



UNITED COUNTIES OF LEEDS AND GRENVILLE CONSENT GRANTING AUTHORITY

DECISION

APPLICATION B-165-21

We the undersigned members of the Consent Granting Authority of the United Counties of Leeds and Grenville; do hereby certify that the following is a decision reached by us at a hearing held at the Counties Offices, 25 Central Avenue, Brockville, Ontario on **April 27, 2022**. The said decision was reached on the application of **Madison Mulder Enterprises Inc.** to sever a parcel of land being; part of Lot 20, Concession 1; **Township of Edwardsburgh Cardinal** having dimensions of approximately 82.18 metres by 149.5 metres with an area of 1.02 hectares.

DECISION: **GRANTED** providing the conditions as stated below are met.

REASONS:

Division of land is compatible with the intent and purpose of the Official Plan and meets the criteria in Section 51 (24) of the Planning Act providing conditions are met.

CONDITIONS:

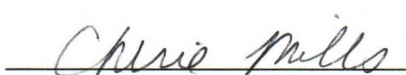
- (1) That all conditions imposed in the granting of this decision be met and **one (1)** original paper copy and **one (1)** digital copy of the deposited reference plan of the subject lands, which conforms substantially with the application as submitted, and the instrument relating to the transaction (deed/transfer, grant of right-of-way, etc.) be presented to the Secretary-Treasurer of the Consent Granting Authority for the Certificate of Consent no later than **April 28, 2024**.
- (2) That a copy of the deposited survey plan for the newly severed lot be submitted to the Township.
- (3) That the applicant submit a scaled site plan prepared by an Ontario Land Surveyor delineating the top of slope, floodplain elevation and the final development setbacks based on the approved Environmental Impact Statement and Geotechnical Investigation.
- (4) That the applicant obtain a Zoning By-law amendment which addresses the following:
 - a. Establishes a revised zone boundary in relation to the Provincially Significant Wetland in accordance with the Official Plan; and
 - b. Establishes an appropriate residential zone category for the lands to be developed for residential use including appropriate zone standards to address development constraints and setbacks as identified in the Geotechnical Investigation and Environmental Impact Statement.
- (5) That the applicant enter into a Development Agreement, to the satisfaction of Township, to implement the recommendations and findings of the updated Geotechnical Investigation, Environmental Impact Statement and Stage 1, 2 & 3 Archaeological Assessments.
- (6) That a development agreement containing the recommendations of the Environmental Impact Statement and Geotechnical Investigation be registered on title of each parcel.
- (7) That road widening across the severed and retained parcel to 15.25 metres from existing centerline of the road allowance of County Road 2 (if required) be conveyed to the Corporation of the United Counties of Leeds and Grenville. Should sufficient road allowance exist, a letter from a surveyor would meet the Counties' condition. The lands to be transferred for road widening purposes shall be free and clear of all encumbrances. The deed for this road widening is to be registered and submitted to the Consent Granting Authority prior to endorsement on the deed to the severed land.
- (8) That written release of conditions 2, 3, 4 and 5 from the Township be submitted to the Consent Granting Authority prior to endorsement of consent on the deed for the severed land.
- (9) That written release of conditions 3 and 6 from South Nation Conservation be submitted to the Consent Granting Authority prior to endorsement of consent on the deed for the severed land.

NOTES:

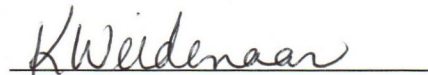
- (1) The Township had no objection providing conditions 2, 3, 4 and 5 are complied with.
- (2) South Nation Conservation had no objection providing conditions 3 and 6 are complied with.

- South Nation Conservation accepts the findings and recommendations of the final Environmental Impact Statement. The study includes the following mitigation and direction:
 - The entire Johnstown Creek Marsh Complex PSW area on the site will not be subject to severance or development and will remain as part of the retained parcel. As part of the rezoning application, the EP-W zone is proposed to be consistent with the Provincial wetland boundary.
 - No shoreline infrastructure (dock, pathways, hard or soft landscaping) will be considered as part of future development.
 - As the Provincial boundary represents a more conservative wetland delineation than the field exercise based on current conditions, the 15 m setback from the PSW will be established using the Provincial boundary.
 - Following geotechnical recommendations, no vegetation clearing is to take place on the slope face itself, as the existing vegetation cover on the slope provides additional stability to the slope and reduces surficial erosion due to surface water runoff.
 - Silt fence paired with sturdy construction fence along the project perimeter (i.e., along the setback from the top of the slope and the wetland). This fencing can also act as a wildlife exclusion measure for smaller and less mobile animals that may occupy the adjacent wetland habitat such as amphibians and turtles.
 - The Geotechnical Investigation recommends a 6-metre setback from the top of slope. South Nation Conservation accepts the consultant's findings and recommendations.
 - SNC implements Ontario Regulation 170/06, Development Interference with Wetlands and Alterations to Shorelines and Watercourses, developed under Section 28 of the Conservation Authorities Act.
 - The property contains areas within the 100-year floodplain, an unstable slope, a Provincially Significant Wetland, and areas adjacent to these features. Any development within 120m of the Provincially Significant Wetland will require a permit and restrictions may apply. Further, any interference with the St. Lawrence River will require a permit and restrictions may apply.
- (3) The Health Unit had no objection.
 - Proposed lot is for a new residence. Future septic tank/distribution piping must be located at least 30 metres away from the river. A permit will be required from the Health Unit office prior to constructing a new system.
 - The new proposed lot lines will not infringe on minimum clearance distances on the retained land.
- (4) The County Roads Department had no objection providing condition 7 is complied with.

I hereby certify this to be a true and exact copy



Chair



Secretary-Treasurer

This Decision was mailed on April 28, 2022

The last date for appealing this decision is May 18, 2022