

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

Public Meeting of Planning

Agenda

Monday, May 26, 2025, 5:45 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 may be recorded by either the press or any other individuals.

1. DISCLOSURE OF CONFLICT OF INTEREST

2. ACCEPT THE AGENDA (Additions/Deletions)

3. RATIFY MINUTES

- Public Meeting of Planning Minutes – May 12, 2025

4. ZONING BY-LAW AMENDMENT

- a. BP 2025-13: By-law, stop-up, close and sell Road Allowance
(Bourdon)

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 May 12 2025

5:45 pm

Council Chamber

3720 County Road 34

Alexandria, On. K0C 1A0

PRESENT: Mayor: Jamie MacDonald
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

ALSO PRESENT: CAO/Clerk - Sarah Huskinson
Director of Building, By-law & Planning - Jacob Rhéaume
Deputy Clerk: Jena Doonan

1. DISCLOSURE OF CONFLICT OF INTEREST

None

2. ACCEPT THE AGENDA (Additions/Deletions)

Resolution No. 1

Moved By: Carma Williams

Seconded By: Jacques Massie

THAT the Council of the Township of North Glengarry accepts the Public Meeting of Planning Agenda of Monday May 14, 2025.

Carried

3. RATIFY MINUTES

Resolution No. 2

Moved By: Jacques Massie

Seconded By: Brian Caddell

THAT the Council of the Township of North Glengarry accepts the minutes of the Public Meeting of Planning of Monday February 24, 2025.

Carried

4. ZONING AMENDMENTS

Z-03-2025

Owner: Carole JOANETTE

Location: 3805 County Road 45, Alexandria, ON, K0C 1A0

Kenyon Con 2, East Part Lot 4

THE PURPOSE of the Zoning By-Law Amendment is to re-zone the “rural-portion” of property from Rural (RU) to Rural Special Exception (RU-24) to permit a secondary dwelling (semi-detached dwelling) on the subject lands.

VERBAL COMMENTS

None received

WRITTEN COMMENTS

None received

The clerk 3 times asked for comments from the public in attendance and from members of Council.

5. OLD BUSINESS

None

6. NEW BUSINESS

None

7. NOTICE OF MOTION

None

8. ADJOURNMENT

Resolution No. 3

Moved By: Brian Caddell

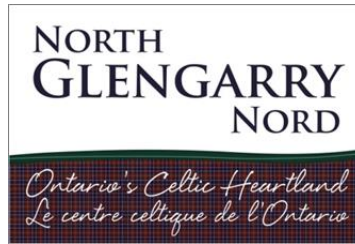
Seconded By: Jeff Manley

THERE being no further business to discuss, the Public Meeting of Planning was adjourned at 5:57pm.

Carried

CAO/Clerk/Deputy Clerk

Mayor/Deputy Mayor



STAFF REPORT PUBLIC MEETING OF PLANNING

May 26, 2025

TO: Mayor and Council Members

FROM: Jacob Rheaume, Director of Building, By-law & Planning

RE: Stop up, Close and Sell a portion of the Road Allowance between Kenyon Concession 14 Indian Lands and Kenyon Concession 15 Indian Lands lying East of 14R300, in North Glengarry also known as PIN 67111-0080 to be merged with adjacent parcel of lands known as 18408 Kenyon Concession Road 15 IL, Maxville (owned by BOURDON & VALLANCE AG INC).

Location:







Background / Analysis:

The Township of North Glengarry has received a request to acquire a portion of the Road Allowance between Kenyon Concession 14 Indian Lands and Kenyon Concession 15 Indian Lands lying East of 14R300, in North Glengarry also known as PIN 67111-0080.

The request was made by the owners of the property, BOURDON & VALLANCE AG INC., who also own adjacent parcels of land known as 18408 Kenyon Concession Road 15 IL, Maxville located on both the North and South of the subject lands. They wish to acquire the land to construct an agricultural machine shop/storage building where the road allowance currently sits. The portion of the road allowance is not accessible from the East as it abuts onto another portion of land owned by the same owners, under a different name.

The section of road allowance on going East from that lot was previously “given” to VALDON AG INC. for similar reasons, and for the road allowance to be kept as a private entrance to the farm as the Township had no intentions on developing the lands.

The subject portion lies within Lots 2, 3 & 4 between Kenyon Concession 14 Indian Lands and Kenyon Concession 15 Indian Lands and would be merged with the portion of land on the North, no new lots would be created. The section of the same road allowance, West of the subject lands down to County Road 20, is heavily treed and would remain an unmaintained and unopened unless otherwise specified by Council.



The exact location for the agricultural machine shop/storage building is to be determined later but would be within the road allowance because of the existing topography of the lands. The owner would only require its Nutrient Management Plan to be updated if a new poultry barn was proposed, not for an agricultural machine shop/storage building. Plans would be designed, along with the detailed site plan for either. There are no concerns from a planning, geological, environmental, nuisance, or building code standpoint. They will also use the same driveway and civic number.

The new agricultural machine shop/storage building will comply with our current Zoning By-law and will have to comply with the Ontario Building Code requiring a building permit. A Site Plan Control Development Agreement will not be required for the development. Only a building permit will have to be obtained. The building permit will also deal with drainage, grading, actual building size and location, setbacks, servicing, lighting, etc.



The Municipal Act provides that a Council of a Municipality may pass by-laws for stopping up all or part of a highway and for selling the same. A highway includes any road under the municipality's jurisdiction.

The Township would consider requests to stop-up, close and sell Township owned road allowances provided:

- *The unopened road allowance is deemed to be not required for current or future municipal use;*
- *All costs (survey costs, legal fees, etc.) are borne by the applicant and/or to those persons whom the lands are to be sold;*
 - o *There shall be no expense to the municipality*
- *Section 34(7) of the Municipal Act, 2001 c.25, provides that a By-law which has the effect of permanently closing or altering a highway is not valid if the result is a person having no motor vehicle access to and from the person's land over any highway, unless the person agrees to such by-law;*
 - o *The Township should not create a "landlock" property by selling the land.*
- *Generally, the Township should only consider applications for road allowance closings from abutting landowners.*
- *Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public.*
- *Council will consider applications to stop up, close, and convey road allowances and shore road allowances on a case-by-case basis.*

As per Municipal Act, and as per standard normal procedures used by the Township in the past, the usual process for closing and selling parts or sections of a municipally owned road is the following:

- *We are currently at the early stage in the process (No. 1)*

1. WRITTEN REQUEST – SUBMISSION REQUIREMENTS

- a. For Council to review the request, the applicant shall submit the following information:
 - i. A letter of Request to stop-up and close a road allowance which shall include an accurate description of the portion of the road allowance requesting to be closed, and a legal description of the applicant's lands.
 - ii. The Letter shall also contain reasons requesting the closure of the road allowance.
 - iii. A map of the proposed road allowance to be stopped up and closed, including the identification of adjacent lands, including the location of buildings.

2. COUNCIL ACCEPTANCE OR REJECTION OF APPLICATION

- a. If Council wishes to proceed with the closing and sale of the municipal road allowance;
 - i. A resolution shall be prepared declaring the land surplus and available for sale;
 - ii. The Township will also circulate to all departments for comments.
- b. If the recommendation is to reject the application, the applicant(s) will be notified of the decision and the process stops.

3. CIRCULATION TO ADJACENT LANDOWNERS

- a. The Township staff will conduct a detailed search to ascertain the proper names and addresses of all owners of lands abutting the portion of the unopened road allowance proposed to be closed and sold.
- b. If more than one owner/property abuts the subject portion of the road allowance, notice shall be circulated to all owners of lands abutting the portion of the unopened road allowance proposed to be closed and sold, to all required agencies, the property owner and/or owner's agent(s), and any parties who have expressed written interest in receiving notice if any.
- c. Adjacent landowners will be given a minimum of three (3) weeks to respond to the letter, if applicable.
- d. Should there be no interest shown in the purchase of the portion of the unopened road allowance, the applicant(s) will be given the opportunity to purchase/acquire the portions of such land.

4. NOTICE TO PUBLIC

- a. Prior to selling any municipal road allowance the Township shall give notice to the public of the proposed closing and sale of the Township road allowance and hold a minimum of one public meeting.
- b. An advertisement shall be placed in at least one newspaper having general circulation within the local area for a one-week period advising the date, time and location of the public meeting.
- c. Copies will also be posted in the immediate vicinity of the portion of the unopened road allowance proposed to be closed and sold.
- d. The Notice shall include a brief description of the road allowance and a sketch as well as the date, time and location of the public meeting.
- e. After public consultation, a report will be submitted to Council at the next regular meeting for further consideration with respect to final decision to close road and at this time a Council resolution is required to proceed with the next steps.

5. ROAD ALLOWANCE APPRAISAL

- a. The Township is allowed, but does not have to, obtain an appraisal of the fair market value of the unopened road allowance from a person/company certified by the Appraisal Institute of Canada.
- b. Should the applicant(s) decide to not proceed with the acquisition, the applicant(s) would be responsible for costs associated with advertising and appraisal.
- c. Council has the right to adjust any appraisal if extenuating circumstances become apparent and also has the right to give portions of land to be merged with adjacent neighbors.

6. REFERENCE PLAN (SURVEY) OF ROAD ALLOWANCE

- a. The applicant(s) shall obtain a reference plan (survey), prepared by an Ontario Land Surveyor, of the area proposed for closing and sale and submit such to the municipality prior to the commencing of any legal work concerning the road closing.

7. CLOSING AND SALE OF MUNICIPAL ROAD ALLOWANCE BY-LAW

- a. Once a reference plan has been submitted to the Township, the applicant(s) solicitor shall proceed with the preparation of the legal work concerning the road closing.
- b. The Closing and Sale of Municipal Road Allowance By-law will be brought to Council for formal approval.
- c. The transfer of the land will only be completed once the legal work is completed and after receiving payment, if applicable.

Alternatives:

1. The Council of the Township of North Glengarry wishes to proceed with the Stop up, Closing and Selling of a portion of the Road Allowance between Kenyon Concession 14 Indian Lands and Kenyon Concession 15 Indian Lands lying East of 14R300, in North Glengarry also known as PIN 67111-0080 to be merged with adjacent parcel of lands known as 18408 Kenyon Concession Road 15 IL, Maxville (owned by BOURDON & VALLANCE AG INC) and directs staff to proceed to the next steps.
2. The Council of the Township of North Glengarry does not support the Stop up, Closing and Selling, and rejects the proposal.

Financial Implications:

No financial implications; all costs (survey costs, legal fees, etc.) are borne by the applicant and/or to those persons whom the lands are to be sold/given.

Attachments & Relevant Legislation:

- No attachments

Others consulted:

Sarah Huskinson, CAO/Clerk

Reviewed by
Sarah Huskinson – CAO/Clerk