

Preliminary Severance Review

Prepared by the Peterborough County
Planning Department



Date: August 31, 2021

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Agent:

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Phone: 705-652-3975 ; 705-868-8631

Municipality: Douro-Dummer, Douro Ward

Lot: Part Lot 3 **Concession:** 4

Roll No.: 1522-010-002-14200

Municipal Address: 760 Cooney Island Road

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	Lot 1: \pm 0.40 hectares, \pm 45.72 m frontage on Fourth Line Lot 2: \pm 0.40 hectares, \pm 60.96 m frontage on Cooney Island Road	\pm 39.65 hectares, \pm 356.62 m frontage on Cooney Island Road
Existing Use/Buildings	Agricultural	Agricultural with single detached dwelling and outbuildings

Conforms to Provincial policies?

☐ Yes ☒ No

A natural heritage / hydrologic evaluation is required to confirm that the proposed severances conform to the Growth Plan.

Conforms to County Official Plan policies?

☒ Yes ☐ No

Conforms to Township Official Plan policies?

☒ Yes ☐ No

Applicant must demonstrate they have owned the property for at least 5 years.

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

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 checked="" 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 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 parcels are located within 120 metres of the above key hydrologic features (ie. wetlands and watercourse), a natural heritage evaluation and/or hydrologic evaluation is required. Evaluations undertaken in accordance with policy 4.2.4.1 will identify any additional restrictions to be applied before, during and after development to protect the hydrologic and ecological functions of the feature. Please contact ORCA regarding specific study requirements. Please note that if both of the proposed lots are both moved to be outside of the 120 metre buffer, a natural heritage / hydrologic evaluation may not be required.

A portion of the subject property is also traversed by an area identified for habitat of endangered species and threatened species, as shown on the attached sketch. Policy 2.1.7 of the Provincial Policy Statement prohibits development and site alteration, including lot creation, within habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. Species at Risk Data available to the County indicates that there have been no observations of species at risk on or adjacent to the proposed severed lots and therefore, a Species at Risk Assessment is not required however screening should still be included in the NHE.

Please note that any technical study submitted to the County (i.e. EIS, traffic impact study, hydrogeological study etc.) 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.

The subject property is also located within a Candidate Agricultural Area, as identified in the new Agricultural System for the Greater Golden Horseshoe (Growth Plan). Outside of the Greenbelt Area, provincial mapping of the agricultural land base does not apply until it has been implemented in the County Official Plan. Until such time, Candidate Agricultural Areas will be subject to the rural policies of the Provincial Policy Statement. Section 1.1.5.2 of the Provincial Policy Statement allows for limited residential development on rural lands.

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 at 295 Fourth Line, 760 Cooney Island Road, Part Lot 3, Concession 5 (Fourth Line) and 155 Fourth Line. 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. It appears that the proposed severed lots meet all required MDS I setbacks.

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 residential development at a low density. 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 not received any severances, and therefore the property is eligible for a 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)). The proposed severed lots are within the maximum 1 hectare size; however Planning Staff are unable to determine the historical ownership of the property. The applicant must demonstrate that they have owned the property for a minimum of 5 years.

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). The severed and retained parcels appear to meet minimum lot area and minimum lot frontage requirements of the Rural (RU) Zone.

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:

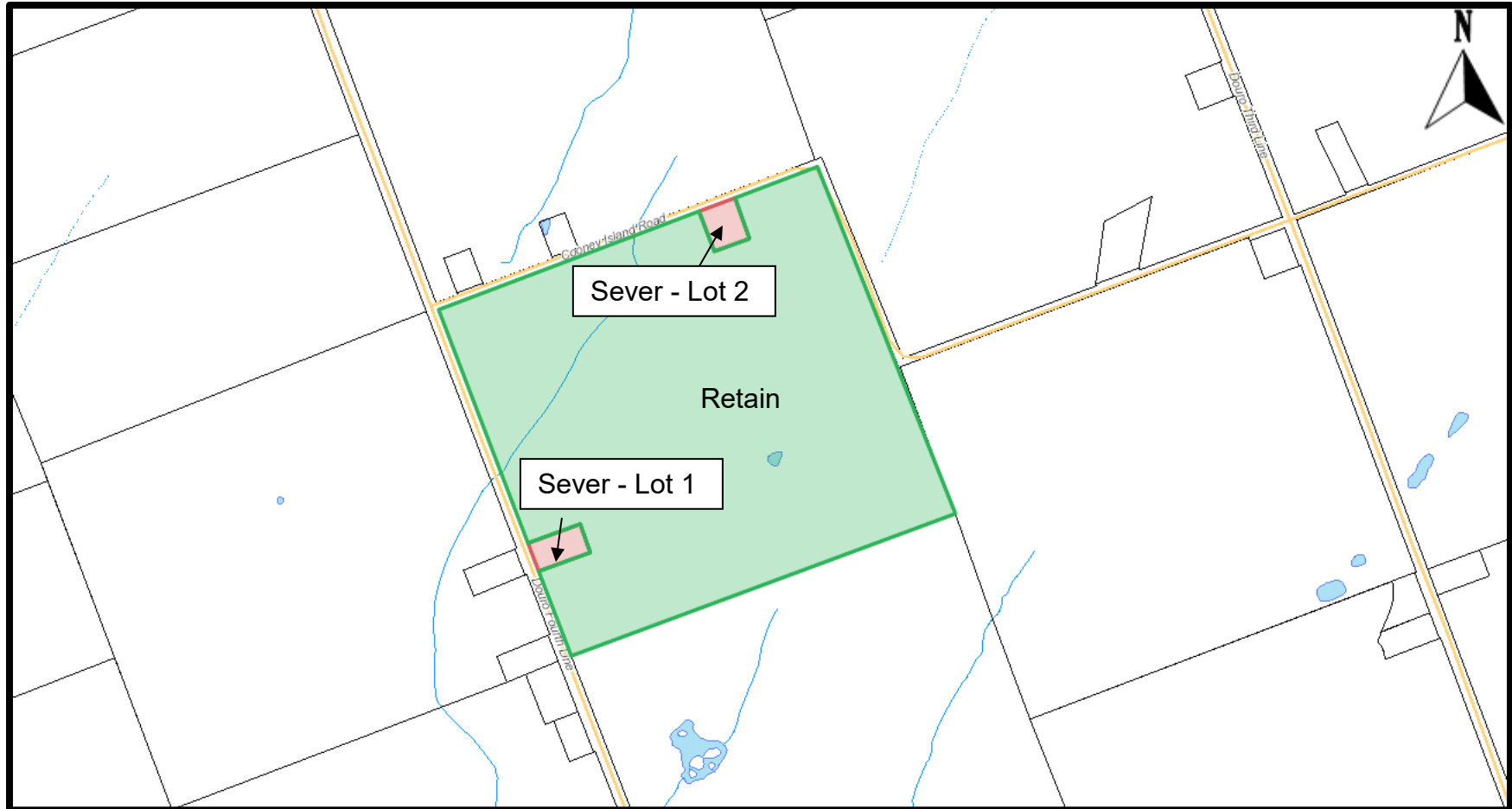
- ☐ No Conservation Authority in the area
- ☒ Otonabee Region Conservation Authority (ORCA), (705) 745-5791
- ☐ Crowe Valley Conservation Authority (CVCA), (613) 472-3137
- ☐ Kawartha Region Conservation Authority (KRCA), (705) 328-227

* 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

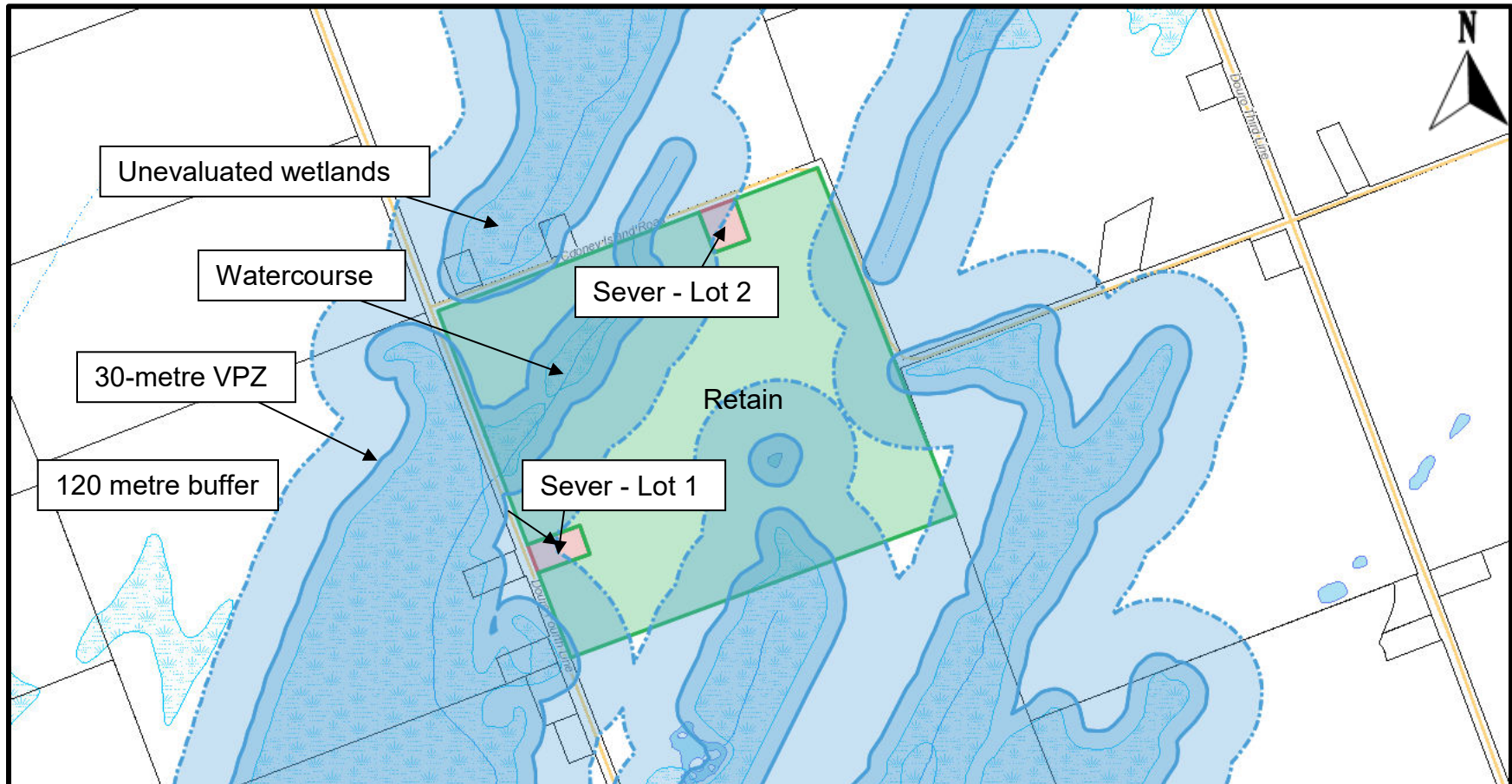
Our position on the overall conformity of the proposal is based on information available at the time of review. Subsequent information from commenting agencies can change our comments relating to any formal application for severance which is subsequently filed. The above-noted comments should not be 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 #1522-010-002-14200
Part Lot 3, Concession 4, Douro
(Storey & Fleming)
Severance Sketch



Scale (metric)
1:7200

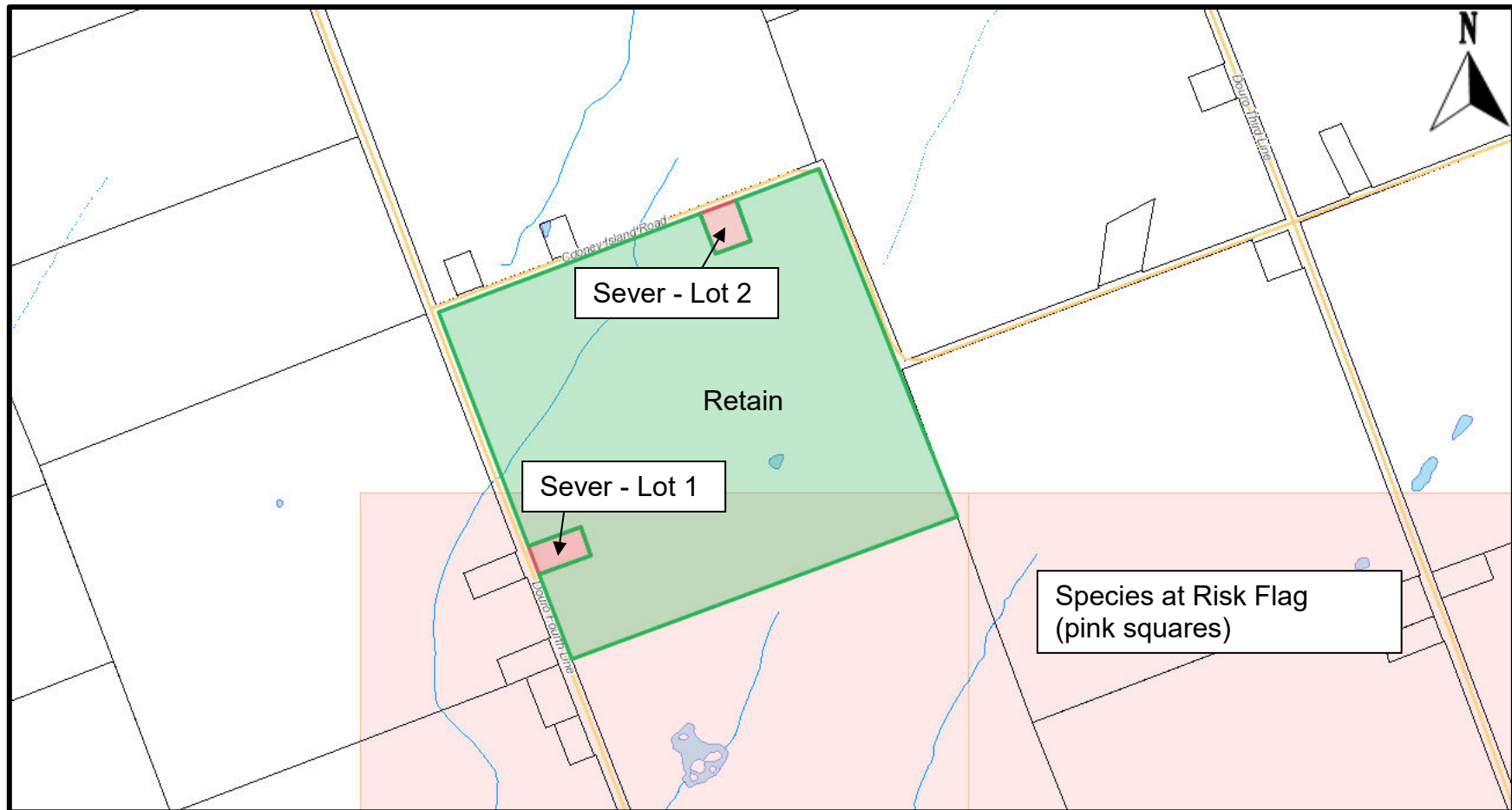
Roll #1522-010-002-14200
Part Lot 3, Concession 4, Douro
(Storey & Fleming)
Key Hydrologic Features



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)
1:7200

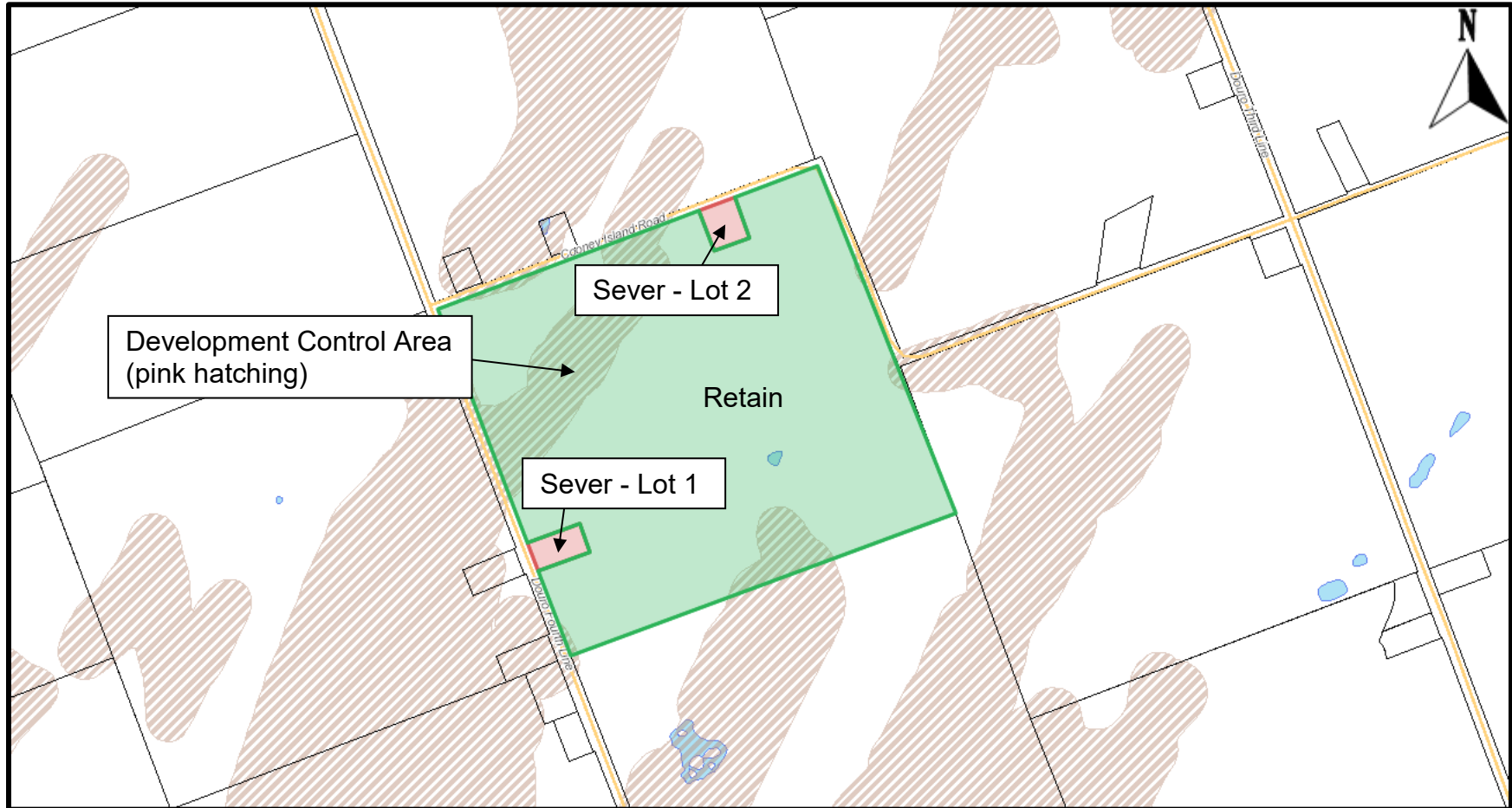
Roll #1522-010-002-14200
Part Lot 3, Concession 4, Douro
(Storey & Fleming)
Species at Risk



NOTE: New development, including lot creation, is not permitted within habitat of threatened and endangered species, except in accordance with provincial and federal requirements. Species at Risk Data available to the County has identified an observation or potential habitat (i.e. pink squares) that may require a Species at Risk (SAR) Assessment to support the severance application.

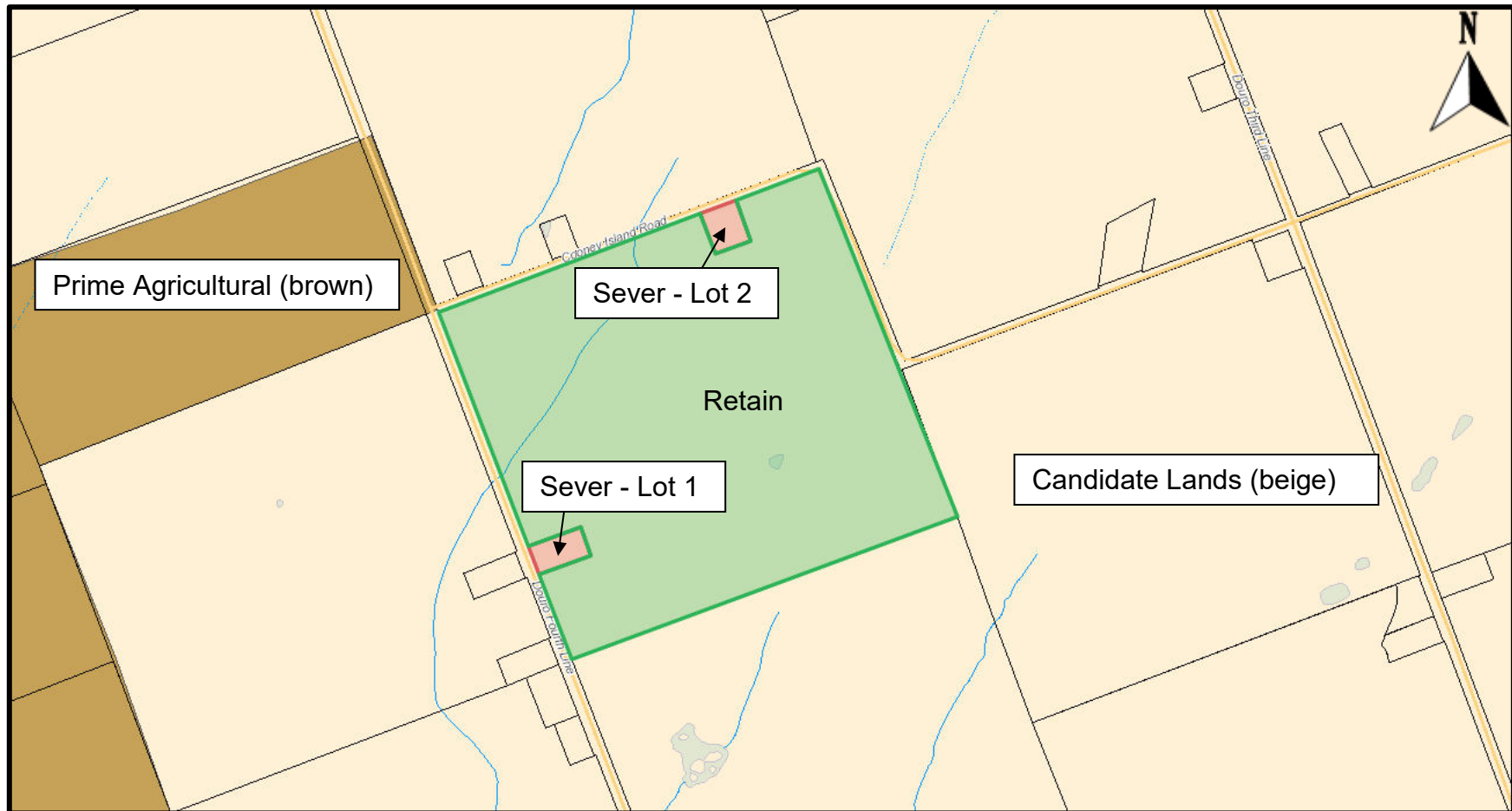
Scale (metric)
1:7200

Roll #1522-010-002-14200
Part Lot 3, Concession 4, Douro
(Storey & Fleming)
ORCA Development Control Area



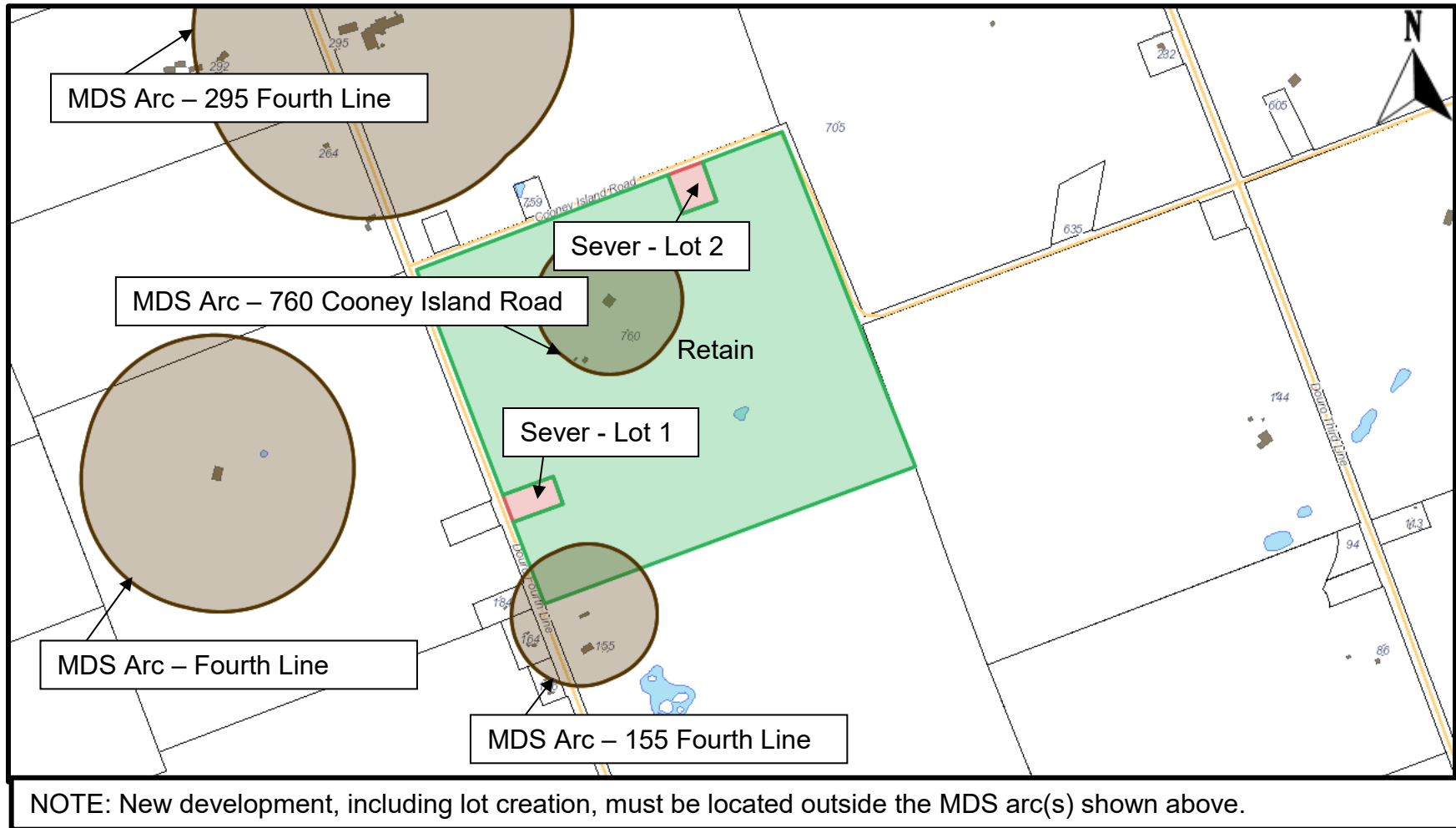
Scale (metric)
1:7200

Roll #1522-010-002-14200
Part Lot 3, Concession 4, Douro
(Storey & Fleming)
Agricultural System Mapping



Scale (metric)
1:7200

Roll #1522-010-002-14200
Part Lot 3, Concession 4, Douro
(Storey & Fleming)
Minimum Distance Separation (MDS) Setbacks



Scale (metric)
1:7200

Minimum Distance Separation I

Worksheet 1

Prepared By: Emma Drake, Planner, D.M. Wills Associates Limited

Description: Storey & Fleming PSR

Application Date: Friday, August 13, 2021

Municipal File Number:

Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information

Not Specified

Location of Subject Lands

County of Peterborough, Township of Douro-Dummer

DOURO, Concession: 4, Lot: 3

Roll Number: 152201000214200

Calculation Name: *Farm 1*

Description: 760 Cooney Island Road

Farm Contact Information

Not Specified

Location of existing livestock facility or anaerobic digester

County of Peterborough, Township of Douro-Dummer

DOURO, Concession: 4, Lot: 3

Roll Number: 152201000214200

Total Lot Size: 39.65 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Horses, Large-framed, mature; > 680 kg (including unweaned offspring)	9	12.9	272 m ²



The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 12.9

Potential Design Capacity (NU): 25.7

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	211.43	X		114 m (374 ft)	TBD

					Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
					114 m (374 ft)	TBD

Calculation Name: *Farm 2*

Description: 295 Douro Fourth Line

Farm Contact Information

Not Specified

Location of existing livestock facility or anaerobic digester

County of Peterborough, Township of Douro-Dummer

DOURO, Concession: 4, Lot: 4

Roll Number: 152201000214400

Total Lot Size: 41.4 ha


The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Minimum Distance Separation I

Worksheet 1

Prepared By: Emma Drake, Planner, D.M. Wills Associates Limited

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	323	323.0	1,500 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 323.0

Potential Design Capacity (NU): 450.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	534.52	X	0.7	X
				1.1	
				=	
				288 m (945 ft)	TBD

Storage Base Distance 'S'
(minimum distance from manure storage) (actual distance from manure storage)

288 m (945 ft) TBD

Calculation Name: *Farm 3*

Description: Fourth Line

Farm Contact Information
Not Specified

Location of existing livestock facility or anaerobic digester
County of Peterborough, Township of Douro-Dummer
DOURO, Concession: 5, Lot: 3
Roll Number: 152201000300400
Total Lot Size: 41.22 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Yard/Barn	73	73.0	339 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 73.0

Potential Design Capacity (NU): 219.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	415.43	X	0.7	X
				1.1	
				=	
				224 m (735 ft)	TBD

Storage Base Distance 'S'
(minimum distance from manure storage) (actual distance from manure storage)

224 m (735 ft) TBD

Calculation Name: *Farm 4*

Description: 155 Fourth Line

Farm Contact Information
Not Specified

Location of existing livestock facility or anaerobic digester
County of Peterborough, Township of Douro-Dummer
DOURO, Concession: 4, Lot: 2
Roll Number: 152201000214000
Total Lot Size: 39.7 ha


The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Minimum Distance Separation I

Worksheet 1

Prepared By: Emma Drake, Planner, D.M. Wills Associates Limited

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Unoccupied Livestock Barn, -	90 m ²	4.5	90 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: No storage required (manure is stored for less than 14 days)


Design Capacity (NU): 4.5

Potential Design Capacity (NU): 4.5

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
1.0	X	150	X	0.7	X
				1.1	
				=	
				116 m (379 ft)	TBD

Storage Base Distance 'S'
(minimum distance from manure storage)

No storage present

 The calculated setback is based on assumptions for an unoccupied barn or unused storage that may not reflect the actual design capacity.

Preparer Information

Emma Drake
Planner
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Peterborough, ON, Canada K9J0B9
Phone #1: 705-742-2297
Email: edrake@dmwills.com

Signature of Preparer: _____ Date: _____
Emma Drake, Planner

NOTE TO THE USER:

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.