



## TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

**Committee:** Committee of the Whole – Community Development

**Date:** October 2, 2023

**Department:** Community Development

**Topic:** Consent Policy Review – Revised Amendment Option #2

**Purpose:** To review a revised Official Plan Amendment

**Background:** Committee has requested the following changes to the Township’s consent policies for the Rural area in our Official Plan and/or Zoning Bylaw:

1. Reduce the minimum lot size from 1.0 hectare to 0.4 hectares (OPA, ZBA);
2. Reduce the minimum lot frontage from 70m to 45m (ZBA)
3. Increase the maximum number of lots that may be created from an original land holding by consent from two to four (OPA); and
4. Redefine an original land holding from December 6, 2003 to December 6, 2013 (OPA).

### [Draft amendment option #1](#)

At the Committee’s request, a draft Official Plan amendment and a draft Zoning Bylaw amendment were presented at the September Committee meeting that reflected the above changes. Through preliminary consultation with the Counties as the Approval Authority, we understand that an amendment to permit additional severances in the Rural area will need to demonstrate that there is a need for additional lots.

### [Land needs](#)

A land needs assessment was completed by Novatech with assistance from the Counties, which shows that the Township has approximately 816 vacant lots (575 excluding draft approval) potentially suitable for residential development. 379 of those lots are in the Rural Area.

The PPS requires Planning authorities to maintain the ability to accommodate residential growth for a minimum of 15 years through intensification, redevelopment and, if necessary, lands which are designated for residential development. When compared to our average demand for lots, the assessment concludes that there is more than a 20 year supply of land in Edwardsburgh Cardinal.

Additional information was requested by the Committee in regards to the land needs for Rideau Lakes. The following information was provided by the Counties.

	Rideau Lakes	Edwardsburgh Cardinal
Vacant Lots	470	816
Lots projected to be created by severance over the next 15 years*	265	75
<b>Total lots available over the next 15 years</b>	<b>735</b>	<b>886</b>
Demand per year**	50	20
<b>Demand projection over 15 years</b>	<b>750</b>	<b>300</b>
<b>Projected # of lots available in 15 years</b>	<b>-15</b>	<b>516</b>

\*based on 10 year severance average

\*\*based on average number of building permits for new dwellings

Novatech shared in their September report to Committee that there does not appear to be planning justification for increasing the maximum number of lots that can be created by consent.

#### Draft amendment option #2

As such, a second draft amendment was prepared. The second amendment would reduce the minimum lot size from 1ha to 0.4ha. It is understood that this policy revision would have the effect of rendering many existing lots as being eligible for land division. Accordingly, it is considered that a reduced lot area requirement will generate additional opportunities for severance(s) and plans of subdivision.

#### Hydrogeological Assessment and Terrain Analysis

The second draft amendment also included policy changes that would require a hydrogeological assessment and terrain analysis when a lot is being created that is less than 1ha.

A report was prepared for Committee by a Hydrogeologist at JP2G regarding the importance of a hydrogeological study and terrain analysis, and clarification on the Ministry requirements for these assessments.

The PPS section 1.6.6.4 permits individual on-site sewage and water services when municipal or private communal services are not available “provided that site conditions are suitable for the long-term provision of such services with no negative impacts”.

The PPS defines “negative impacts” for this policy specifically:

*“in regard to policy 1.6.6.4 and 1.6.6.5, potential risks to human health and safety and degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;”*

JP2G further explains the significance of lot size as it relates to provincial standards, referencing the Ministry's D-5 series guidelines:

#### Lot Size

Typically, if the proposed lots within the development are one (1) hectare or larger, or the average lot size is 1 ha or larger and there are no lots being smaller than 0.8 ha, the risk of individual septic systems at the boundary limits is considered acceptable and may not require a detailed hydrogeological assessment, if it is demonstrated that the site is not hydrogeologically sensitive. In this instance it is assumed that the attenuative processes within the 1 ha lot will be sufficient to reduce the nitrate-nitrogen concentrations to acceptable limits.

Committee felt that the requirement for a hydro-g and terrain analysis within the Official Plan would create a burden for developers. Staff were asked to review policies for Rideau Lakes, which seemed to have lessened these requirements through their recent Official Plan amendment.

Both the Augusta and Rideau Lakes Townships have Official Plan policies to request this study and have adopted separate policies by Council Resolution to clarify when a hydrogeological assessment and terrain analysis is considered a reasonable requirement for lot creation (see attached policies). It is also noted that Novatech's report to Committee in June provides a comparison of consent policies for municipalities within the United Counties of Leeds Grenville.

#### Revised draft amendment option #2

At the September meeting, staff were directed to revise draft amendment option #2 by not requiring a hydrogeological assessment or terrain analysis as part of the amendment. Instead, these requirements are to be clarified through a separate policy. Draft amendment option #2 has been revised to state that a study may be required. The township has already initiated a preconsultation with the Counties for this amendment.

Staff are working with the Hydrogeologist at JP2G to prepare a draft policy for Committee's consideration.

A draft Zoning Bylaw Amendment has also been prepared to implement the reduced lot size requirements in the proposed OPA and to reduce the required lot frontage in the Rural Area for the RU and RLS zones.

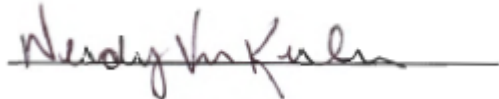
#### Next steps

An Open House or Public Meeting can now be scheduled by the Township to receive feedback from the public and interested parties on the proposed Official Plan and Zoning Bylaw amendments. It is noted that the Planning Act does not require an Open House meeting for this amendment, but a Public Meeting will be required before the amendment is passed by Council.

**Policy Implications:** Please see the attached draft Official Plan Amendment No. 2 prepared by Novatech, which includes policy discussion related to a reduced lot size. The attached draft amendment represents a revised draft amendment #2 as requested by Committee at the September 5<sup>th</sup> meeting.

**Financial Considerations:** The Counties will waive application fees for local municipalities for official plan approvals and amendments. Professional fees for the preparation of the amendment and supporting information are expected.

**Recommendation:** That Committee recommend that Council endorse the attached Official Plan Amendment No. 2 and Zoning Bylaw amendment; and direct staff to proceed with scheduling an Open House meeting to hear comments from the public on the proposed Official Plan Amendment No. 2 and Zoning Bylaw Amendment.

A handwritten signature in cursive script, appearing to read "Nerdy Van Kester", written over a horizontal line.

Community Development Coordinator

**Attachments:**

- Draft Official Plan Amendment No. 2 prepared by Novatech
- Draft Zoning Bylaw Amendment prepared by Novatech
- Neighbouring municipal policies on requirement for hydrogeological assessment