



## TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

**Committee:** Council

**Date:** July 26, 2021

**Department:** Community Development

**Topic:** Revised Recommendation for Severance, South St (Jansen/1504107 Ontario Inc.)

**Purpose:** To review additional information related to severance application B-80-21 for the creation of a new lot on South Street, in the Village of Spencerville, and consider a revised recommendation.

**Background:** The Committee of the Whole – Community Development reviewed an application for severance at their regular meeting on July 5<sup>th</sup>, 2021. The documents reviewed include a note from a concerned neighbour that indicates the presence of 5 Butternut trees on the property.

The Committee made a recommendation to Council, which requests that the Consent Granting Authority include a note on the severance decision to advise the developer of their responsibility to comply with the Endangered Species Act.

On July 16<sup>th</sup>, a Senior Forest Technician and Butternut Health Assessor from the South Nation Conservation Authority visited the site and determined that there are no Butternut trees on the property.

With this new information, Council may consider removing the request to include a note on the severance decision so that it does not suggest the presence of endangered species on the property.

Confirmation from the Conservation Authority and documents previously considered by the Committee of the Whole – Community Development are attached to this report.

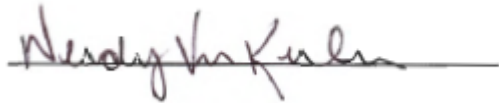
**Policy Implications:** Butternut is listed as endangered in Ontario, and therefore receives protection under the *Endangered Species Act*. The developer is responsible for ensuring compliance with the requirements of the *Act* and any processes associated with butternut identification, assessment, and permitting (if required). A qualified Butternut Health Assessor has determined that there are no Butternut Trees on site.

**Financial Considerations:** The fee for a severance has been submitted to the Township.

**Previous Recommendation by the Committee of the Whole – Community Development:** That Council recommend in favour of severance B-80-21, with the condition that a Minor Variance be obtained to address the deficient rear yard setback and the applicant enter into a Development Agreement, to the satisfaction of the Township, to implement the recommendations of the Hydrogeological Study prepared by Morey Associates

And that Committee recommend that Council request that the Consent Granting Authority include a note on the severance decision to advise the developer of their responsibility to comply with the Endangered Species Act.

**Revised Recommendation:** That Council recommend in favour of severance B-80-21, with the condition that a Minor Variance be obtained to address the deficient rear yard setback and the applicant enter into a Development Agreement, to the satisfaction of the Township, to implement the recommendations of the Hydrogeological Study prepared by Morey Associates.

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

Community Development Coordinator