there shouldn't be any issues and there is overnight parking on the Boulevard.

The clerk asked two additional times for comments from the public in attendance and from members of Council.

No other comments were received.

- 5. OLD BUSINESS**
- 6. NEW BUSINESS**
- 7. NOTICE OF MOTION**
- 8. ADJOURNMENT**

Resolution No. 3

Moved By: Carma Williams

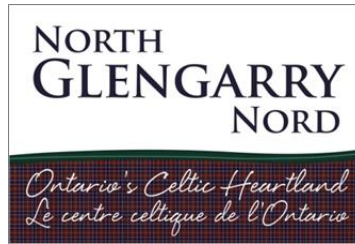
Seconded By: Jacques Massie

THERE being no further business to discuss, the Public Meeting of Planning was adjourned at 6:07pm.

Carried

CAO/Clerk/Deputy Clerk

Mayor/Deputy Mayor



STAFF REPORT PUBLIC MEETING

February 26, 2024

TO: Mayor and Council Members

FROM: Lindsay Parisien, Municipal Planning Consultant

RE: Zoning By-law Z-19-2023 & OPA 21 Report – MacEwen

Owner: MacEwen Agricentre Inc.

Location: 40 Catherine Street West, Maxville, ON
Concession 17 Indian Lands, Parts of 10 to 15 on Plan 32, Block F and Lots 4 to 7, being Parts 1 to 5 on Reference Plan 14R-1585 and Parts 1 to 3 on Reference Plan 14R-2661 in the geographic Township of North Glengarry

Recommendation:

That the Council of the Township of North Glengarry recommends that the United Counties of Stormont, Dundas and Glengarry approve proposed Official Plan Amendment 21 for 40 Catherine Street West, Maxville, ON



[illegible]

This aerial map displays a residential neighborhood in Maxville, Ontario, with various zoning designations and a highlighted 'Subject Area'. The map includes the following features:

- Subject Area:** A large, irregularly shaped area in the center-right of the map is highlighted in light blue and labeled 'Subject Area' in white text.
- Zoning Designations:** Various zoning codes are visible across the map, including:
 - MG (Medium Density Residential):** Several areas are designated as MG, including a large purple-shaded area to the north of the Subject Area and smaller parcels to the east.
 - MG-2 (Medium Density Residential - Second Phase):** A specific area within the MG zone is designated as MG-2.
 - R1 (Single Detached Residential):** Multiple parcels to the east of the Subject Area are designated as R1.
 - R1-5 (Single Detached Residential - 500-600 sq. ft. lot area):** A specific area within the R1 zone is designated as R1-5.
 - R1-H (Single Detached Residential - Hillside):** A specific area within the R1 zone is designated as R1-H.
 - IN (Institutional):** A small area to the north of the Subject Area is designated as IN.
 - CA (Community Office):** A small area to the north of the Subject Area is designated as CA.
 - AR (Agricultural Residential):** A small area to the north of the Subject Area is designated as AR.
 - R2-H (Single Detached Residential - Hillside):** A small area to the north of the Subject Area is designated as R2-H.
- Streets:** Several streets are visible, including:
 - SDG CR 22:** A road running diagonally from the top left towards the bottom left.
 - VA:** A road running diagonally from the top center towards the bottom right.
 - Joseph St:** A street running diagonally from the top right towards the bottom right.
 - George St:** A street running diagonally from the top right towards the bottom right.
 - James St:** A street running diagonally from the top right towards the bottom right.
- Other Features:**
 - MAXVILLE:** The name of the town is visible in a green box.
 - Red Dots:** Numerous red dots are scattered across the map, likely representing individual lots or specific points of interest.
 - Shaded Areas:** Different colors (purple, green, blue) are used to highlight specific zoning areas.

Purpose of the Applications:

Official Plan:

- To re-designate approximately 16.1 hectares of land from “Residential District” to “Employment District” designation to permit the expansion of the existing commercial business and industrial use known as MacEwen Agricentre on site which is permitted in the Employment District land use designation.

Zoning By-law:

- To re-zone a portion of the subject site from “Residential First Density (R1)” zone to “General Industrial – Special Exception 2 (MG-2)” to permit the expansion of the existing commercial business (MacEwen Agricentre) and industrial use.
- The special exceptions to the General Industrial zone will address separation distances to the existing residential uses and reduction in technical parking requirements and relief from zone standards such as building height and lot frontage.

Background:

The applicant submitted a concurrent Official Plan Amendment and Zoning By-law Amendment to re-designate and rezone a part of the subject property. The subject property is legally described as being Part of Lots 10 to 15 Concession 17 Indian Lands, in the former Township of Kenyon, now the Township of North Glengarry, located at 40 Catherine Street West, Maxville. The subject property has 25 m of frontage on Catherine Street West and measures approximately 34.3 hectares in total area. The portion of the subject property being re-designated and rezoned is approximately 16.1 hectares in area. The existing site has one vehicle access from Catherine Street for ingress and egress, which accommodates all truck and employee vehicular traffic. The surrounding lands are predominantly designated Rural District to the south and west, Residential District and Employment District to the north and east.

The purpose of the Official Plan Amendment and Zoning By-law Amendment are to re-designate a portion of the subject property from “Residential District” to “Employment District” within the Urban Settlement Area as well as rezone it from “Residential First Density - Holding” to “General Industrial with Special Exceptions”. The owner is proposing to expand the existing Agricentre operation towards the south and west of its current operations within the subject property. The proposed development will consist of a new seed storage warehouse, a fertilizer blending facility, and a truck repair station. Therefore, in order to permit the proposed expansion of the Agricentre at this location, both amendments to the United Counties Official Plan and Township of North Glengarry Zoning By-law are required, as part of the area in which the proposed expansion being considered, currently does not allow for the proposed industrial use.

In support of the proposed amendments a Planning rationale and Land Use Compatibility Study was prepared by Fotenn and submitted for review on behalf of the owner. As mentioned above, the proposed development is subject to a rezoning that will include site-specific exceptions and will identify the 70-metre separation distance requirement to the nearest residential properties. The inclusion of this site-specific zoning provision will ensure that the development complies with

Provincial D-Series Land Use Compatibility Guidelines and will also ensure that any future changes in use on the property would require public notice through a rezoning or variance if the use were to be proposed within the buffer area.

In accordance with the *Planning Act*, a public meeting is being held on Monday February 26th, and notice was circulated by regular mail to assessed property owners and posted on site. Comments from the public were received from an assessed landowner who expressed concerns with regards to the potential noise, on-site lighting and increase in traffic that may impact the surrounding residential neighbourhood. However, this individual also recognizes how the jobs created by this local business benefits members of the community and is generally supportive of the expansion.

The process of concurrently filling an Official Plan Amendment and Zoning Amendment application includes the public meeting, and resolution of support, prior to County Council considering the Official Plan Amendment. The Zoning By-law Amendment is to be brought back to Council at a later date.

Policy Considerations:

The following is a summary of the agency roles in the approvals process:

- The **United Counties of Stormont, Dundas, and Glengarry** is the administrator and approval authority for official plan amendments (OPAs). Notwithstanding this, local municipalities often host public meetings and assist in facilitating the OPA process, given that the County OP also acts as the local OP.
- The **Township of North Glengarry** is the approval authority for zoning by-law amendments. Zoning amendments cannot be passed unless they conform to the OP.

Planning Act

The Ontario Planning Act gives municipal Councils the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. The Planning Act also requires that in making planning decisions Council must have regard for matters of Provincial Interest. The Planning Act requires that Council's decisions must be consistent with the Provincial Policy Statement, and conforms with the Stormont, Dundas and Glengarry Official Plan which apply to the lands.

Provincial Policy Statement (PPS)

The Provincial Policy Statement, also known as the "PPS", provides policy directions on matters of provincial interest related to land use planning and development. It aims to provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The subject property is partially located within an urban settlement area and rural area. The proposed business operation

expansion is anticipated to span across both areas within the site. Therefore, the following PPS policies have been reviewed and are applicable to the subject property's proposed development:

Policy 1.1.1 supports healthy, livable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term; and, by avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas.

Policy 1.1.4.1 goes on to suggest that rural areas should be supported by building on rural character, leveraging rural amenities and assets, as well as promoting a diverse economic base and employment opportunities through goods and services including value-added products. Additionally, Policy 1.1.5.2 refers to various permitted uses on rural lands which include agricultural uses, agriculture-related uses, on-farm diversified uses in accordance with provincial standards and that such development be compatible with the rural landscape.

Policy 1.3.1 also applies as Planning authorities shall promote economic development and competitiveness by providing opportunities for employment uses which support a wide range of economic activities and ancillary uses and take into account the needs of existing and future businesses. Policy 1.3.2.3 provides further support for the proposed amendments and development as employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Based on this review of the PPS, the proposed development is consistent with the policies of the Provincial Policy Statement 2020. The site is located within an urban settlement area and a rural area and the proposed expansion of the existing Agricentre operation makes efficient use of the existing property. The intended uses associated with the proposed expansion are appropriate within the urban settlement area as well as the rural area. The proposed development will make use of existing municipal services that currently service the subject property. Furthermore, the proposed expansion of the MacEwen Agricentre will contribute to the municipality's economic base and create more employment opportunities within Maxville and the broader Township of North Glengarry.

The proposed Official Plan amendment will redesignate a portion of the property from Residential District to Employment District, thus, adding to the supply of employment lands within the settlement area. Although redesignating the lands will result in the removal of residential lands from the settlement area, the increased area of employment lands will ensure that sensitive uses will not encroach into the limited supply of employment lands planned for the area. Moreover, the removal of residential lands will not negatively impact the overall supply of residential land, as there is a significant amount of land designated and zoned for future residential development within the settlement area.

United Counties of SDG Official Plan (OP)

The Official Plan contains a number of goals and strategic objectives; growth is the goal to direct most forms of development to support the efficient use of land. The strategic objective is to encourage infilling, intensification, and development in appropriate locations and with appropriate built form and design. The subject property is currently designated as “Employment District”, “Residential District” and “Rural District”. The areas of the subject property that are currently designated as “Employment District” will be maintained.

In the Official Plan for the United Counties of Stormont, Dundas and Glengarry, the property is located partially within an “*Urban Settlement Area*” and partially within the “*Rural Area*”. A portion of the subject property that is currently developed is located within the Urban Settlement Area of Maxville and has a split designation of Employment District and Residential District. Residential, Commercial and Employment Districts are the primary designations within Urban Settlement Areas, Employment District uses may include a mix of industrial uses, manufacturing, construction, warehousing, offices, employment supportive commercial uses including associated retail and ancillary facilities, public service facility and institutional uses. The area presently operating as the MacEwen Agricentre (industrial use) is established within the Urban Settlement Area that is designated Employment District.

Table 3.5 of the Official Plan highlights the generalized list of permitted uses in the employment district. Employment district uses include class I, II and III industrial uses as well as associated and ancillary facilities with the main use. The subject property is currently being used as the MacEwen Agricentre and the owner intends to maintain the existing business and industrial use by expanding its operations. However, the area in which the owner has proposed to expand is further south and west of current operations, but all proposed expanded developments will remain within the property boundaries.

For clarity, the southern portion of the split land use designation is currently designated as “Residential District” which does not permit the industrial land use and the area further west of the existing buildings on site is designated as “Rural District” but is located outside the urban settlement area boundary. Therefore, both areas (South and West) require amendments to the Official Plan to accommodate the full build out of the proposed business expansion.

The Official Plan Amendment is appropriate and desirable for these lands, as the proposed development will contribute to employment opportunities within Maxville and the surrounding area. The expansion of an existing business operation on the subject property represents efficient development and can be adequately serviced. As part of the Official Plan Amendment, it is recognized that residential lands will be redesignated within the Settlement Area, however, as previously mentioned, a significant amount of land will remain available for residential development within the Settlement Area. The remaining residential lands will immediately abut other residential areas and properties that already exist. From a long-range planning and compatibility perspective, it is appropriate to locate residential uses adjacent to existing residential uses or other sensitive land uses as opposed to allowing an incompatible industrial land use to be established.

Township of North Glengarry Zoning By-law 39-2000

The subject property has multiple zones that apply to this site. The property is currently zoned “General Industrial”, “General Industrial, Special Exception 2” “Residential First Density with a Hold”, “Restricted Agricultural” and “Rural” in the Township’s zoning by-law. The proposed expansion of the MacEwen Agricentre (Industrial use), encroaches into an area of the property in which the zone does not permit the industrial land use of the Agricentre as this use is only permitted in the “General Industrial” zone.

The proposed Zoning By-law Amendment is appropriate, as the development generally complies with the applicable MG zone standards as well as all other applicable Zoning By-law provisions, such as outdoor storage. The Zoning By-law Amendment will facilitate the orderly expansion of existing industrial use, which serves as a large employer of Maxville and contributes to employment within the Township of North Glengarry.

The proposed special exception for the subject property will maintain the provision for a minimum 70-metre setback to a property line that abuts a residential property as outlined in the MG-2 zone. Maintaining this existing provision which currently applies to a portion of the subject property will ensure adequate separation distances to sensitive land uses in accordance with the MOECP’s D-Series Guidelines on Land Use Compatibility. As outlined above, the special exception will also include a provision that removes the requirement for parking under Section 3.21 of the Zoning By-law and will increase the maximum permitted height within the MG zone, aligning with the required needs of the Agricentre operation.

Analysis:

Considering the analysis provided herein and the supporting Planning Rationale and Land Use Compatibility Study submitted with the application, staff are of the opinion that the Official Plan Amendment and Zoning By-law Amendment:

- are consistent with the Provincial Policy Statement;
- would be in conformity with the applicable policies of the United Counties of SDG Official Plan; and,
- represents good planning, having had regard for matters of Provincial interest outlined in Section 2 of the Planning Act.

Therefore, staff recommend that Council support by way of resolution, the proposed Official Plan Amendment and at a future Council meeting, approve the Zoning By-law amendment on the subject lands to rezone a the “Residential First Density” zone to “General Industrial – Special Exception 2 (MG-2)” to permit the expansion of the existing MacEwen Agricentre. A detailed zone analysis was completed by Fotenn and included as a part of the Planning rationale. The proposed site-specific exceptions to the zone standards being requested are as follows: reduction in minimum lot frontage, increase in maximum building height and reduction in total parking requirements. However, it should be noted that the subject property’s lot frontage has a legal non-complying status with the existing lot fabric and land use.

Land Use Compatibility Considerations:

The applicant has prepared a Land Use Compatibility Study to address the proposed minimum separation distance setbacks with the surrounding residential land uses which are considered to be more sensitive than the subject property. Based on this assessment and review of the D-Series Guidelines on Land Use Compatibility, the minimum recommended setback of 70 metres from the sensitive land use (residential lands) to the expansion of the industrial use (existing MacEwen Agricentre) will be provided. Therefore, adequate separation distance is achieved. The location of buildings will also be reviewed through site plan control.

Recommended Conditions:

None.

Conclusion:

The proposed Official Plan Amendment and Zoning By-law Amendment applications to permit the expansion of the existing MacEwen Agricentre operation on the subject property constitutes good planning and is in the public interest. The proposed development is consistent with the Provincial Policy Statement (2020) as the proposed expansion represents efficient development of an existing property and fosters employment opportunities within the settlement area of the Township of North Glengarry and greater Counties of SDG.

The proposed development conforms with the County Official Plan, including policies as they relate to Employment Districts, Rural Lands, Rural Districts, and Industrial areas. The proposed development is appropriate in both the Urban Settlement Area as well as the Rural Area and generally complies with the applicable requirements and provisions in the Township of North Glengarry Zoning By-law. The requested amendments are appropriate and are not anticipated to result in adverse impacts on the neighbouring properties. Furthermore, the D-Series Guidelines on Land Use Compatibility was reviewed and the proposed expansion of an industrial use will provide the minimum recommended setback of 70 metres from the sensitive land use.



40 Catherine Street West, Maxville

Planning Rationale + Land Use Compatibility Study
Official Plan Amendment + Zoning By-law Amendment
November 28, 2023

Prepared for MacEwen Agricentre

Prepared by Fotenn Planning + Design
396 Cooper Street, Suite 300
Ottawa, ON K2P 2H7

November 2023

© Fotenn

The information contained in this document produced by Fotenn is solely for the use of the Client identified above for the purpose for which it has been prepared and Fotenn undertakes no duty to or accepts any responsibility to any third party who may rely upon this document.

1.0	Introduction	1
1.1	Application Overview	1
2.0	Site Context & Surrounding Area	2
2.1	Subject Property	2
2.2	Surrounding Area	4
3.0	Proposed Development	6
4.0	Policy & Regulatory Review	11
4.1	Provincial Policy Statement (2020)	11
4.2	United Counties of Stormont, Dundas and Glengarry Official Plan (2018)	13
4.2.1	Urban Settlement Areas	15
4.2.2	Rural Lands & Rural District	16
4.2.3	Residential Areas	17
4.2.4	Industrial Areas	18
4.2.5	Water Supply and Sewage Disposal Systems and Stormwater Management	18
4.2.6	Resource Management	19
4.3	The Corporation of the Township of North Glengarry Zoning By-law (39-2000)	21
5.0	Proposed Amendments	25
5.1	Official Plan Amendment	25
5.2	Zoning By-law Amendment	25
6.0	Land Use Compatibility	28
6.1	D-Series Guidelines for Land Use Compatibility	28
6.2	Policy Review	29
6.2.1	Provincial Policy Statement	29
6.2.2	United Counties of Stormont, Dundas and Glengarry Official Plan	30
6.2.3	Township of North Glengarry Zoning By-law	30
6.3	Land Use Analysis	30
7.0	Conclusion	33

1.0

Introduction

Fotenn Planning + Design ("Fotenn") has been retained by MacEwen Agricentre Inc. ("MacEwen") to prepare this Planning Rationale and Land Use Compatibility Study in support of Official Plan Amendment and Zoning By-law Amendment applications to facilitate the proposed development of the property municipally known as 40 Catherine Street West (the "subject property" or "site") in the Town of Maxville.

1.1 Application Overview

The intent of this Planning Rationale and Land Use Compatibility Study is to assess the proposed development against the applicable policy and regulatory framework and determine if the development is appropriate for the subject property and compatible with existing, adjacent developments and the surrounding community.

The proponent proposes to expand the existing MacEwen Agricentre facility, which includes the development of a seed storage warehouse, fertilizer blending facility, and truck repair building. The proposed expansion is not intended to increase the capacity of the facility, rather it is intended to allow for storage of all required seed and fertilizer materials on-site, preventing additional truck traffic going back and forth between other sites that are currently used for storage. As part of a future phase of the development, additional storage domes are proposed west of the existing storage domes on the subject property, outside of the Maxville Urban Settlement Area.

As noted above, Official Plan Amendment and Zoning By-law Amendment applications are required to facilitate the proposed development. The Official Plan Amendment will redesignate the south portion of the property located within the Urban Settlement Area to Employment District from Residential District. The Zoning By-law Amendment proposes to rezone the entire property to General Industrial, with a new special exception, which would permit the agricentre operation across the entirety of the subject property and will incorporate a minimum separation distance for industrial uses, address a reduction in vehicular parking, and address an increase in maximum permitted building heights. It is understood that a Site Plan Control application is also required and will be submitted in the future.

Site Context & Surrounding Area

2.1 Subject Property

The subject property, known municipally as 40 Catherine Street West, is partially located within the settlement area of Maxville, within the Township of North Glengarry (Figure 1). The subject property has frontage of approximately 25 metres on Catherine Street West at the intersection of Catherine Street West and Prince Street. The subject property has a total lot area of approximately 343,339.9 square metres (34.3 hectares), however the portion of the property subject to the proposed development is approximately 160,766.6 square metres (16.1 hectares).



Figure 1. Site Context Map, with area to be developed shown with a dashed black line

The subject property is currently developed with the MacEwen Agricentre operation, which consists of a seed storage warehouse, a fertilizer blending facility, storage domes, and other associated storage buildings, outdoor storage and accessory uses. In addition to the agricentre operation, an office building is also located on the subject property.

One vehicular access is provided to the site from Catherine Street West, which accommodates all truck traffic and employee vehicular traffic. The subject property abuts the CN railway to the north, with spur lines extending into the subject property, facilitating the loading and offloading of materials for the agricentre operation.

A drainage ditch bisects the site generally in an east-west direction through the middle of the site. Two (2) sets of hydro wires cross through the site, crossing through the northeast corner of the site closest to the existing seed storage warehouse, and another set of lines extending from this main hydro corridor to the west, generally following a portion of the drainage ditch.

The portion of the site that is proposed to be developed is generally vacant pasture/grass land, with some of the land used for outdoor storage. The portion of the subject property that is west of the existing agracentre operation is a heavily treed, wooded area.

Figure 2 and 3 provide up-to date aerial images of the subject property taken in September 2023.



Figure 2. Birdseye view of the subject property and surrounding area looking west



Figure 3. Birdseye view of the subject property and surrounding area looking east

2.2 Surrounding Area

The surrounding uses vary, as shown in Figure 2 and 3, and can be described as follows:

North: Immediately north of the subject property and CN rail line is the MacEwen Regional Office, a MacEwen gas station and service building for servicing MacEwen trucks. Also north of the subject property is Maxville Manor, a retirement home with multiple housing options that also provides long term care services. Further north of the MacEwen regional office are residential dwellings.

East: Immediately east of the north portion of the subject property is a MacEwen warehouse. Immediately east of the south portion of the subject property, beyond the exiting 70 metre separation distance to the property line, are residential dwellings and agricultural land. The settlement area boundary generally aligns with the south property line of the subject property, extending east. Further east of the residential dwellings are additional residential dwellings within the settlement area boundary, and agricultural and wooded lands outside of the settlement area boundary. The Maxville Cemetery is also located east of the subject property along County Road 20.

South: Immediately south of the subject property is agricultural land and residential dwellings associated with farmland and agricultural operations. Further south of the subject property and south of Kenyon Concession Road 17 is a heavily wooded area.

West: Immediately west of the subject property is agricultural land and a large, wooded area. Some farms and associated residential dwellings are located further west along Cumming Road and Mechanic Street West / County Road 22.

Proposed Development

The owner of the subject property is proposing to expand the existing agricentre operation towards the south of the subject property. The proposed development will consist of a new seed storage warehouse, a fertilizer blending facility, and a truck repair station. These three buildings are proposed to be located where existing vehicular access is available over the existing ditch within the subject property. Primary vehicular access to the site will remain from the corner of Catherine Street West and Prince Street.

As part of a future phase of development, additional storage domes will be located west of the existing storage domes on site. These new storage domes require to be situated on the portion of the subject property located outside of the Urban Settlement Boundary and within the Rural area.

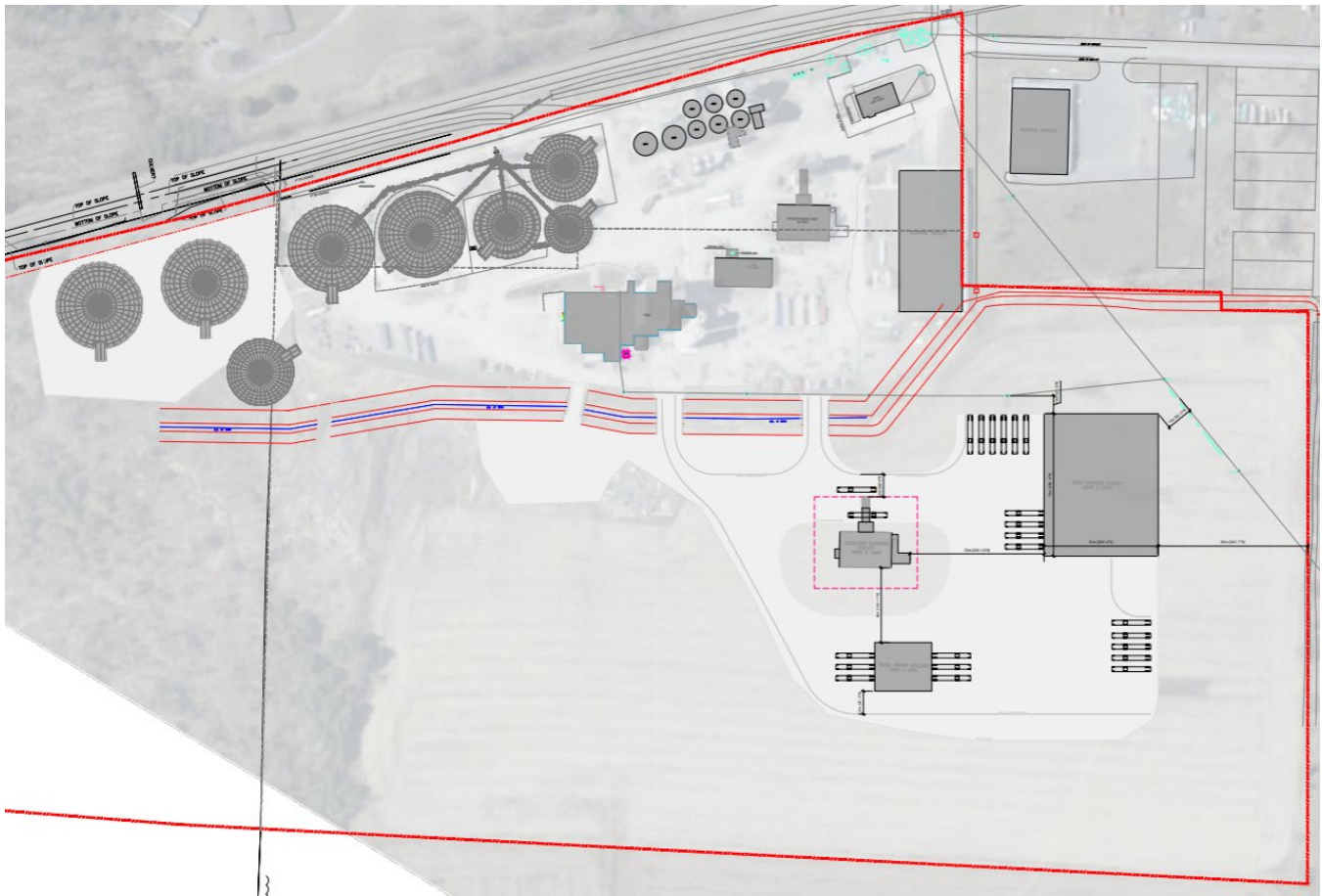


Figure 4. Concept Plan

The proposed seed storage warehouse will be approximately 4,645.15 square metres (50,000 square feet) in size, and will be an on-site storage building for seed. The subject property already contains one warehouse that stores similar products, which is located north of the proposed building (Figure 5).



Figure 5. Existing warehouse building on the subject property

The proposed fertilizer blending facility will be approximately 2,675.60 square metres (28,800 square feet) in size, similar to the existing fertilizer blending facility located west of the existing warehouse building (Figure 6 and Figure 7). The fertilizer blending facility will be situated on the site with ample space for truck movements around the site.



Figure 6. Existing fertilizer blending facility on site

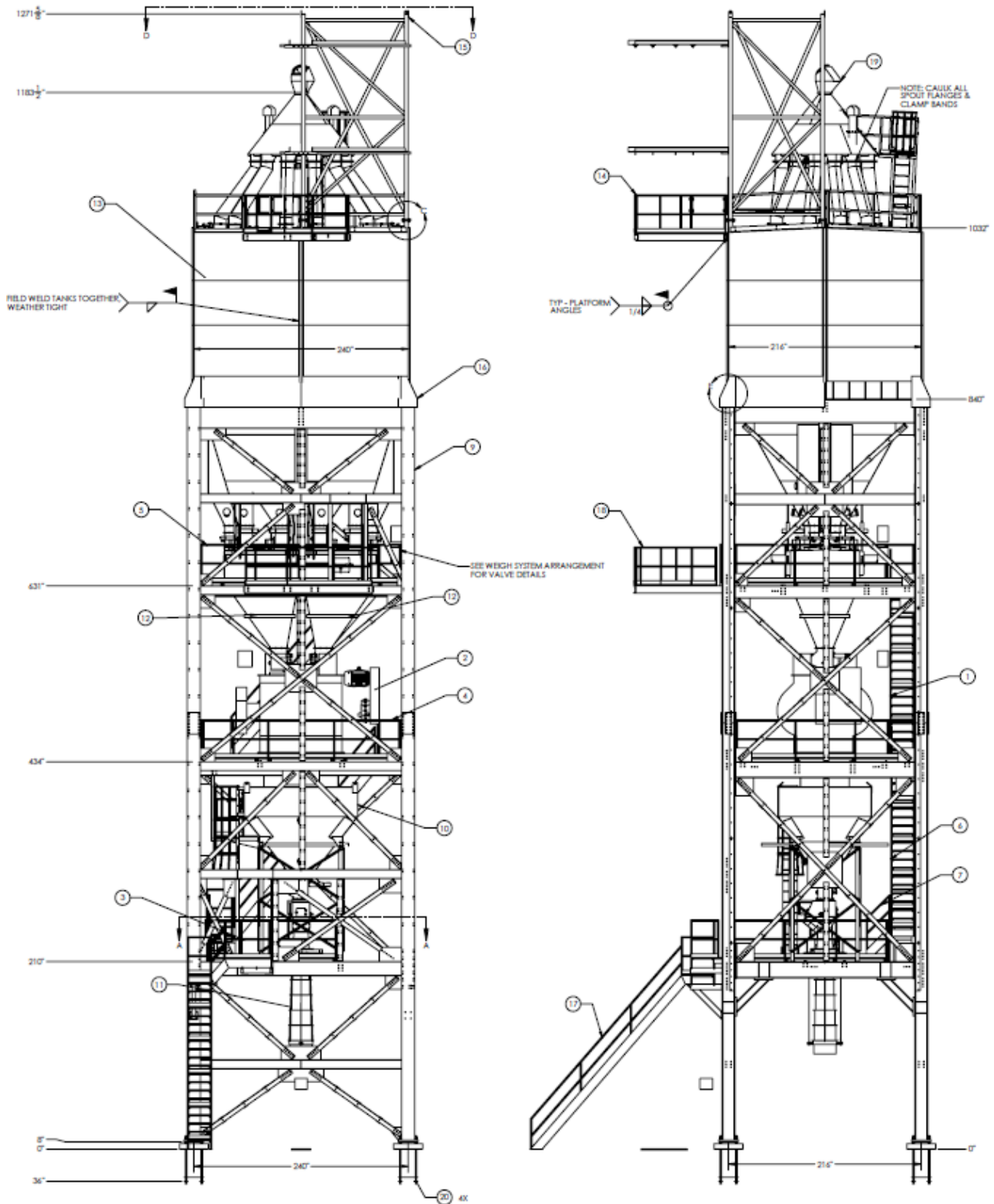


Figure 7. Elevations of the proposed fertilizer blending facility

The truck repair building will be approximately 789.67 square metres (8,500 square feet) and be designed as a drive-through building. Figure 8 and Figure 9 are north and east structural elevations for the proposed building. There is a truck repair building currently on site, however this building will be converted to a truck wash building and the truck repair operations will be located in the proposed building. Currently truck washing takes place off-site at another location, and through the proposed conversion and construction of a new building, truck repairs and truck washing will be located on the same lot to centralize the agricentre operation and all ancillary and accessory uses.

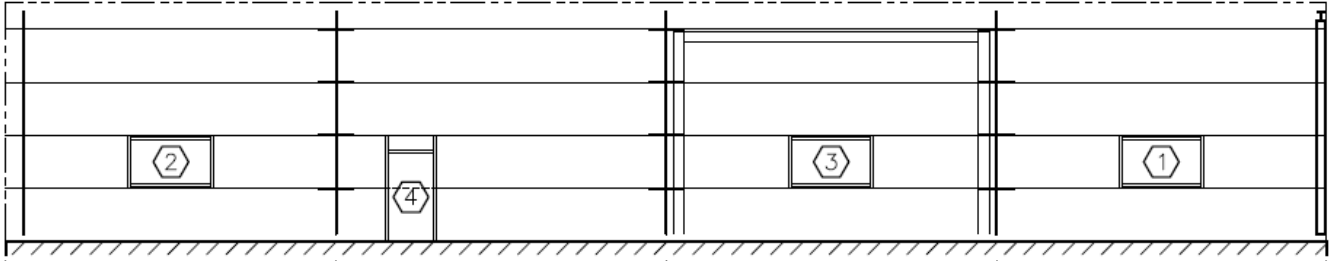


Figure 8. North structural elevation of the proposed truck repair building

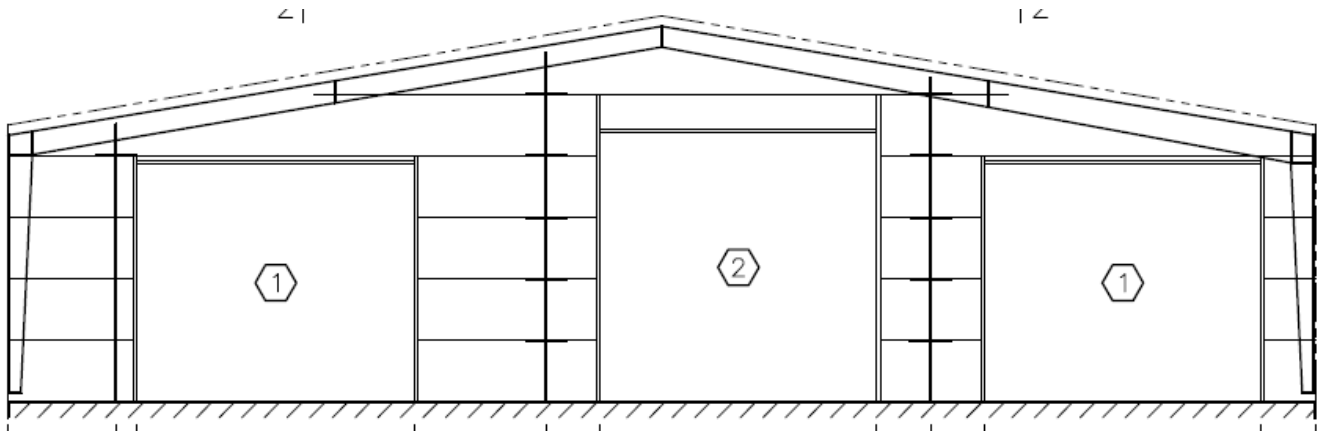


Figure 9. East structural elevation of the proposed truck repair building

Policy & Regulatory Review

4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act, which includes the PPS.

The PPS supports the goal of enhancing the quality of life for residents of Ontario, including the protection of health and safety, the quality of the natural and built environment, and resources of provincial interest. The PPS also recognizes that the “long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages...”. The policies of the PPS support building strong healthy communities, wise use and management of resources, and protecting public health and safety.

The subject property is located partially within an urban settlement area and partially within the rural area, with development proposed in both areas of the subject property. The following PPS policies are applicable to the proposed development:

- / Policy 1.1.1 – Healthy, liveable and safe communities are sustained by:
 - a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
 - d) Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- / Policy 1.1.3.2 – Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) Efficiently use land and resources;
 - b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - g) Are freight-supportive.
- / Policy 1.1.4.1 – Healthy, integrated and viable rural areas should be supported by:
 - a) Building upon rural character, and leveraging rural amenities and assets;
 - f) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- / Policy 1.1.5.2 – On rural lands located in municipalities, permitted uses are:
 - a) The management or use of resources;
 - b) Resource-based recreational uses (including recreational dwellings);
 - c) Residential development, including lot creation, that is locally appropriate;
 - d) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;

- e) Home occupations and home industries;
- f) Cemeteries; and
- g) Other rural land uses.

- / Policy 1.1.5.3 – Recreational, tourism and other economic opportunities should be promoted.
- / Policy 1.1.5.6 – Opportunities should be retained to locate new or expanding land uses that require separation from other uses.
- / Policy 1.2.6.1 – Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
- / Policy 1.2.6.2 – Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development or proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
 - a) There is an identified need for the proposed use;
 - b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c) Adverse effects to the proposed sensitive land use are minimized and mitigated; and
 - d) Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.
- / Policy 1.3.1 – Planning authorities shall promote economic development and competitiveness by:
 - a) Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- / Policy 1.3.2.3 – Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.
- / Policy 1.3.2.6 – Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.
- / Policy 1.4.1 – To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

- / Policy 1.6.8.3 – Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.
- / Policy 1.6.9.1 – Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:
 - a) Their long-term operation and economic role is protected; and
 - b) Airports, rail facilities and marine facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.
- / Policy 1.7.1 – Long-term economic prosperity should be supported by:
 - a) Promoting opportunities for economic development and community investment-readiness;
 - c) Optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

The proposed development is consistent with the policies of the Provincial Policy Statement 2020. As a site that is located within an urban settlement area and a rural area, the expansion of the existing agricentre operation is efficient development of an existing property, with uses that are appropriate within the settlement area and within the rural area. The proposed development will make use of existing municipal services that currently service the subject property. The proposed expansion of the agricentre operation will contribute to the economic base and employment opportunities within Maxville and the greater Township of North Glengarry. The proposed development will redesignate a portion of the property to Employment District, which will contribute to the supply of employment lands within the settlement area. Although redesignating the lands will result in residential land being removed from the settlement area, the expanded employment lands will ensure that sensitive uses do not encroach into the limited supply of employment lands. The removal of residential lands will not result in the settlement area no longer maintaining an appropriate supply of residential land, as there is a significant amount of land designated and zoned for future residential development within the settlement area.

4.2 United Counties of Stormont, Dundas and Glengarry Official Plan (2018)

The United Counties of Stormont, Dundas and Glengarry has diverse urban and rural settlement areas, including 68 urban and rural settlement areas and expansive rural and agricultural areas. The rate of growth in population and housing across the County has slowed since 2001, and the aging population has contributed to a faster rate of growth for new housing than the rate of growth in population. The population growth of North Glengarry, where the proposed

development is located, is projected to decrease by 0.1 percent, while housing unit growth is projected to increase by 0.1 percent and employment is projected to decrease by 0.1 percent.

Upon review of the Canadian Census for the dissolved municipality of Maxville between the period of 2016 and 2021, there is a noted decline in population by 8.3 percent to 748 people, representing a larger decrease in population compared to the Township of North Glengarry.

A portion of the subject property is located outside of the Urban Settlement Area of Maxville and designated Rural, while the remaining portion of the subject property that is currently developed is located within the Urban Settlement Area of Maxville and is split designated Employment District and Residential District (Figure 10 and Figure 11).

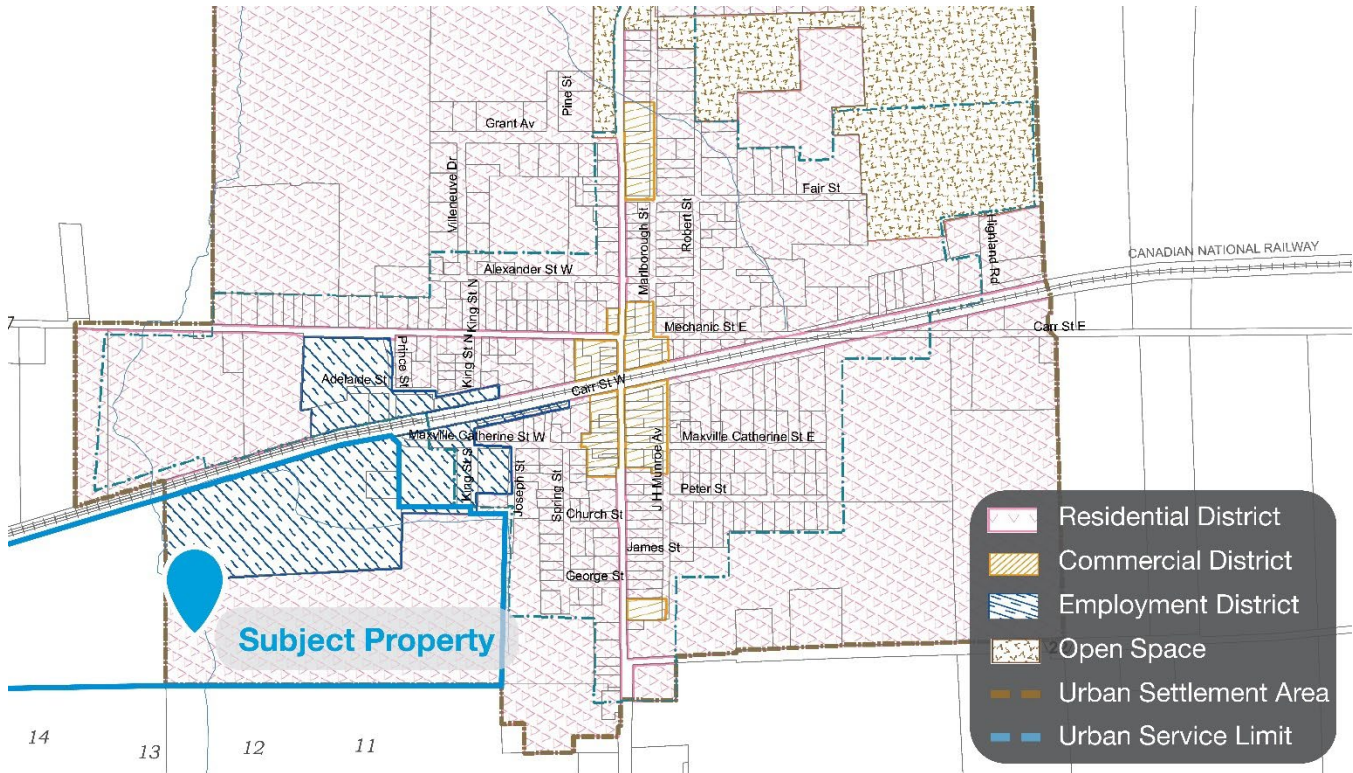


Figure 10. Schedule A5b – Maxville Land Use Map, from the United Counties of Stormont, Dundas and Glengarry Official Plan

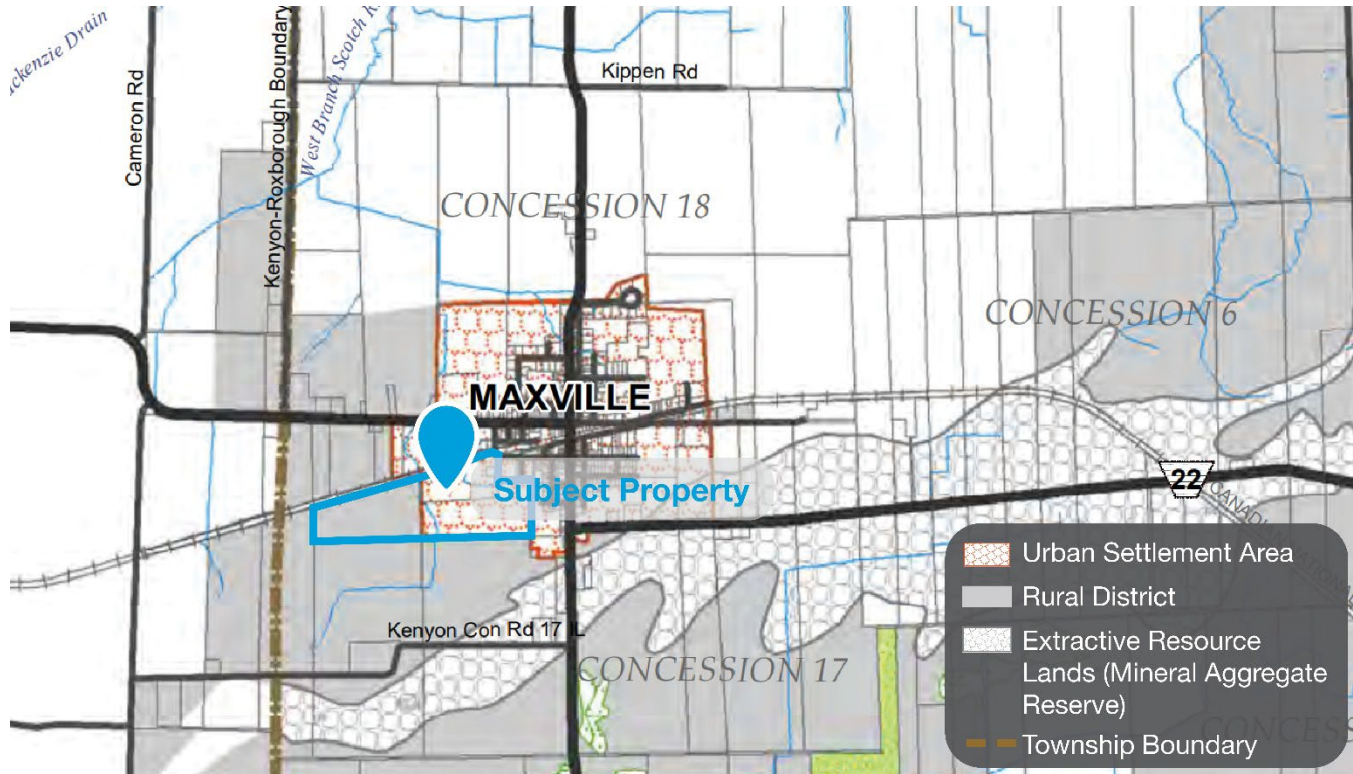


Figure 11. Schedule A5 – Land Use Map, from the United Counties of Stormont, Dundas and Glengarry Official Plan

As identified in Section 3.2.1.3 of the Official Plan, Urban Settlement Areas are communities with a diverse mix of land uses and full or partial municipal sewage and water services. These communities are the primary settlement areas for future development. Land division within these communities will primarily be by plan of subdivision.

4.2.1 Urban Settlement Areas

Section 3.4.3 states that within Urban Settlement Areas, the Residential, Commercial and Employment Districts are areas where the primary permitted land uses are residential, commercial and industrial, respectively. Other uses may be permitted in these Districts which are compatible, related, or incidental to the major land use.

Employment District uses may include a mix of industrial uses, manufacturing, construction, warehousing, offices, employment supportive commercial uses including associated retail and ancillary facilities, public service facilities and institutional uses. Sensitive institutional uses shall only be permitted where they will not create issues of compatibility with existing or potential employment uses.

Section 3.2.1.6 provides direction for Urban Service Limits and states that development shall be directed first and foremost to lands within the designated Urban Service Limits as illustrated on the Land Use Schedule for Urban Settlement Areas. Development, other than infill on existing lots of record, may be permitted under limited and/or temporary circumstances beyond the Urban Service Limits in accordance with Sections 4.3.5 and 4.3.6.

The existing industrial use is currently located on lands designated Employment District, consistent with the Official Plan. To facilitate the expansion of the existing industrial use, an Official Plan Amendment is proposed to redesignate the lands currently designated Residential to Employment District. As a portion of the property is located within the Urban Service Limits and is currently serviced by municipal services, it is appropriate to expand the industrial use south, as opposed to west, to ensure that the development can continue to be serviced by municipal services if required.

4.2.2 Rural Lands & Rural District

As outlined above and on Schedule A5 (Figure 11), lands which are not located within a designated settlement area or within a prime agricultural area are rural lands, and the portion of the subject property not located within the urban settlement area has been designated Rural District. Per Section 3.3, the focus of land use activities in the rural lands will be resource or resource-related. The Rural District contains a variety of land uses, such as farms, forests, small industries, golf courses, and in many places, small clusters of residential and commercial development. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location and a limited amount of residential development.

Per Section 3.4.6 of the Official Plan the following uses are generally permitted in the Rural District in accordance with the Local Municipal Zoning By-law:

- / Agricultural uses, forestry and conservation, and natural resource management activities;
- / Residential uses on existing lots of record and on new lots created by severance as provided for by this Plan;
- / Animal boarding, breeding, and training facilities, including stables;
- / Bed and breakfast establishments;
- / Open space;
- / Cemeteries.

A Zoning By-law Amendment will be required where any of the following uses are proposed in the Rural District where not otherwise permitted:

- a) New industrial and commercial uses, such as farm equipment and supply centres, machine and truck repair shops, building product yards, landscape contractors, and nurseries;
- b) Uses that are noxious due to noise, odour, dust, or other emissions or that have potential for impact on air quality or surface water or groundwater, such as composting or transfer facilities, concrete plants, the treatment of aggregate products, and abattoirs;

When considering an application to amend the Zoning By-law to permit a new use identified above, the following matters must be considered:

- a) The use would not be better located in a Settlement Area or the urban area;
- b) The volume and pattern of traffic flow anticipated from the development will not interfere with the proper functioning of the local road network;
- c) The privacy of adjacent landowners or the mitigation of potential adverse impacts from lighting, noise, odour, dust or traffic can be achieved by separating the land uses, buffering or other measures as part of the development;
- d) The potential for reducing possible impacts on neighbouring agricultural uses or nearby rural residential or settlement areas, where relevant;
- e) The development is in keeping with the surrounding rural character and landscape;
- f) All relevant servicing, design and compatibility and environmental protection policies of this plan;
- g) Noxious uses will only be considered where suitable screening and buffering can be provided and generally these uses will not be considered in vulnerable drinking water protection areas, immediately adjacent to residential areas, or in waterfront areas; and,
- h) The impact that the development will have on the protection of tree cover as a result of site clearing and grading, fencing, security lighting, and other similar site plan matters.

A portion of the existing development which consists of storage domes is currently located on lands designated as Rural, just outside the Urban Settlement Area. In addition to these storage domes, additional storage domes are proposed along the railway within the Rural District as part of the expansion of the current operation. As outlined in the Rural Lands and Rural District policies, industrial uses are permitted through a Zoning By-law Amendment. The industrial use is appropriate to be located within the rural area, as it increases the separation from the Residential District. No new traffic is anticipated as part of the development being located within the rural area, as any truck traffic would be located on the subject property with access being maintained from Catherine Street West within the Settlement Area of Maxville. Finally, the proposed development does not contemplate development that extends to west edge of the subject property, maintaining a significant amount of wooded area which acts as a buffer to the abutting rural lands.

4.2.3 Residential Areas

Section 3.5.2.2 provides direction for Residential areas within the County. The Official Plan directs that residential areas shall be designed to be safe and livable. A list of design criteria are included within the Official Plan which shall be considered in the design of residential areas or neighbourhoods, or in the review of related planning applications. No residential development is proposed as part of the proposed development, rather the existing Residentially designated lands on the subject property is proposed to be amended to Employment.

Section 3.5.4.1 of the Official Plan states that local municipalities shall maintain a 10-year supply of land available for new residential development and at least a three-year supply of residential units in serviced areas in draft approved or registered plan of subdivision.

As illustrated in Figure 12, there are several large areas within the Urban Settlement Area of Maxville that are currently designated Residential, and have been zoned R1-H. These parcels of land are identified for future residential use; however, the holding zone is not permitted to be lifted until a time when there is a need for the residential land. There is approximately 41.6 hectares of land available for future residential development within the Urban Settlement Area and approximately 14.4 hectares just outside the Urban Settlement Area.

As noted above, Maxville has seen a decline in population of 8.3 percent between 2016 and 2021. Given the decline of the population of Maxville and taking into consideration the declining growth of the Township of North Glengarry, removal of residential lands within the settlement area is appropriate given that approximately 28.3 hectares will remain for development. The remaining land available for residential development could accommodate approximately 283 new lots (0.1 hectare/0.25 acre lots) which are similar in size to the existing lots within Maxville. The residential land that would remain available for development would be located in closer proximity to existing municipal infrastructure, such as roads, watermains, and sewers, resulting in the expansion of municipal infrastructure to these residential lands to be more economical and efficient.

The Provincial Policy Statement 2020 also requires planning authorities to plan for, protect, and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs. The PPS also requires planning authorities to protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations. In the case of the Urban Settlement Area of Maxville, there are limited areas that have been designated as employment areas, while it appears that there is an abundance of residentially designated lands despite a declining population. Redesignating the lands will allow for a large employer of the urban settlement area to expand and provide additional employment opportunities to residents of Maxville and the greater Township of North Glengarry.

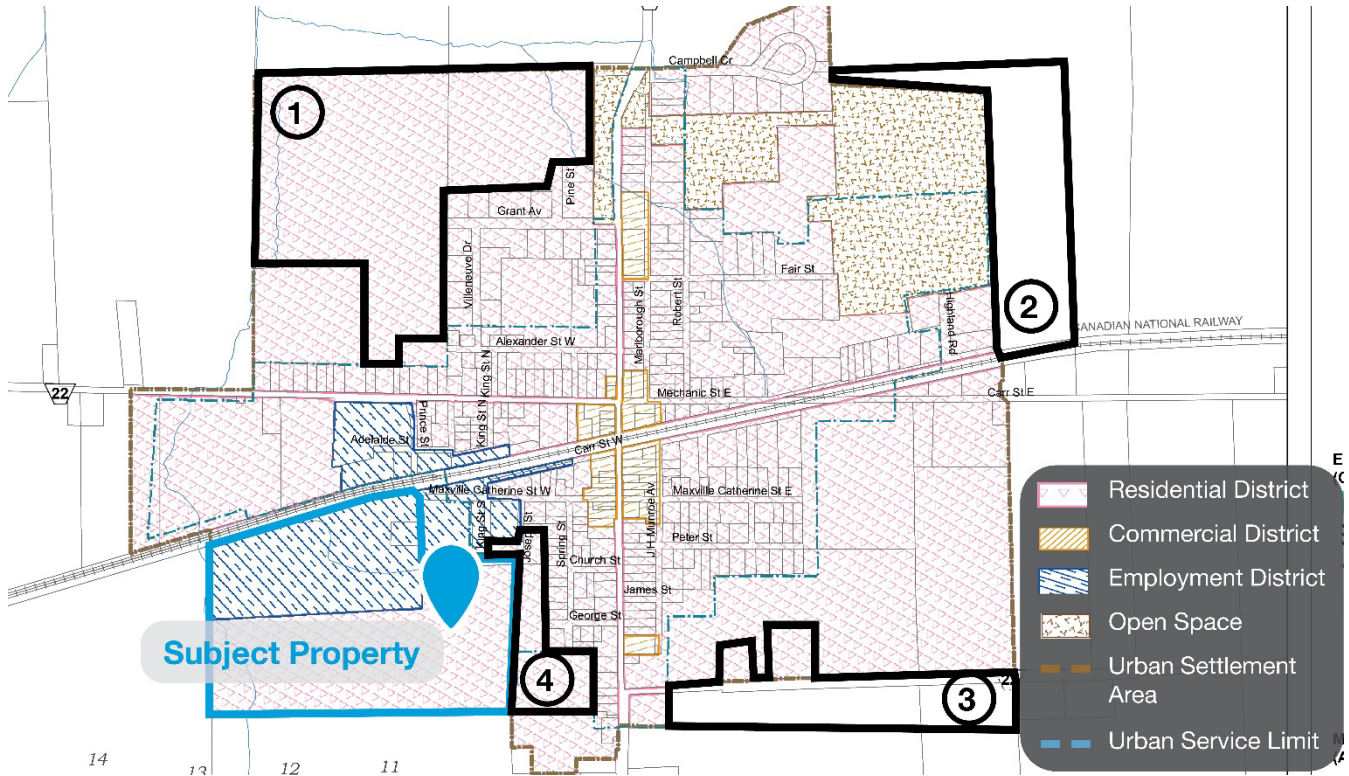


Figure 12. Excerpt of Schedule A5b – Maxville, from the United Counties of Stormont, Dundas and Glengarry Official Plan, with lands available for residential development identified in black

4.2.4 Industrial Areas

Section 3.5.2.4 provides direction for Industrial Areas within the County. The Official Plan directs industries to be located to take advantage of existing or planned infrastructure or transportation services (air, rail, water, and road), in proximity to natural resources where appropriate, or where they can optimize the use of the labour market or new technologies.

Locations for industries shall be avoided which create land use conflicts or where the industry has potential to pollute groundwater or surface water resources (e.g. wellhead protection areas or intake protection zones). Areas for outdoor storage, parking, loading, and waste receptacles should be visually screened or appropriately located in such a way as to not detract the traveling public or negatively affect other nearby land uses, particularly sensitive land uses.

Where the intensification, expansion or conversion of/to an industrial uses(s) occurs, the planning review shall ensure that the lot size is adequate for all requirements of the intended use including parking, water supply and sewage disposal systems, that access will be safe, and that the change will be compatible with adjacent uses.

The proposed development will expand the existing agricentre operation which is considered an industrial use. The proposed development will primarily be located south of the existing operation, with future storage domes to be located west of the existing operation along the existing railway. The subject property is well-served by a public road and the CN railway, with one spur line currently located on the subject property. The proposed development is set back from the property line to the east where existing residential dwellings exist.

4.2.5 Water Supply and Sewage Disposal Systems and Stormwater Management

Section 4.3.3 of the Official Plan provides direction for water supply and sewage disposal systems. Section 4.3.3.1 identifies that full water and sewage disposal services are the preferred servicing for urban settlement development.

Section 4.3.3.4 provides policy direction for servicing capacity and allocation, with the following policies applicable to the proposed development:

- / Policy 1 – In Settlement Areas, within the Service Limits, development will be permitted only where there is sufficient reserve capacity.
- / Policy 3 – All proposed development within the Service Limits shall be connected to full or partial services where such services are available and where there is sufficient capacity to accommodate the proposed development. Where there is insufficient servicing capacity, the Local municipality shall determine whether the proposed development is premature and should be postponed until servicing capacity is increased.

Section 4.3.4 provides policy direction for stormwater management within the County. The following policies are applicable to the subject property and the proposed development:

- / Policy 1 – Stormwater management shall be required as part of the development approval process, particularly for subdivisions, multiple lot/unit residential development, commercial, industrial and institutional development and in the design and implementation of stormwater infrastructure for urban and rural settlement areas.

The subject property is partially located within the Urban Settlement Area and the Urban Service Limits, with the portion of the site within the Urban Settlement Area and north of the existing drainage ditch municipally serviced. The proposed development, which will be located in proximity to the existing operation on site, is proposed to be serviced by private services. As part of the Official Plan Amendment and Zoning By-law Amendment applications, municipal staff did not request a stormwater management report or drawings.

4.2.6 Resource Management

Section 5.2 of the Official Plan provides direction for resource management policies throughout the County. The Official Plan has established Constraint Schedules (Schedules B1 through B5). The subject property has been identified with Significant Woodlands on Schedule B2 (Significant Woodlands) and has been identified as having Tertiary Aggregate Reserves on Schedule B5 (Geology), however the site is not identified for extraction uses.

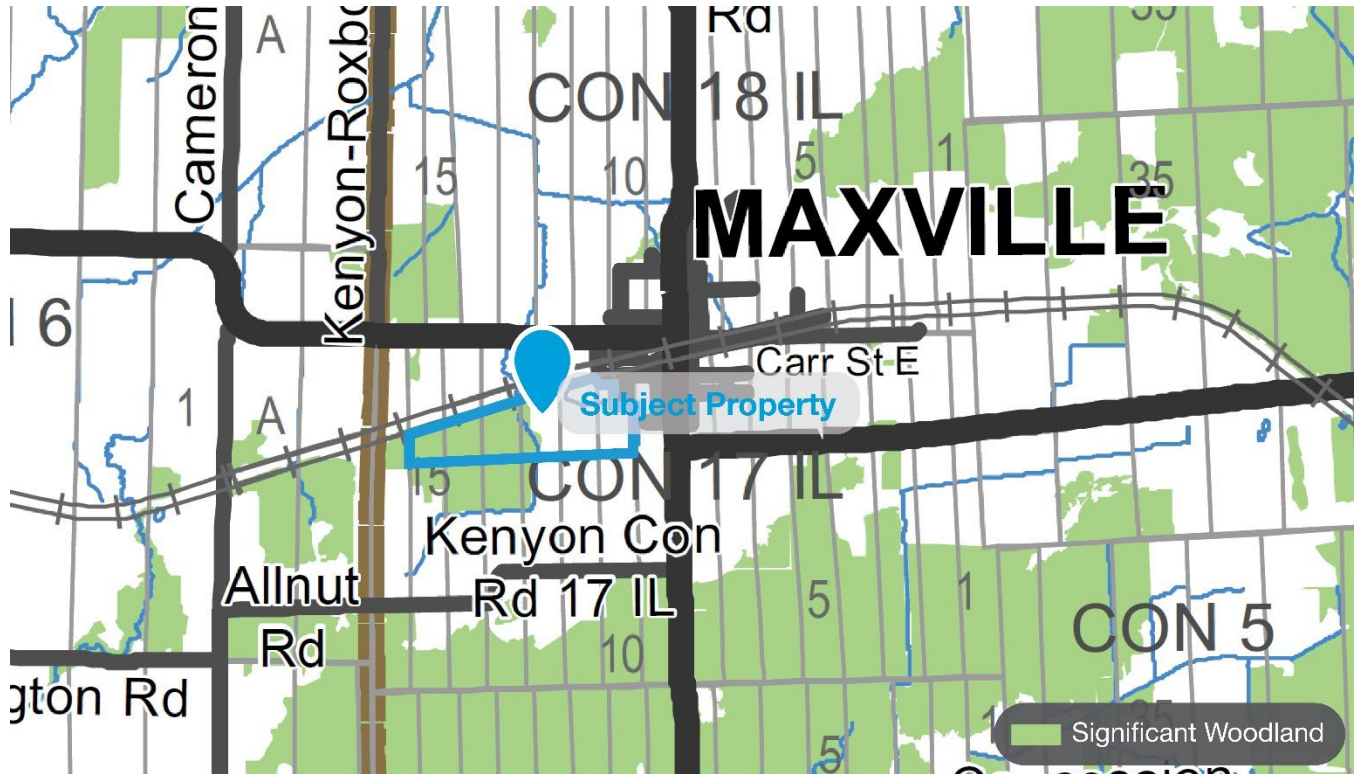


Figure 13. Schedule B2 – Significant Woodlands, from the United Counties of Stormont, Dundas, and Glengarry Official Plan

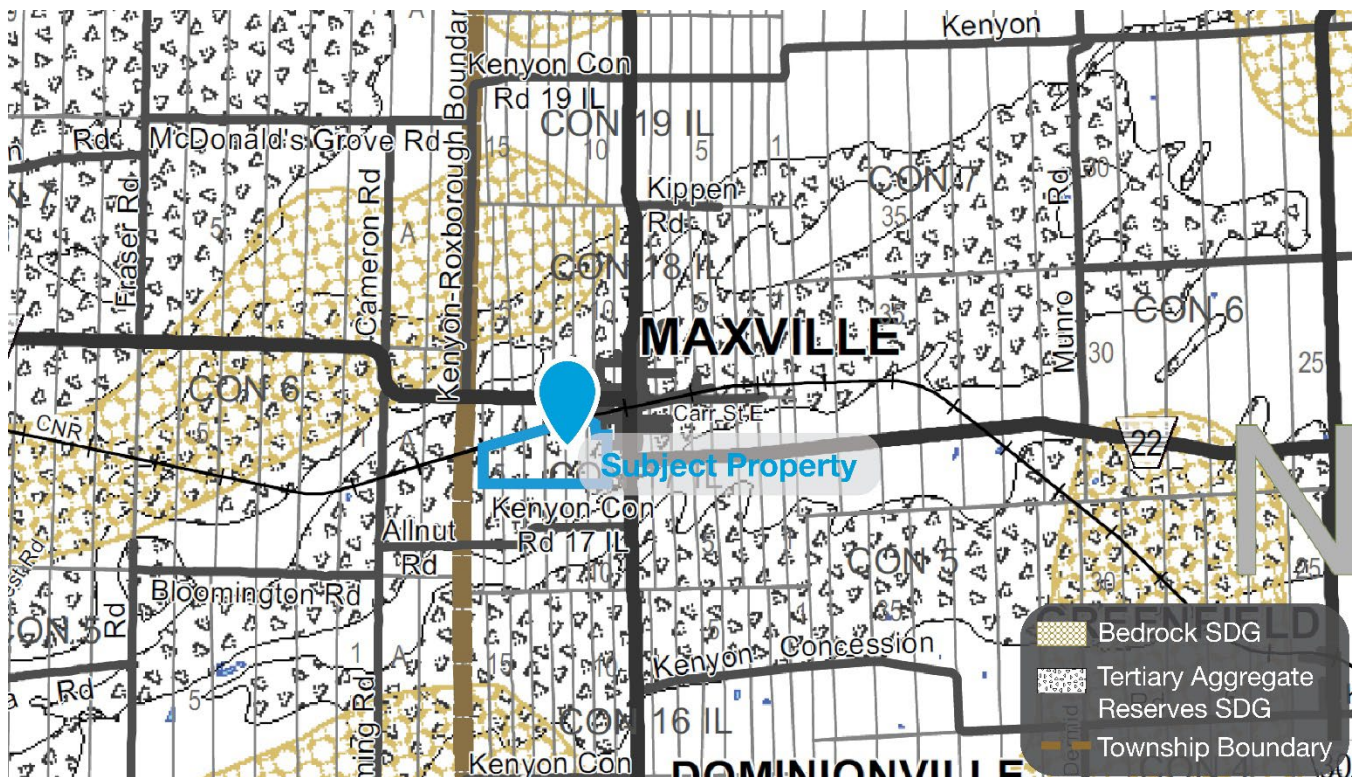


Figure 14. Schedule B5 – Geology, from the United Counties of Stormont, Dundas, and Glengarry Official Plan

As outlined in Table 5.2 of the Official Plan, the permitted uses within a Significant Woodland include the following:

- / Any use in the underlying land use designation subject to Section 5.5.7 [of the Official Plan]
- / Conservation use
- / Any other natural heritage features and areas
- / Legally existing uses, buildings or structures

Any development or site alteration which will have negative impact on the natural features or ecological functions for which the woodlands has been identified subject to Section 5.5.4 are prohibited.

Section 5.5 sets out the policy direction for natural heritage features and areas, including significant woodlands. Section 5.5.2 states that no development and/or site alteration will be permitted on adjacent lands to a natural heritage feature or area unless the ecological function of the lands has been evaluated and it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the natural features or their ecological functions.

As outlined above, the Significant Woodland is located on the west portion of the property, adjacent to the existing storage domes. The proposed development includes future storage domes that would be located within a portion of the woodland, however the earlier phases of the proposed development are located on the east side of the property, further than 120 metres from the woodland.

Section 5.5.4 states that the intent of the Official Plan is to conserve woodlands. Land uses permitted in the underlying land use designation are subject to the following development criteria:

- / Policy 4 – Rural uses such as commercial or industrial uses, waste management facilities, salvage yards or other non-residential uses will be directed away from woodlands except for uses which demonstrate a dependency on the resource for their business. Where it is necessary for a non-residential use to be located in or on adjacent lands to woodlands, such uses shall require an Environmental Impact Study.

The proposed development will be phased, with the fertilizer blending tower proposed to be constructed first and located a significant distance away from the significant woodland. Through discussions with Township and County staff, it was confirmed that an EIS was not a requirement for submission of Official Plan Amendment and Zoning By-law Amendment applications.

4.3 The Corporation of the Township of North Glengarry Zoning By-law (39-2000)

The subject property is split-zoned with the following zones, as outlined in Figure 15:

- / General Industrial (MG);
- / General Industrial, Special Exception 2 (MG-2);
- / Residential First Density, Holding (R1-H)
- / Restricted Agricultural (AR); and
- / Rural (RU).

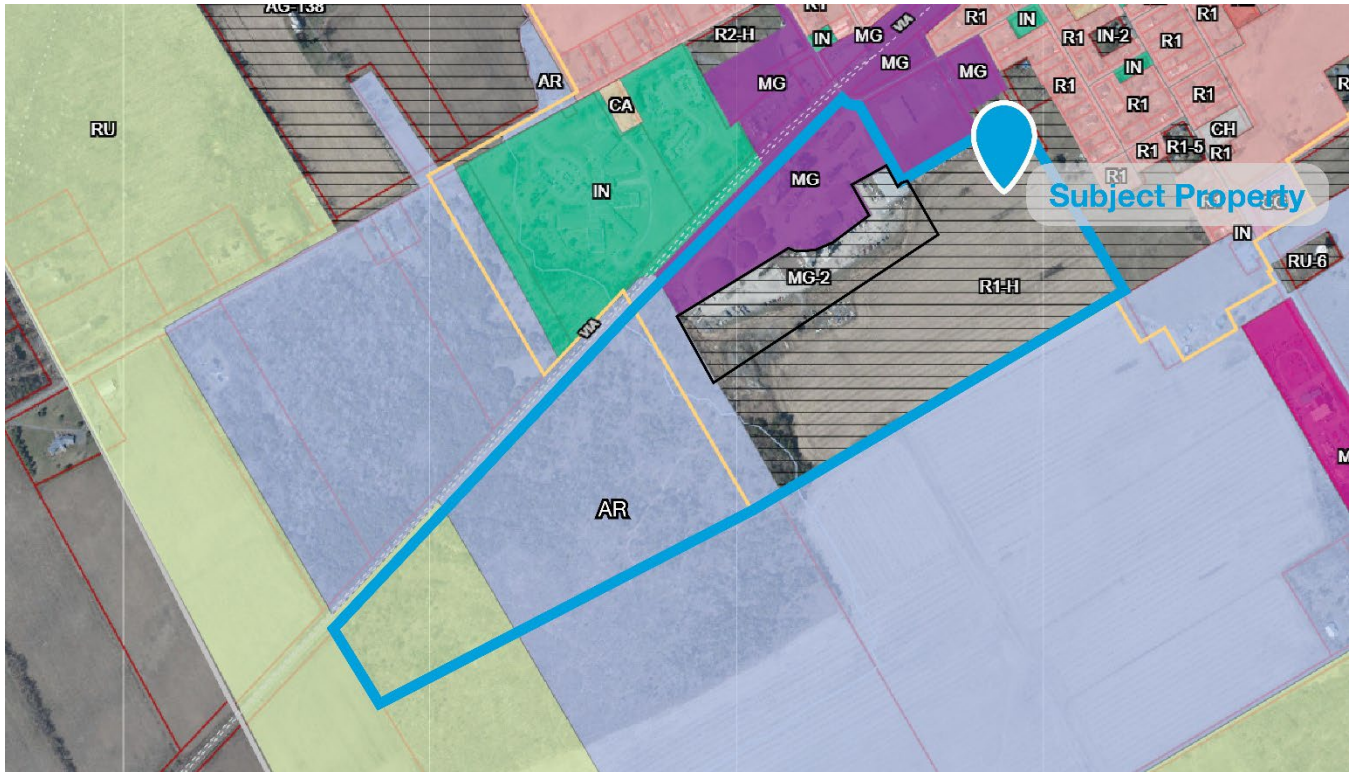


Figure 15. Zoning Map with site outlined in blue

General Industrial Zone

The existing MG and MG-2 zones apply to the existing agricentre operation on site. The MG zone does not establish an “agricentre” use within the Zoning By-law, however a “manufacturing plant” and “processing plant” are permitted uses. The Zoning By-law does not establish a definition for processing plant, however, Collins Dictionary defines a processing plant as “a factory where raw materials are treated or prepared by a special method”. The Zoning By-law establishes a definition for “manufacturing industry” but does not list this as a permitted use within the MG zone, however, “manufacturing plant” is listed as a permitted use. Despite manufacturing plant being listed as a permitted use within the MG zone, the Zoning By-law does not provide a definition for this use. It is understood that the agricentre operation would fall under the “processing plant” use or the “manufacturing industry” use.

The MG zone permits a warehouse, which allows for the requested seed storage warehouse.

Table 1, below, outlines the General Industrial (MG) zoning requirements for the subject property and assesses the compliance of the proposed development against the required zoning provisions.

Table 1. General Industrial (MG) Zoning Table

Zoning Provision	Requirement	Proposed	Compliance
Minimum Lot Area	4,000 m ²	>4,000 m ²	Yes
Minimum Lot Frontage	45 m	Approx. 27 m	No*
Minimum Front Yard Depth	12 m	>12 m	Yes
Minimum Exterior Side Width	12 m	n/a	n/a

Minimum Interior Side Width	6 m	>6 m	Yes
Minimum Rear Yard Depth	12 m	>12 m	Yes
Maximum Building Height	15 m	40 m (fertilizer tower)	No
Maximum Lot Coverage	50%	< 50%	Yes
Minimum Separation Distance MG-2 Special Exception	70 metres from property lines to industrial use	70 m	Yes
Height Exceptions Section 3.9	Applies to mechanical equipment penthouses, silos, grain elevators, among other structures.		Yes
Loading Space Requirements Section 3.14	1 space + 1 additional space for each additional 2,000 m ² = 4 spaces for all new buildings	Will comply	Yes
	Minimum size: 10.6 m x 3.6 m Vertical clearance: 4.6 m	Will comply	Yes
Open Storage Section 3.19	Permitted in an Industrial zone	Will comply	Yes
Parking Requirements Section 3.21 Industrial Uses	1 space for every 70 m ² of floor area up to 2,000 m ² plus 1 additional space for every 200 m ² of floor area thereafter = 28.5 spaces + 30.5 additional spaces = 59 spaces for all new buildings	0 spaces	No
	Minimum size: 2.75 m x 5.5 m	Will comply	Yes

*the lot frontage is a legal non-complying condition and is not proposed to be altered through the proposed development.

Restricted Agricultural Zone

The Restricted Agricultural (AR) zone permits a limited number of uses that are generally associated with existing agricultural uses. The proposed development will locate storage domes within the portion of the property zone AR, however, manufacturing plant, processing plant, and warehouse are not listed as permitted uses within this zone to permit the storage domes. As such, it is proposed that the portion of the property zoned AR be rezoned to MG to allow the future expansion of the storage domes for the agricentre operation on the subject property.

Rural Zone

The Rural (RU) zone permits a range of uses that are appropriate for rural lands. As currently written, there are no permitted uses within the RU zone that would accommodate the agricentre operation. Although the proposed development is not proposed to extend to the portion of the land zoned RU, the Zoning By-law Amendment seeks to rezone the entire property to MG to permit future expansion of the agricentre operation if required, and to provide a simplified zoning for the subject property.

Residential Zone

The Residential First Density (R1) zone permits single detached dwellings, a group home, and accessory apartments. The uses are limited to low-density residential uses, which is the primary form of residential uses within Maxville. A holding zone has also been applied to the portion of the property zoned R1. Section 4.5 of the Zoning By-law states that the intent of the “-h” is to signify Council’s approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification shall restrict development of the land until such time as the demand for the development of land is sufficient to warrant immediate development.

There are several areas of land within Maxville that are zoned R1-H, including within the northwest corner of the settlement area and the area immediately east of the subject property, and just outside the settlement area the northeast corner of Maxville and at the south boundary line along County Road 22. These lands represent a total of approximately 56 hectares of land, with approximately 28.3 hectares of this land located within the Urban Settlement Area (not including the subject property).

5.0

Proposed Amendments

5.1 Official Plan Amendment

The Official Plan Amendment proposes to amend Schedule A5b of the Official Plan to redesignate the south portion of the subject property within the Urban Settlement Area from Residential to Employment District. The purpose of redesignating the land is to allow for the expansion of the existing industrial use on site, which is only permitted within the Employment District designation.

The Official Plan Amendment is appropriate and desirable for these lands, as the proposed development will contribute to employment opportunities within Maxville and the surrounding area. The expansion of an existing industry on the subject property represents efficient development, and will ensure that the development is adequately serviced, among several other considerations.

As part of the Official Plan Amendment, residential lands will be redesignated within the Settlement Area, however, as outlined in previous sections of this report, a significant amount of land will remain available for residential development within the Settlement Area. The remaining residential lands will immediately adjoin other residential areas and properties that already exist and where industrial uses do not exist. From a long-range planning and compatibility perspective, it is appropriate to locate residential uses adjacent to residential uses or other sensitive land uses exist as opposed to an industrial use.

5.2 Zoning By-law Amendment

The Zoning By-law Amendment proposes to rezone a portion of the property to General Industrial with a site-specific special exception (MG-XX) that will address separation distances to residential uses and parking requirements. The portion of the property where the existing agricentre operation is currently located is not proposed to be changed, while the remainder of the site is. The following zones are proposed to be amended:

- / General Industrial, Special Exception 2 (MG-2);
- / Residential First Density, Holding (R1-H);
- / Restricted Agricultural (AR); and
- / Rural (RU).

The proposed development does not seek to expand the agricentre to the western limit of the subject property within the rural area, however, the proposed development does envision storage domes that will be located within the rural area adjacent to the existing storage domes on site. The S,D & G Official Plan does not permit new industrial uses within the rural area of the County without a Zoning By-law Amendment to rezone the lands appropriately. The intent of rezoning the full property is to allow for the future development of storage domes within the rural portion of the property, adjacent to the CN rail corridor and outside of the Urban Settlement Area. Beyond the new storage domes that are shown on the Concept Plan in Section 3 of this Report, no other expansion or development is currently proposed for the western portion of the property.

As part of the special exception proposed for the entire property, a reduction in the required parking rate for industrial uses is proposed. Section 3.21 of the Zoning By-law requires a total of 59 new spaces for the three new buildings proposed in the south portion of the site. The proposed use, which already exists on the subject property, is not a typical industrial use that requires significant parking for employees. The agricentre operation is primarily a drive-through operation where trucks are loading and unloading seed, fertilizer, and ingredients for fertilizer, among other materials. The proposed development simply seeks to add additional buildings to expand and accommodate the existing operation that is over-capacity. Additionally, the proposed seed storage warehouse does not require a significant number of on-site staff who require personal vehicle parking. As such, it is unnecessary to provide dedicated parking for 59 vehicles, as

there will not be 59 employees on-site at a time who need parking for a personal vehicle. There are several areas on the site to accommodate vehicle parking, while additional on-site parking is provided south of the existing office building for employees. It is proposed that for the subject property, no minimum parking is required under Section 3.21, as existing space for parking is currently available, and no increase in parking demand is anticipated as part of the proposed development.

In addition to the reduction in vehicular parking, the special exception seeks to increase the maximum building height to 40 metres for buildings associated with the agricentre operation. The fertilizer tower is proposed to be 33 metres in height, while the elevator leg for the fertilizer tower is proposed to extend to a maximum height of 40 metres. The increase in maximum building height is required to accommodate the full height of the fertilizer blending tower, as outlined in Section 3 of this Report, and it is important to recognize the unique requirements of the agricentre operation. Although a maximum height of 40 metres is proposed, this does not mean a standard building and warehouse will be 40 metres in height – this is simply to accommodate the unique fertilizer blending tower.

It is recognized that one of the existing zones on the subject property is General Industrial, Special Exception 2 (MG-2). As part of the new special exception that incorporates the amendments to the parking and height requirements, the 70-metre setback established in the MG-2 zone will be carried over. The 70-metre setback has been established in accordance with the MOECP's D-Series Guidelines on Land Use Compatibility, which identifies a recommended setback of 70 metres from sensitive land uses to Class II industrial uses. Including the recommended minimum separation distance in the site-specific zoning will ensure that there is an adequate separation distance between the industrial uses on the subject property and the abutting residential properties to the east, and will also provide a transition from the fertilizer tower to adjacent low-rise dwellings.

The Official Plan provides the following criteria to be considered when amending the Zoning By-law to permit a new use within the rural area:

- a) The use would not be better located in a Settlement Area or the urban area;

The proposed industrial use within the rural area would be an expansion of an industrial use that is currently located in the Urban Settlement Area of Maxville.

- b) The volume and pattern of traffic flow anticipated from the development will not interfere with the proper functioning of the local road network;

The proposed development is not anticipated to increase truck traffic or volumes, and therefore is not anticipated to interfere with the proper functioning of the local road network.

- c) The privacy of adjacent landowners or the mediation of potential adverse impacts from lighting, noise, odour, dust or traffic can be achieved by separating the land uses, buffering or other measures as part of the development;

The proposed site-specific zone will require a minimum setback of 70 metres from properties where sensitive land uses may occur (i.e. residential uses), in accordance with the recommended minimum setback for Class II industrial uses outlined in the MOECP's D-Series Guidelines on Land Use Compatibility.

- d) The potential for reducing possible impacts on neighbouring agricultural uses or nearby rural residential or settlement areas, where relevant;

As outlined above, a minimum setback of 70 metres to sensitive land uses is proposed. The proposed development is not anticipated to have any undue adverse impacts on any surrounding agricultural uses, however, through a future Site Plan Control application, additional mitigation measures may be identified.

- e) The development is in keeping with the surrounding rural character and landscape;

The proposed development is in keeping with the rural character, as the fertilizer tower and storage domes are not unlike grain elevators and silos used for agricultural operations, or the storage domes used for sand and salt storage, typically located in the rural area.

- f) All relevant servicing, design and compatibility and environmental protection policies of this plan;

The proposed development is consistent with the policy direction of the S, D & G Official Plan. Through future Site Plan Control applications, additional details regarding servicing and design will be provided.

- g) Noxious uses will only be considered where suitable screening and buffering can be provided and generally these uses will not be considered in vulnerable drinking water protection areas, immediately adjacent to residential areas, or in waterfront areas; and,

The proposed development is not proposed to be located in a vulnerable drinking water protection area, not is it located in a residential area or waterfront area. Buffering of the proposed industrial use will be through a 70-metre setback to any sensitive land uses.

- h) The impact that the development will have on the protection of tree cover as a result of site clearing and grading, fencing, security lighting, and other similar site plan matters.

The proposed development within the rural area will be limited to a small portion of the site, which will limit the amount of tree clearing that will be required. Through Site Plan Control, additional details regarding site clearing, grading, fencing, security lighting and other matters will be confirmed.

The proposed Zoning By-law Amendment is appropriate, as the development generally conforms to all of the performance standards of the MG zone. The proposed development also generally complies with all other applicable Zoning By-law provisions, such as outdoor storage, as outlined in previous sections of this Report. The Zoning By-law Amendment will facilitate the orderly expansion of an existing industrial use, which serves as a large employer of Maxville and contributes to employment within the Township of North Glengarry. The proposed special exception for the subject property will maintain the provision for a minimum 70-metre setback to a property line that abuts a residential property as outlined in the MG-2 zone. Maintaining this existing provision which currently applies to a portion of the subject property will ensure adequate separation distances to sensitive land uses in accordance with the MOECP's D-Series Guidelines on Land Use Compatibility. As outlined above, the special exception will also include a provision that removes the requirement for parking under Section 3.21 of the Zoning By-law and will increase the maximum permitted height within the MG zone, aligning with the required needs of the agricentre operation.

Due to the unique nature of the proposed development, Fotenn is available for more detailed discussions as they relate to the proposed Zoning By-law Amendment and look forward to these discussions with Township staff.

Land Use Compatibility

A Land Use Compatibility Assessment has been requested by the Township of North Glengarry in support of the Official Plan Amendment and Zoning By-law Amendment applications. The Land Use Compatibility Assessment will evaluate the expansion of the existing industrial use in proximity to residential uses. The assessment has been conducted with reference to Ministry of Environment, Conservation and Parks (MOECP) Land Use Compatibility Guidelines, which are issued under the legislative authority of Sections 2 (a-c, f-h), 17(9), 22(3), 41(4) and 51(3) of the Planning Act, 1990. In addition to the review of the D-Series Guidelines, the relevant policies of the Provincial Policy Statement, United Counties of Stormont, Dundas and Glengarry Official Plan, Township of North Glengarry Zoning By-law have also been reviewed as they relate to land use compatibility. In addition to reviewing the applicable policy framework for land use compatibility, a high-level review of the land supply of both employment and residential lands, as well as a review of the Canadian Census data was conducted to support the redesignation of residential lands to employment lands.

6.1 D-Series Guidelines for Land Use Compatibility

The intent of the provincial guidelines is to ensure that land use plans and regulations protect incompatible land uses from each other. These guidelines apply where a new facility is proposed and where an existing sensitive land use would be within the facility's influence area or potential influence area. Section 3.1 of the D-1 Guideline identifies distance as often being the only effective buffer for incompatible uses and therefore adequate separation distance is the preferred method of mitigating adverse effects.

The following table illustrates the recommended minimum separation distances as outlined in Section 4.1 of the D-6 Guideline:

Class of Industrial Use	Potential Influence Area	Recommended Minimum Separation Distances
I	70 m	20 m
II	300 m	70 m
III	1,000 m	300 m

For the purposes of the agricentre operation and the proposed expansion, the use is considered to be a Class II Industrial Facility. Class II Industrial Facilities are defined as the following:

- / A place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

Section 4.2.4 of the D-6 Guideline identifies a preference for site-specific notification (such as spot-zoning) when separation distances are provided partially or entirely on the property with the industrial use to ensure that future changes in use which would not normally require rezoning would still comply with this guideline.

As outlined in previous sections of this report, the proposed development is proposed to include site-specific zoning that identifies a 70-metre separation distance requirement to the nearest residential properties. The inclusion of this site-specific zoning provision will ensure that the development complies with the D-Series Guidelines and will also ensure that any future changes in use on the property would require a rezoning if the use were to be proposed within the buffer area.

Section 4.4 provides several ways to measure the separation distance, including:

- / From the closest property/lot line of the industrial land to the property/lot line of the closest sensitive land use (4.4.2);
- / Where the site-specific zoning or site plan control precludes the use of the setback for any activity associated with the industrial use that could create an adverse effect, the setbacks can be included as part of the measurement, rather than measuring from the industrial property line (4.4.3);
- / For sensitive land uses, where the established use of on-site lands are not of a sensitive nature, such as a parking lot servicing a hospital, the land area comprising the parking lot may be included within the separation distance (4.4.4);

For the proposed development, the separation distance has been calculated from the property line of the sensitive use to the closest point of the new warehouse building. Further, the warehouse building itself will function as an additional buffer to the industrial uses located to the west. As the proposed Zoning By-law Amendment will result in a site-specific zone that precludes industrial uses to be located within the buffer area, this measurement is appropriate and has been conducted in accordance with the D-6 Guidelines.

6.2 Policy Review

6.2.1 Provincial Policy Statement

Section 1.2.6 of the Provincial Policy Statement, 2020 (PPS) provides direction for land use compatibility through the following policies:

- / Policy 1.2.6.1 – Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
- / Policy 1.2.6.2 – Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of the proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards, and procedures:
 - a) There is an identified need for the proposed use;
 - b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c) Adverse effects to the proposed sensitive land use are minimized and mitigated; and
 - d) Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

The proposed development, as discussed in previous sections of this report, is an expansion of an existing industrial use and does not anticipate any undue adverse impacts to surrounding properties as they relate to odour and risk to public health and safety. To facilitate the expansion of the use, the S, D & G Official Plan land use designation and the North Glengarry Zoning By-law will be amended. As outlined in Policy 1.2.6.2 of the Provincial Policy Statement, the long-term viability of existing or planned industrial uses that are vulnerable to encroachment are to be protected. The expansion of the industrial use and change in land use designation of the property from Residential to Employment District will ensure that new residential uses cannot encroach into lands that can accommodate expansion of the Employment District. As shown on Schedule A5b of the Official Plan, expansion of the existing Employment District lands within the Settlement Area can only occur towards the south of the subject property, as this portion of the property is vacant and meets the required separation distances as per the D-6 Guidelines. Through the rezoning of the property, the existing requirement for a setback of 70 metres to a property line that abuts a residential use will be

maintained, to ensure that future industrial uses do not encroach into existing sensitive land uses adjacent to the subject property.

6.2.2 United Counties of Stormont, Dundas and Glengarry Official Plan

The United Counties of Stormont, Dundas and Glengarry Official Plan contains policies regarding land use compatibility and provides direction for how municipalities should incorporate land use compatibility into local plans and Zoning By-laws.

Section 3.5.1.4 states that the Official Plan promotes land use compatibility and encourages compatible land uses adjacent to others. The Official Plan states that where this is not possible, or where development involves the expansion of existing adjacent incompatible uses, landscaping, buffering and screening techniques should be used to mitigate adverse effects, noise, and visual impacts. Site planning has been identified as a way to promote compatibility, which may include locating parking, loading, open storage, or other noisier other objectionable areas away from adjacent or nearby residential uses.

The proposed development has been planned in a way to mitigate any potential adverse impacts of the expansion of the agricentre operation. The seed storage warehouse, which is anticipated to create minimal adverse impacts, has been located closest to the residential uses on the east side of the property. The warehouse will maintain a minimum 70 metre setback from the east property line, with the buffer lands proposed to be maintained as-is, with the land being farmed.

The fertilizer blending facility and the truck repair building will be located further to the west of the new warehouse, approximately 210 metres away from the east property line. All vehicular access to the three (3) new buildings will be located on the west side of the warehouse, with no new vehicular access or drive aisles to any of the new buildings located within the 70-metre buffer, ensuring any potential adverse impacts are addressed and mitigated.

6.2.3 Township of North Glengarry Zoning By-law

The Township of North Glengarry Zoning By-law does not establish a separation distance between industrial uses and sensitive land uses such as residential uses. Despite this, the General Industrial Special Exception 2 (MG-2) zone, which applies to a portion of the subject property, establishes a 70 metre setback requirement from property lines for any industrial use that could create an adverse effect on abutting residential properties.

Through the proposed Zoning By-law Amendment, a new General Industrial Special Exception zone will be established, however the existing 70 metre setback in the MG-2 zone will be carried over to ensure that an adequate separation distance is achieved on the subject property where the industrial use is to be located.

6.3 Land Use Analysis

As outlined above, the Official Plan Amendment for the proposed development will redesignate the entirety of the site within the Urban Settlement Area to Employment District to facilitate the proposed expansion of the agricentre. The Provincial Policy Statement 2020 (PPS) directs that planning authorities shall maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment; and maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment. The PPS also directs that planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs. Additionally, planning authorities shall protect employment areas in proximity to major goods and movement facilities and corridors for employment uses that require those locations.

As noted in previous sections of this Report, a review of the Canadian Census for the period between 2016 and 2021 has identified a decline in population of the dissolved municipality of Maxville by 8.3 percent to 748 people. The decline in

Although the proposed development will remove land that is designated and zoned for residential uses, the land is located outside of the Urban Service Limits and the land has a holding zone applied to the site which cannot be removed until a time that there is demand for the development of land. As illustrated in Figure 16 below, there are several parcels of land, representing approximately 41.6 hectares of vacant residential land identified for future development with the - H symbol. Parcel 1, 4 and a portion of Parcel 3 are located within the Urban Settlement Area, while Parcels 2 and the remaining portion of Parcel 3 are located outside of the Urban Settlement Area.

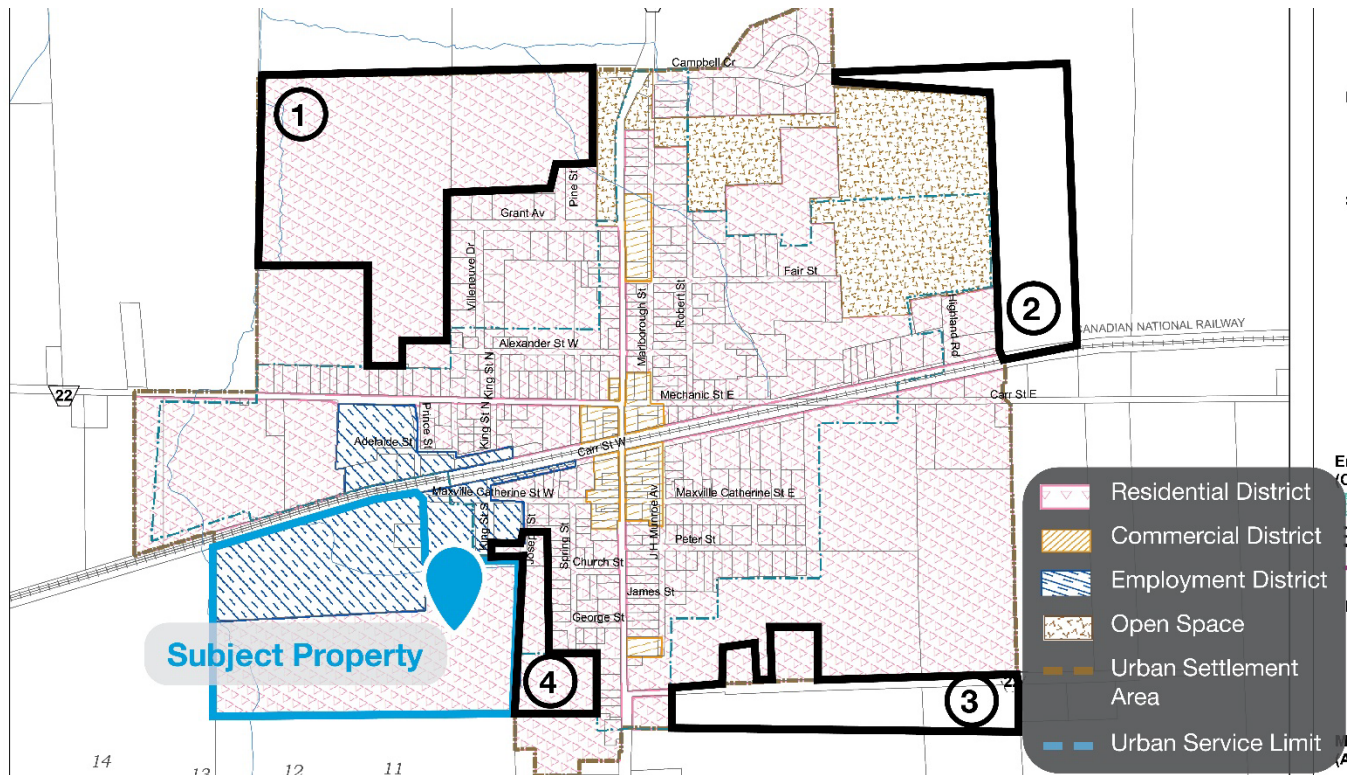


Figure 16. Excerpt of Schedule A5b of the United Counties of Stormont, Dundas and Glengarry with lands zoned for future residential development identified in black

In addition to identifying residential lands available for new development within the Urban Settlement Area, an analysis of the subject property has been completed, which contemplated the impact of separation distances on the residential lands. Through this analysis, the 70-metre separation distance has been applied from the edge of the employment lands into the residential lands. As shown in Figure 17, the area currently designated as Residential District is approximately 13.3 hectares, however, if the expansion of the agricentre operation were not to happen and the land were to be developed with residential units, only 8.3 hectares of land could be developed once setbacks have been applied to the site. As illustrated in Figure 16, Parcel 4 separates the subject property from the existing street network and existing residential dwellings within Maxville, limiting where access to the site can be for municipal services and vehicular access. Given the context, development of the subject property with residential uses does not represent the most efficient and orderly development of the land as required by the Provincial Policy Statement, and it appears there would be other parcels with the Settlement Area that would allow for more efficient residential development and expansion of municipal services and infrastructure.

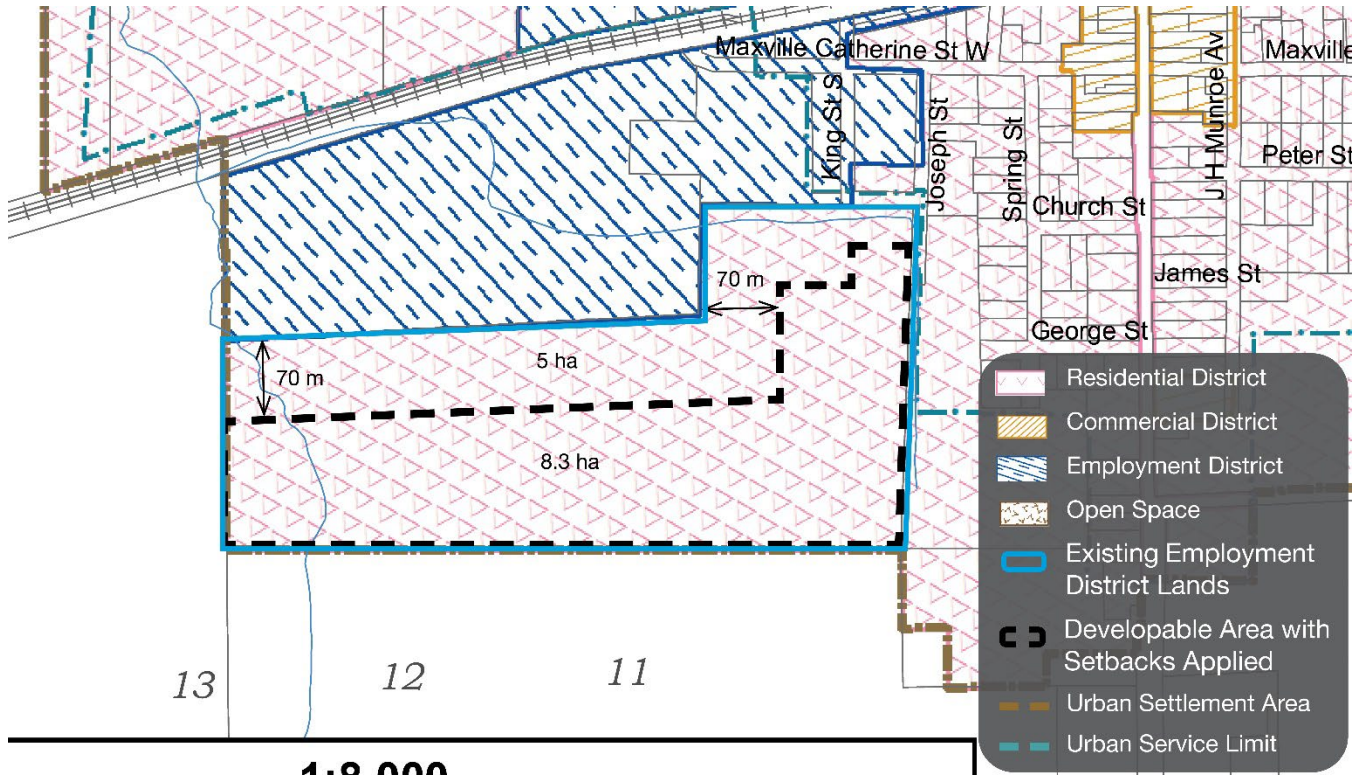


Figure 17. Excerpt of Schedule A5b of the United Counties of Stormont, Dundas and Glengarry with industrial setback applied to the Residential District

Conclusion

It is our professional opinion that the proposed Official Plan Amendment and Zoning By-law Amendment applications to permit the expansion of the existing agricentre operation on the subject property constitutes good planning and is in the public interest. As outlined in the preceding sections:

- / The proposed development is consistent with the Provincial Policy Statement (2020) by protecting lands for major facilities from encroachment of sensitive land uses and expanding employment lands within the urban settlement area that serve the immediate settlement area, the Township and greater County. The proposed development also represents efficient development of an existing property, with uses that are appropriate within the settlement area and within the rural area.
- / The proposed development conforms with the Official Plan, including policies as they relate to Employment Districts, Rural Lands, Rural Districts, and Industrial areas. The proposed development is appropriate in both the Urban Settlement Area and the Rural Area, and any potential adverse impacts of the development are proposed to be mitigated through appropriate setbacks, as directed in the Official Plan.
- / The proposed development generally complies with the applicable requirements in the Township of North Glengarry Zoning By-law. The requested amendments are appropriate and are not anticipated to create undue adverse impacts on the community or surrounding properties.
- / The proposed development responds to the D-Series Guidelines on Land Use Compatibility as it relates to the expansion of an industrial use closer to existing sensitive uses. The proposed development will provide the minimum recommended setback of 70 metres from the sensitive land use as outlined in the D-6 Guideline, with the full setback being provided on the subject property where the industrial use will be located.

Sincerely,



Patricia Warren, M.Pl.
Planner



Matthew McElligott, RPP MCIP
Principal, Planning + Policy