

TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Administration and Finance

Date: April 12, 2021

Department: Community Development

Topic: Application for Severance, 1102 County Rd 21 (Heusser)

Purpose: To review an application to sever an agricultural lot.

Background: The Township has received an application for severance at 1102 County Rd 21 from agent Peter Heusser, on behalf of the Estate of Dale Ronald Heusser. The application proposes to sever 40 hectares of land from the 83 hectare lot. The retained parcel is home to a single detached dwelling, shop and 3 hay storage buildings accessory to the current agricultural use. The severed land is vacant, except for tile drains covering most of the land. The applicant notes that the Estate Trustees are planning to sell the severed agricultural lot so the estate can be settled as per the owner's Will and all land can continue to be farmed.

Policy Implications: The subject land is designated Agricultural Policy Area in the Township's official plan and zoned Agricultural in the zoning bylaw. Severances in the Agricultural Policy Area may be permitted for agricultural uses where the size of the lots is appropriate for this use.

The Township's official plan has the following statement:

3.5.3.2 The creation of new residential building lots in the Agricultural Resource Policy Area shall not be permitted. Lot creation is permitted for the following uses only, and subject to the following provisions:

1. New lots for agricultural uses shall be of a size appropriate to the type of agriculture common in the area and to allow flexibility for future changes to the type of the agricultural operation. In general, lots shall be a minimum of 40 hectares in area.

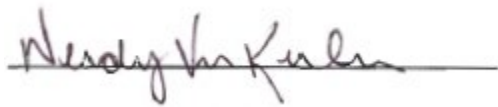
Both the severed and retained parcel meet the minimum lot size of 40ha provided in the official plan. The size, frontage and setbacks are also consistent with the policies in the zoning bylaw.

There is a nearby livestock facility as part of a dairy farming operation, which triggers Minimum Distance Separation calculations based on the guidelines from the Ministry of

Agriculture, Food and Rural Affairs. The required distance from the facility to the severed lot is 302m, and the actual distance is 332m. The required distance from the manure storage is 372m, and the actual distance is 375m. It is Staff's opinion that the proposed severance meets the required setbacks for Minimum Distance Separation.

Financial Considerations: The applicant has remitted the required fee for severance to the municipality.

Recommendation: That Committee recommend that Council recommend in favour of severance B-22-21.

A handwritten signature in dark ink, appearing to read "Nerdy Van Kester", is written over a horizontal line.

Community Development Coordinator