



TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Community Development

Date: October 4, 2021

Department: Community Development

Topic: Development Agreement, South St (1504107 Ontario Inc.)

Purpose: To review a development agreement, as required to fulfill a recommended condition of severance B-80-21 for a proposed semi-detached dwelling on South Street, in the Village of Spencerville.

Background: The Committee of the Whole – Community Development reviewed application B-80-21 for severance on July 5, 2021. The application proposed a semi-detached dwelling on South Street, in the Village of Spencerville. The application is supported by Planning Rationale to show compliance with the appropriate planning policies, and a Hydrogeological Study, to assess groundwater quality and quality on the site.

The Hydrogeological Study concludes that there is sufficient groundwater supply to meet the needs of the two dwelling units. The water quality demonstrates some exceedances in the Ontario Drinking Water standards for organic nitrogen. The report indicates that the exceedance is treatable and provides specific recommendations to do so. Further, the report provides that based on the bacteriological testing of the well water samples, the need for continuous/permanent disinfectant treatment systems using chlorine for the well water at the proposed semi-detached dwelling is not likely.

Additionally, the study found that the levels of sodium for the well water samples, while below the ODWSOG aesthetic objective, may be of interest to persons on a sodium restricted diet.

The study provides a list of recommendations regarding the existing groundwater supply well at the site. The Township can ensure that future owners of the semi-detached dwelling are made aware of the study findings and recommendations by entering into a development agreement that is registered to the title of the property.

At the regular meeting of Council on July 26, Council made a formal recommendation to the Consent Granting Authority in favour of the proposed severance, with the condition that a Minor Variance be obtained to address the deficient rear yard setback and that 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 Ltd.

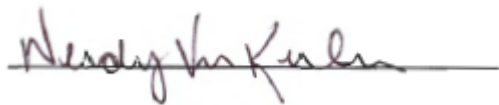
As the Consent Granting Authority, the United Counties of Leeds and Grenville held a Public Hearing for application B-80-21 on September 29th and the proposed severance has been conditionally granted.

The Township has received an application for a Minor Variance to address the deficient rear yard setback and a Committee of Adjustment meeting is scheduled for October 6, 2021 for the Committee's decision on the application, A-06-21.

Policy Implications: The *Planning Act* section 51(26) and section 53(12) allows the municipality to enter into an agreement imposed as a condition of the approval of a severance. The agreement may be registered against the land to which it applies and the municipality is entitled to enforce the provisions of it against the owner and, subject to the *Registry Act* and *Land Titles Act*, any and all subsequent owners of the land.

Financial Considerations: The applicant has submitted the required fee for a severance to the municipality. The Planning Fee Schedule Bylaw 2019-75 does not include a fee for a development agreement. However, the draft agreement requires the applicant to be responsible for the costs associated with registering the agreement on the title of the property.

Recommendation: That Committee recommend that Council adopt a bylaw to enter into a development agreement, as attached, with the owner of the subject lands of severance B-80-21.

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

Community Development Coordinator