

## Severance Report

File No: B-15-22 - Smith  
 Name: Peter and Wendy Smith  
 Agent: Marnie Saunders, D.M. Wills Associates Limited  
 Location: 1090 Fourth Line Road Dummer  
           Lot 14, Concession 3, Dummer Ward  
           Roll No. 1522-020-003-32401  
           New Lot will front on Rock Road North of Douglas Road

**Purpose of the application** – Creation of one residential lot

**Official Plan Designation:**

|                     |           |
|---------------------|-----------|
| <b>Severed Lot:</b> | Rural, D2 |
| <b>Retained:</b>    | Rural, D2 |

OP Conformity:

Residential uses are permitted uses in the Rural Designation, provided that fragmentation of farm lands and conflict with adjacent farm operations are not created.

The subject property is located within the influence area (i.e. 500 metres) of a closed waste disposal site as identified by the D2 designation. Section 6.2.18.3 (e) of the Official Plan states, "within 500 metres of waste management footprints, only land uses compatible with the potential impacts or their engineered controls shall be permitted and may have to be determined by Official Plan amendment as a result of studies under Section 6.2.18.3 c).

Ministry of Environment (MOE) recommends that the 500 metre assessment area be used as a study area to determine the impact of the landfill on land use proposals in accordance with MOE Guideline D-4: Land Use on or Near Landfills and Dumps." The applicant completed the necessary Land Use Compatibility Study and the study was peer reviewed by Santec with no concerns noted.

Previous Severances:

A maximum of two consents to create new lots may be permitted from a property within the Rural designation, as it existed 25 years prior to the date of application.

**Zoning:**

**Rezoning Required:**

|                  |       |    |
|------------------|-------|----|
| <b>Severed:</b>  | Rural | No |
| <b>Retained:</b> | Rural | No |

Zoning Conformity:

The severed lot will meet the area and frontage requirements for residential use in the Rural Zone (Section 9.2.4).

The retained lot will meet the area and frontage requirements for residential or agricultural use in the Rural Zone (Section 9.2.1 and 9.2.4).

PPS and Growth Plan Conformity:

The severance application appears to be in conformity with the PPS. The proposed lot is located within 120 metres of mapped key hydrological features. An Environmental Impact Study was provided and reviewed by ORCA on February 28, 2022. ORCA's comments are in agreement with the Opinion Letter and Species at Risk Evaluation Report dated January 25, 2022 which shows that there are no hydrological features on site.

To ensure compliance with the PPS and Growth Plan, staff are recommending that a mitigation measures agreement be entered into based on the recommendations found in Section 5 of the Opinion Letter dated January 25, 2022.

**Entrance Report:**

Please see the attached entrance report. The severed parcel will use the farm entrance once it has been upgraded to residential standards. A new culvert and a 3m strip will be required.

**CBO Report:** A report was not available at the time of writing.

**Comments:** Please see a copy of the County's Preliminary Review which is attached.

All department managers have been circulated for comment on this application.

**Recommendation:**

That it be recommended to Council that Severance Application B-15-22 for Peter and Wendy Smith be approved, and if approved by the Peterborough County Land Division Committee that the following conditions be imposed:

- \$1250.00 cash-in-lieu of parkland be paid to the municipality
- That a 3-metre strip of frontage from the severed parcel be deeded to the Township for road widening purposes
- That the farm entrance be upgraded to residential standard with new culvert to the satisfaction of the Manager of Public Works
- That a test hole for the septic system be inspected, there is a fee to inspect test holes to ensure a septic system would be viable – current fees are \$150 per lot severed and applicant is responsible for the digging of the test holes
- A Mitigation Measures Agreement is to be entered into between the Owner and the Municipality and registered on title at the owner's expense, which would recognize the recommendations included in Section 5 of the Opinion Letter prepared by D.M. Wills and Associates. dated January 25, 2022

**Report Approval Details**

|                      |  |
|----------------------|--|
| Document Title:      | B-15-22 Smith.docx   |
| Attachments:         | <ul style="list-style-type: none"> <li>- 15-22 Application.pdf</li> <li>- Smith (D.M. Wills) - PSR.pdf</li> <li>- 15-22 Planning Justification Report DM Wills.pdf</li> <li>- 15-22 Land Use Compatibility.pdf</li> <li>- 15-22 Opinion Letter Enviromental.pdf</li> <li>- 15-22 SAR Evaluation.pdf</li> <li>- 15-22 Stantec letter.pdf</li> <li>- B-15-22; 1090 4th Line Road South ORCA PPLD-2221.pdf</li> <li>- Mng Pub Works Report on Consent Applications - Smith.doc</li> </ul> |
| Final Approval Date: | May 20, 2022   |

This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Elana Arthurs was completed by workflow administrator Martina Chait-Hartwig**

Elana Arthurs