



Municipality of North Grenville

To: **Council**

Meeting Date: February 12, 2025

Subject: ZBA-19-24 1310 Scotch Line Road East

Report No: PD-2025-008

Prepared by: Amy Martin, Director of Planning and Development

Recommendation(s)

THAT Council approves and enacts By-Law 12-25 to amend the zoning for 1310 Scotch Line Road East to permit a residential dwelling and associated accessory structures without having frontage on an open and maintained road.

Executive Summary

Purpose

- To rezone the lands at 1310 Scotch Line Road East to permit the construction of a residential use and associated accessory structures without having frontage on an opened and maintained road.

Key Findings

- The property owner has a vacant lot located on an unopened and unmaintained road allowance.
- An access agreement was established with the property owner and the property owner of 1311 Scotch Line Road East to permit the construction of a driveway within the unopened and unmaintained portion of the road allowance to provide access to the improved portion of Scotch Line Road.
- The access agreement requires the property owner to maintain the driveway at their expense.

- A Zoning Amendment is required to permit the construction of a residential use on the property without having frontage on an improved road, as defined by Section 6.14 of the Comprehensive Zoning By-law

Financial Implications

- Staffing implications, as they relate to implementing Council's decision on this matter, are limited to the existing staff complement and applicable administrative policies as approved by Council.

Background/Analysis

The Municipality has received a site-specific application to rezone the lands at 1310 Scotch Line Road East to permit the development of a residential use and accessory structures without having frontage on an open and maintained road.

The property owners at 1310 Scotch Line Road East and 1311 Scotch Line Road East have entered into a access agreement to establish a driveway over a portion of the closed section of Scotch Line Road. The agreement provides details for long term maintenance and insurance requirements on the part of the landowners. As part of the agreement process, the municipality worked with the property owners to ensure that the driveway was wide enough for emergency services, given the length of the unmaintained portion for which the driveway is constructed within is approximately just under 1 kilometer in length.

The property at 1310 Scotch Line Road is located adjacent to an active railway and has an agricultural structure on the property. Land uses adjacent include forested lands, agricultural uses, and rural residential uses on the maintained portion of Scotch Line Road East.

Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides general policies for development in the Rural Area. This includes building upon the rural character and leveraging rural amenities and assets and accommodating an appropriate range and mix of housing (Section 2.5.1). Development on rural lands for residential purposes are encouraged where site conditions are suitable for the provision of appropriate sewage and water services (Section 2.6.1).

The PPS also provides that development shall be appropriate to the infrastructure, which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure (2.6.3).

Agriculture land use policies (Section 4.3) in the PPS are permissive of residential uses where they are permitted on a lot and provides development criteria including: complying with minimum distance separation, compatibility with surrounding agricultural operations,

appropriate sewage and water services, limited within scale and minimal land is removed from agricultural production.

The Planning Statement provides generalities for development. While the policies do not specifically speak to frontage on an open and maintained road, it does speak to the uneconomical expansion of infrastructure, which would include roads. The property owner has entered into an access agreement to permit the establishment of a driveway within the unopened portion of Scotch Line Road East. The property owners that are party to the agreement are responsible for maintenance of the driveway.

The proposed zoning amendment meets the policy requirements of the PPS.

United Counties Official Plan (2016)

The United Counties Official Plan provides overarching policy for development at a regional level. This includes policies related to housing and rural land development. The United Counties Official Plan designates the property as Agriculture.

Agriculture Land Use Policies in the Counties Official Plan permits one residential dwelling per lot and identifies that more defined policies will be established in local Official Plans.

The United Counties Official Plan policies are supportive of the proposed Zoning Amendment, as the development is generally within keeping of the agriculture policies for residential uses. The Counties Official Plan does not provide policy direction related to development being located on open and maintained roads.

North Grenville Official Plan (2018)

North Grenville's Official Plan establishes development policies for development within North Grenville. The Official Plan, Land Use Schedule A, designates the property as Agriculture.

Section 3 of the Official Plan establishes Agriculture Land Use policies. Agricultural policies encourage the protection, maintenance and improvement of prime agricultural areas. Existing lots of records in the agriculture designation may be used for residential purposes in accordance with the Zoning By-law, provided such lot is an appropriate size and shape and the dwelling can be served on private sewage disposal and water services, and does not violate the Minimum Distance Separation Formulae, and complies with relevant policies of the Official Plan.

Section 12 of the Official Plan establishes general development policies. Section 12.1 requires all new development to have frontage on and direct access to an improved public road which is maintained year-round by the Municipality or other public authority.

The proposed residential development is within keeping of the agriculture land use policies of the Official Plan. It is acknowledged that the development of the residential use will not be in keeping with Section 12.1 of the Official Plan, as the property is not located

on an opened and maintained road. The access agreement permits the establishment of a driveway within the road allowance, which provides access to an improved road.

Comprehensive Zoning By-law 50-12

Section 6.14 of the Comprehensive Zoning By-law provides that no building or structure shall be erected in any zone except the Limited Services Residential Zone (LSR) unless the lot which such building or structure is located has frontage on a road which is an improved road and is part of the Corporation's approved road system. Subsection (c) goes on to state that for the purposes of this By-law an improved road does not include an unopened road allowance, a lane or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the *Planning Act*.

Based on the provisions within the Zoning By-law, a Zoning Amendment is necessary to permit the development of a residential use on the property without having frontage on an improved road. An access agreement has been entered into to permit the property owner to construct a driveway over the unopened road allowance to provide access to an improved road, being Scotch Line Road East approximately 900 metres from the property.

A draft by-law is attached detailing the proposed Zoning Amendment.

Relevance to Strategic Priorities

Strategic Pillar	Pillar #2 - A Strong, Connected, and Vibrant Community
Goal	Goal #2.3 - Build and Grow in a Connected Way
Key Action	Action #2.3.3 - Promote development policies that incorporate connectivity and coordination with the surrounding area

Options and Discussion

1. Approve the recommendation - **RECOMMENDED**
2. Do not approve the recommendation

Financial Impact

This item has been identified in the current budget: Yes No N/A

This item is within the budgeted amount: Yes No N/A

Staffing implications, as they relate to implementing Council's decision on this matter, are limited to the existing staff complement and applicable administrative policies as approved by Council.

Internal/External Consultation

Notice of the application was circulated in accordance with the Planning Act to members of the public and public agencies. All applications are circulated to internal departments for comment and review. No comments were received by the time of report submission.

Public Works as engaged with the property owner to develop an access agreement to the property. The driveway was built to ensure emergency services could access the property in the event of an emergency.

Communications

Communication of Council's decision will be in accordance with the Planning Act.

Attachments

- Draft Zoning Amendment