

Preliminary Severance Review

Prepared by the Peterborough County
Planning Department



Date: January 28, 2022

Name: Sherry Webster

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Phone: 705-740-4452

Municipality: Douro-Dummer, Dummer Ward

Lot: 25

Concession: 3

Roll No.: 1522-020-004-09100

Municipal Address: 1797 County Road 6

Type of Severance: residential lot(s)

	Severed	Retained
County Official Plan	Rural	Rural
Municipal Official Plan	Rural	Rural
Municipal Zoning	Rural (RU)	Rural (RU)
Area and Frontage	± 0.3 ha, ± 84m frontage on County Road 6	± 18.5 ha, ± 500 m frontage on County Road 6
Existing Use/Buildings	Vacant	Vacant

Conforms to Provincial policies?

Yes No

Conforms to County Official Plan policies?

Yes No

Conforms to Township Official Plan policies?

Yes No

Conforms to Township Zoning By-Law?

Severed parcel meets Zoning requirements:

Yes No

Retained parcel meets Zoning requirements:

Yes No

Studies required to support the application?

Yes No

- Natural Heritage / Hydrologic Evaluation - already undertaken

Provincial Policy Review:

The following key natural heritage features and/or key hydrologic features have been identified on or adjacent to the subject property:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Wetlands | <input type="checkbox"/> Significant Wildlife Habitat | <input type="checkbox"/> Area of Natural and Scientific Interest (ANSI) |
| <input type="checkbox"/> Fish habitat | <input type="checkbox"/> Significant Woodlands | <input checked="" type="checkbox"/> Other key hydrologic feature (stream, pond, lake) |
| <input type="checkbox"/> Species at Risk | <input type="checkbox"/> Habitat of Endangered or Threatened Species | |

Does the proposal require a Natural Heritage Evaluation to address the features identified above?

- Yes No

Section 4.2.4.1 of the Growth Plan (2020) states that development and site alteration, including lot creation, within 120 metres of a key hydrologic feature will require a natural heritage evaluation/hydrologic evaluation that identifies a vegetation protection zone (VPZ) that is no less than 30 metres. Since the severed parcel is located within 120 metres of the above key hydrologic features, a natural heritage evaluation and/or hydrologic evaluation was required. The applicant submitted the NHE confirming that the proposed severance can be located outside the wetlands and 30 metre VPZ.

Please note that any technical study submitted to the County will be peer reviewed at the County's request. Both the cost of the study and the peer review will be at the applicant's expense. ORCA will be requested to peer review this study during the formal severance review process.

Does the proposal meet Minimum Distance Separation requirements?

- Yes No Not Applicable

Minimum Distance Separation Formula I (MDS I) as per policy 1.1.5.8 of the 2020 Provincial Policy Statement has been calculated for the livestock facilities in the vicinity of the proposed severed lands. MDS I setbacks must be calculated for any livestock facilities reasonably capable of housing livestock regardless as to whether or not it is currently being used for such purposes. The proposal appears to meet MDS setbacks for the barns located on the property across the road at 1800 County Road 6.

County Official Plan Policy Review:

Section 2.6.3.5 of the Plan suggests that residential severances for land holdings located in the Rural Area should be discouraged in favour of development in Settlement Areas in an effort to promote orderly growth and development. However, severances in the Rural Area may be considered provided Health Unit, road frontage and access and Minimum Distance Separation requirements can be met (Ss.2.6.3.5 (A), (C) & (G)) and provided the applicable policies of Sections 2.6.3.1, 2.6.3.5, 4.1.3 and 4.3 are complied with (S.2.6.3.5 (H)).

Section 2.6.3.1 of the Plan states that “under no circumstances shall severances be recommended for approval where proposed severances are contrary to this Plan and/or the respective local Official Plan.”

Municipal Official Plan Policy Review:

Permitted uses in the Rural designation include agricultural uses and low-density residential development. In the Rural designation a maximum of two severances are permitted from a property as it existed 25 years prior to the date of application (S. 6.1.1 & 6.2.2.5(d)). Peterborough County Land Division records indicate that the subject property has received one severance, and therefore the property remains eligible for one more severance.

In addition to the above requirement for a residential lot in the Rural designation, the landowner must have owned the property for a minimum of 5 years, and the size of the new lot created specifically for a residential use shall not exceed 1 hectare in area (S. 6.2.2.5(d)(i)&(ii)). Based on a review of records available to Peterborough County Staff, the property owner has owned the property for a minimum of 5 years. In addition, the lot meets the maximum 1 hectare size requirement.

The subject property fronts onto County Road 6. Section 7.12.11 states that “the creation of lots fronting on and having access to a County Road should generally be discouraged where an alternative access is available from a Township road. A consent shall not be granted where the consent does not comply with the policies of the applicable road authority.” Please see attached comments from the County’s Public Works Department.

As applicable, consents meet road frontage & access, Zoning By-law, Minimum Distance Separation and Health Unit requirements (S. 7.12.2, 7.12.4, 7.2.3 & 7.12.12). As proposed, the parcel does not meet the minimum lot area requirement of the zoning bylaw. It is recommended that that proposed lot be increased in size to 0.4 ha in order to comply. There appears to be sufficient developable area to accommodate a 0.4 ha sized lot. The proposal meets the minimum lot frontage requirements.

Reviewed By: Amanda Warren

Additional Notes

Agencies to be contacted by landowner or agent (marked with an X):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Township | <input type="checkbox"/> Peterborough Public Health |
| <input checked="" type="checkbox"/> Conservation Authority | <input type="checkbox"/> Trent-Severn Waterway |
| <input type="checkbox"/> Source Water Risk Management Officer | <input type="checkbox"/> First Nations |
| <input type="checkbox"/> Ministry of Environment, Conservation and Parks | <input type="checkbox"/> Other |

- Proposal requires confirmation from the Township or identified agency regarding policy conformity.

* The landowner should be aware that local council may not support a rezoning or minor variance to create a lot that is not in compliance with the provisions of the Zoning By-law.

* The lands may be within the watershed of a local Conservation Authority. It is recommended that you contact the Authority to determine what, if any, permits may be necessary:

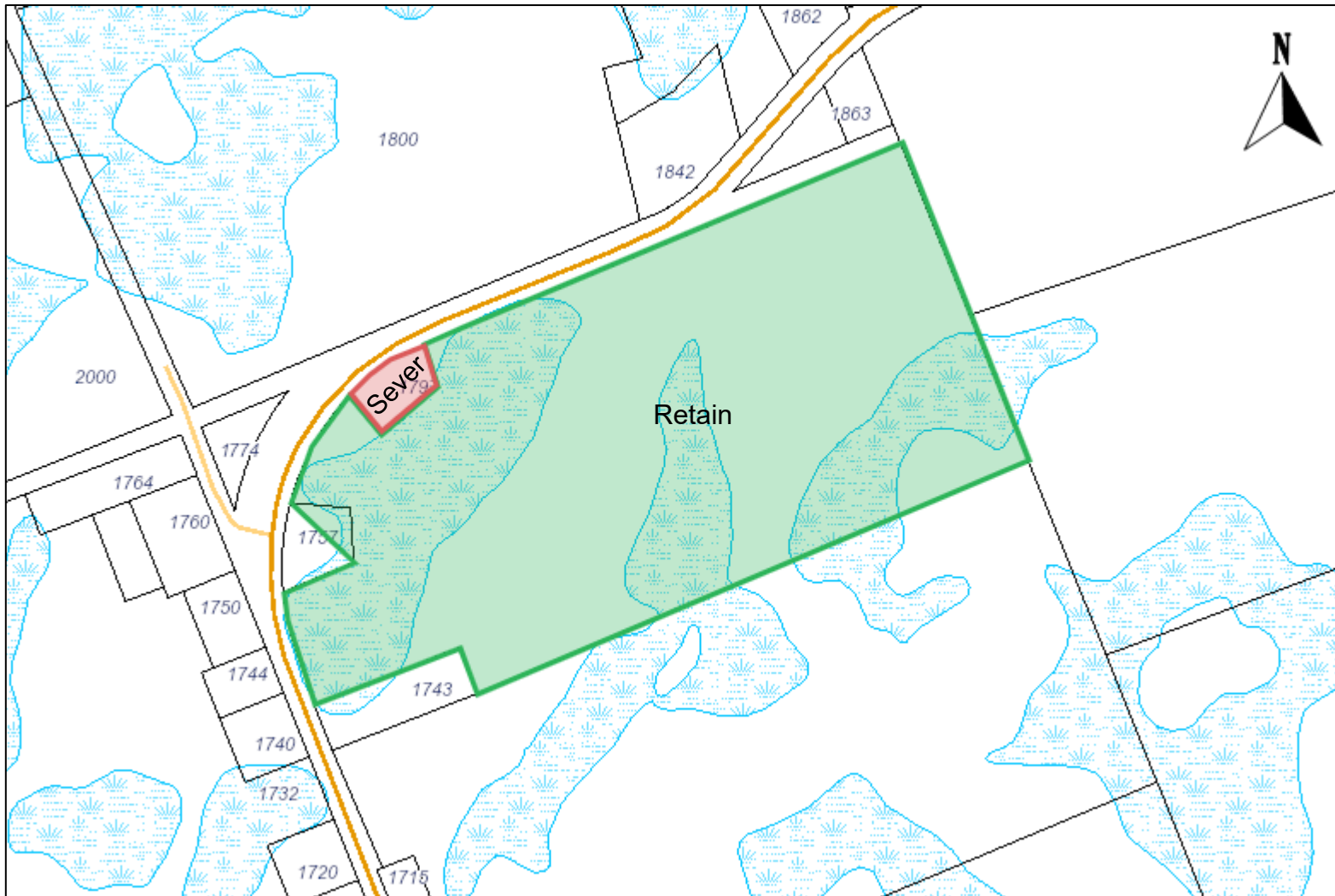
- No Conservation Authority in the area
- Otonabee Region Conservation Authority (ORCA), (705) 745-5791
- Crowe Valley Conservation Authority (CVCA), (613) 472-3137
- Kawartha Region Conservation Authority (KRCA), (705) 328-227

* It is the responsibility of the landowner to identify endangered and threatened species and their habitat on the property prior to undertaking work, and to ensure that the work/activity will not result in negative impacts. Landowners are encouraged to consult with the Ministry of Environment, Conservation and Parks (MECP) if they have questions about the *Endangered Species Act, 2007 (ESA)*. Any sightings of a threatened or endangered species during development and construction on the property must be reported in accordance with the ESA.

Important

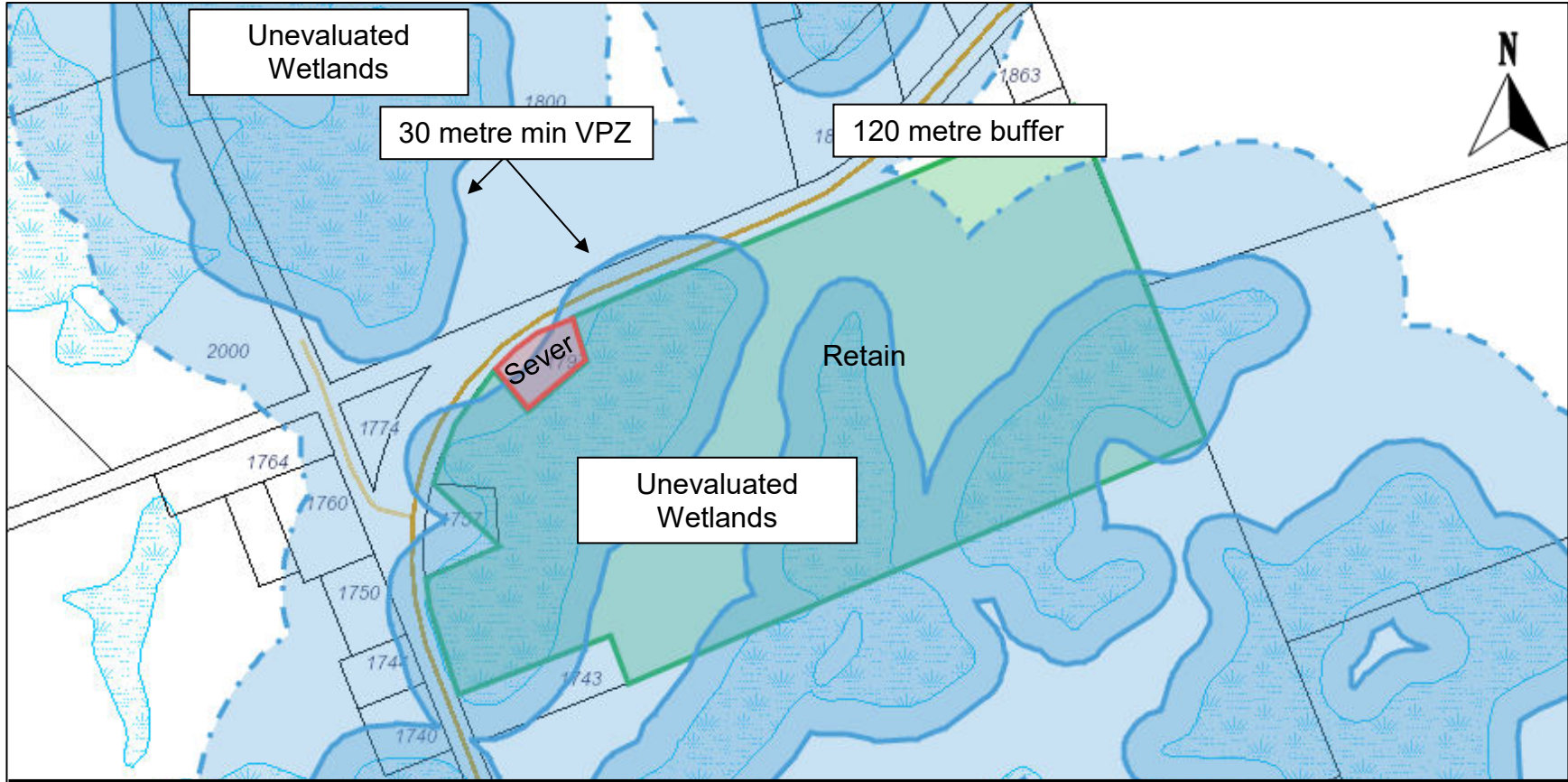
Our position on the overall conformity of the proposal is based on information available at the time of review. Subsequent information from commenting agencies can change our comments relating to any formal application for severance which is subsequently filed. The above-noted comments should not be construed as preliminary approval or denial of a proposal but recognized as a position of the County Planning Department based on the availability of current information.

Roll #1522-020-004-09100
Lot 25, Concession 3, Dummer
(Webster)
Severance Sketch



Scale (metric)
1:6000

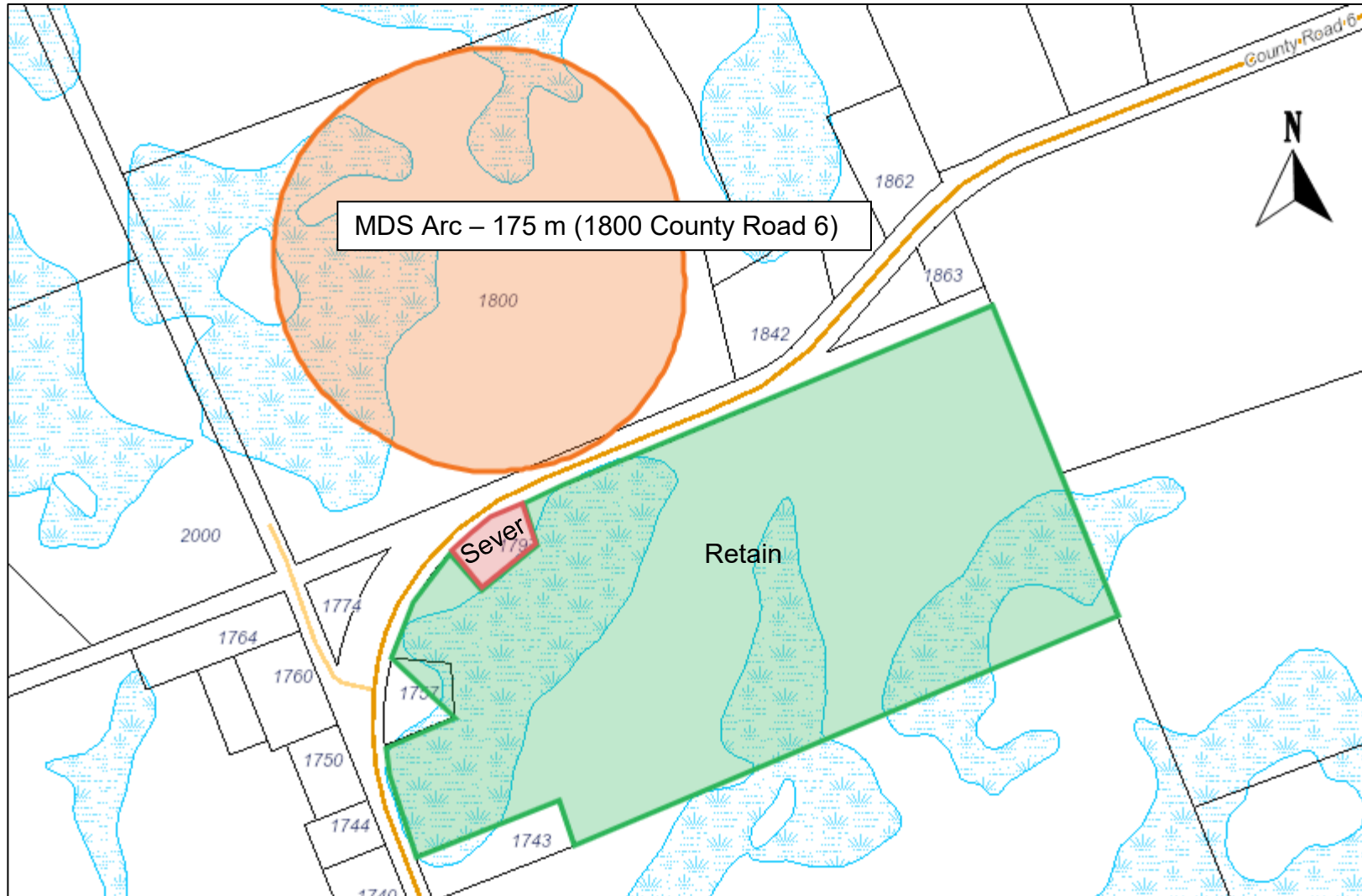
Roll #1522-020-004-09100
Lot 25, Concession 3, Dummer
(Webster)
Key Hydrologic Features



NOTE: Development and site alteration is not permitted within key hydrologic features; any development proposed within the 120 metre buffer surrounding key hydrologic features requires a natural heritage evaluation/hydrologic evaluation to identify a vegetative protection zone (no less than 30 metres). No development, including lot creation, is permitted within the 30 metre vegetation protection zone (VPZ).

Scale (metric)
1:6000

Roll #1522-020-004-09100
Lot 25, Concession 3, Dummer
(Webster)
Minimum Distance Separation (MDS)



NOTE: New development, including lot creation, must be located outside the MDS arc(s) shown above.

Scale (metric)
1:6000