

TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Community Development

Date: June 7, 2021

Department: Community Development

Topic: Application for Severance, 112-114 Dobbie Rd (JF Dobbie and Sons Ltd.)

Purpose: To review two applications to sever an agricultural lot. The first application B-47-21 would create a new 101acre (40 ha) agricultural lot with an easement for driveway access across the retained parcel. On the retained parcel, a second application B-48-21 proposes to sever a dwelling surplus to the agricultural operation.

Background: The Township has received two applications for severance at 112-114 Dobbie Road from agent Zanderplan Inc., on behalf of JF Dobbie and Sons Ltd. The two applications have been submitted to create two new lots in addition to the retained parcel. The land is designated Rural Policy Area and Agricultural Resource Policy Area in the Township official plan. The current use of the property and surrounding land is agricultural.

The original lot is approximately 352acres with 2 barns, 2 sheds, a detached dwelling and an outbuilding.

- The first application proposes to create one 101acre lot with 193m of frontage for agricultural use with 2 barns and 1 shed. Access to this lot would be with a proposed easement over the driveway of the second severance.
- The second application proposes a 5.22acre residential lot surplus to the farming operation and would include a dwelling, 1 shed and the driveway. The residential lot would have 17m of frontage. An easement over the driveway would also provide access to the 101acre parcel created in the first severance.
- The final retained parcel would be approximately 246acres (100ha) with 460m of frontage on Dobbie Road. It would be home to an outbuilding that is accessory to the agricultural use.

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

The Township's official plan has the following provisions:

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.

For the severance creating a 101acre agricultural lot, 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.

Section 3.5.3.2. of the official plan also provides the following:

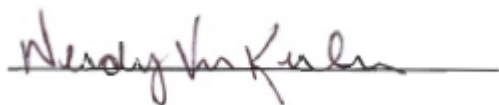
3. New lots for existing dwellings that are surplus to a farming operation as a result of farm consolidation, subject to the following conditions:

- The retained farm parcel will be zoned so as to prohibit the construction of any additional dwellings;*
- The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
- The surplus dwelling will be zoned to recognize the non-farm residential use, as required.*

In keeping with this policy, the retained parcel of the second severance should be rezoned to prohibit future residential use. The proposed severance for a dwelling surplus to the farming operation creates a lot that is 5.22acres, with only 17m of frontage. The zoning bylaw provides that the minimum lot size for a residential lot in the Agricultural zone is 2.47acres and the minimum frontage required is 70m. The larger lot size is proposed in order to accommodate the existing long driveway and fence, associated with the residential use. The reduced lot frontage will help to keep more of the land with the agricultural parcel, and can be addressed as part of the same zoning bylaw amendment.

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

Recommendation: That Committee recommend that Council recommend in favour of severance B-47-21 and B-48-21 (JF Dobbie & Sons Ltd) with the condition that for severance B-48-21, a zoning bylaw amendment is obtained to prohibit future non-agricultural use, including residential uses, on the retained lot and allow a reduced frontage of 17m on the severed parcel.



Community Development Coordinator