



TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of Adjustment

Date: September 8, 2021

Department: Community Development

Topic: Application for Severance, 2107 Jochem Road (Russell)

Purpose: To review application A-05-21 for a severance to allow a road frontage of 47.55m (156ft) and 56.39m (185ft) where the minimum frontage required in the Rural zone is 70m (229ft).

The effect of this variance would fulfill a condition requested by the Township of Edwardsburgh Cardinal of a proposed severance by allowing a lesser road frontage on the severed and retained lots.

Background: An application for Minor Variance was submitted on July 20th to the Township for the property at 2107 Jochem Road. The subject lands are near the northern boundary of the Township and east of highway 416. The land is approximately 31 acres and designated Rural Policy Area in the Township's Official Plan and zoned Rural as per our Zoning Bylaw. There is a single dwelling and detached garage on the property. Most of the property contains Significant Woodlands and there is a watercourse on the southern part of the parcel. The surrounding property uses are residential with single dwelling units.

The attached Planning Rationale Report, prepared by iN Engineering and Surveying, describes the history of the parcel as part of previous consents completed in 1998. The lots proposed in the current application have already existed as separate lots, but were merged in 2009, being adjacent lots under identical ownership. The applicant has investigated the possibility of unmerging the lots, but has been advised by their legal counsel that a severance is the only way to separate the two parcels.

An application for severance was received by the United Counties of Leeds and Grenville (B-89-21 in June, 2021). Upon consideration of the application at the regular meeting of Council on July 26, Council recommended in favour of the application with the condition that a Minor Variance is obtained to address the deficient road frontage on the proposed severed and retained lots.

The application proposes a "new" lot of 28.23 acres for residential use. The retained parcel would be slightly larger than the original 2.45 acres so that it will conform to the

required lot size of 2.47 acres for the Rural Policy Area of our Official Plan. The proposed lots have a combined frontage of 104m (341ft).

Policy Implications: It is noted that while the lots have previously existed as separate parcels, the application for severance does not “unmerge” the titles. The severance process creates a new lot, and the policies of the Official Plan do apply.

Environmental Impact Assessment

Most of the lot contains Significant Woodlands, as per Schedule B to our Official Plan. Our Official Plan requires that any development or site alteration within or adjacent to Significant Woodlands shall not be permitted unless it has been demonstrated that there will be no negative impacts to the woodlands or their ecological functions. This is demonstrated through an Environmental Impact Assessment (6.17.5).

The Official Plan also provides that:

6.10.4 Depending on the nature of the development and/or site alteration, and in circumstances where there is known likelihood of negative impact on the natural heritage feature or area, the Township, in consultation with the South Nation Conservation Authority, may either waive the requirement for an environmental impact assessment, require a scoped environmental impact assessment, or require the completion of an environmental screening checklist to be submitted to the approval authority as part of a planning application. The purpose of the checklist is to provide a screening for the likelihood of negative impacts, and in consultation with the South Nation Conservation Authority, may satisfy the requirement for an environmental impact assessment.

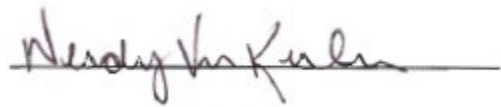
During their review of the application, the Committee of the Whole - Community Development agreed that it would be appropriate to waive the requirement for an Environmental Impact Assessment for this application and the Conservation Authority has indicated that they do not object to this approach.

Zoning Bylaw

The land is zoned Rural, as per the Township’s zoning bylaw. The existing and proposed residential use are permitted in the Rural Zone and the required lot size for residential use of 2.47 acres can be met for both the severed and retained parcels. Although the lots existed as separate parcels prior to 2009, they do not meet the current zoning bylaw’s required lot frontage of 70m (229ft) for the Rural zone. The proposed severed parcel would have 56.39m (185ft) and the retained would have 47.55m (156ft) of lot frontage. A Minor Variance is required to address this deficiency and meet the recommended condition of severance.

Financial Considerations: As determined by Council’s resolution 2021-261, the fee for Minor Variance has been waived.

Recommendation: That Committee grant the application for Minor Variance A-05-21 to allow a lot frontage of 47.55m (156ft) and 56.39m (185ft), as required to meet the condition of severance B-89-21.

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

Community Development Coordinator