



TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Community Development

Date: May 3, 2021

Department: Community Development

Topic: Application for Severance, Millar Rd (Vandine)

Purpose: To review 2 applications for severance, proposing 2 new lots on Millar Rd.

Background: Two applications for severance have been received for a parcel of land on Millar Rd., near the Village of Spencerville and east of highway 416. The subject land is approximately 48 acres and designated Rural Policy Area in our official plan and zoned Rural as per our zoning bylaw. The property is vacant of any buildings or structures, and a portion of the land is used for farming crops such as soy beans and hay. The South Nation River borders the property to the south and a small portion of the parcel has been identified as being within the floodplain. The applicant has identified a non-operating pit/quarry on the property. The surrounding property uses are residential.

The applicant proposes to create one 5 acre lot and one 2.5 acre lot from the 48 acre parcel, both with frontage on Millar Rd. The applicant intends to sell the severed lots as residential building lots.

Policy Implications: The Rural Policy Area of the Township's official plan allows for residential and agricultural land uses. Section 3.4.2.2 provides that land division for the creation of residential lots is intended to be limited in nature and shall be permitted in accordance with the Land Division policies of the official plan.

The applicant has identified provincially significant wetlands on or within the influence area of the retained or severed lands for the creation of the 2.5 acre lot. Note that the Township's official plan does not show provincially significant wetlands on or within the 120m influence area of this lot.

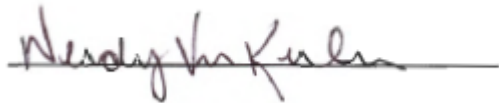
There is a small portion of the property adjacent to the South Nation River that is within the floodplain and there is a small amount of provincially significant woodlands on the property. However; the proposed new lots are outside of the floodplain and outside of the 120m influence area of the woodlands. Additionally, there is a large building envelope on the retained land outside of these areas that would be suitable for future development. The South Nation Conservation Authority and Township staff have determined that an Environmental Impact Assessment is not required.

The applicant has identified a non-operating pit/quarry on the 5acre severed lot. The subject land is outside of any identified Mineral or Aggregate Reserves in the Township's official plan. The non-operating pit serves as a pond today, and the proposed lot has an appropriate building envelope, meeting all required setbacks.

The subject land is zoned Rural as per the township's zoning bylaw. The proposed residential use for the severed parcels is permitted in the Rural zone and the parcels meet the minimum lot size and frontage for this zone. The existing agricultural use is permitted in the Rural zone, however, the minimum lot size for this use is 40ha (98.8acres). The zoning bylaw allows that an existing undersized lot may be used for any purpose permitted in the zone in which it is located, provided it can meet all other applicable provisions of the zoning bylaw (4.26.f). However, the zoning bylaw does not allow the undersized lot to be further reduced in size. It is staff's opinion that the deficient lot size for agricultural use in the Rural zone could be permitted with a minor variance.

Financial Considerations: The applicant has submitted the required fee for two severances to the municipality.

Recommendation: That Committee recommends that Council recommend in favour of severances B-53-21 and B-54-21 with the condition that the applicant obtain a minor variance to allow a further reduced lot size for the agricultural use of the retained land.

A handwritten signature in dark ink, appearing to read "Nereida V. Kuleva", is written over a horizontal line.

Community Development Coordinator