

May 10, 2021

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K0K2T0

Subject: Application for Consent and Rezoning- Part of Lot 16 Concession 1 West of Green Point former Township of Sophiasburgh- 101 Foster Road Inc.

Enclosed please find an application for Consent and Rezoning for lands owned by 101 Foster Road Inc in the former Township of Sophiasburgh. The proposed application is to sever for the purpose of 1 new rural residential lot. The proposed new lot will be approximately 1 hectare in size with 60 metres of frontage onto Foster Road. The subject lands is currently the site of a detached garage. The proposed retained lands is approximately 1.9 hectares in size with 121.6 metres of frontage onto Foster Road.

The subject lands is currently split designated Rural and Environmental Protection. The proposed consent is consistent with the PPS and meets the intent of the County of Prince Edward Official Plan.

Provincial Policy Statement

The proposed consent and rezoning is consistent with the Provincial Policy Statement (PPS). The proposed consent and rezoning is located on rural lands as defined by the PPS being outside a settlement area and outside of and prime agricultural areas.

The 2020 PPS notes, On rural lands located within municipalities, permitted uses are: c) limited residential development f) other rural land uses. The proposed severance is currently vacant. The intended future use is residential and would be considered limited residential development.



Part V, Section 1.1.4.1 of the PPS directs “Healthy, integrated and viable rural areas should be supported by: e) using rural infrastructure and public service facilities efficiently. The proposed severed and retained lands will be sustained by the existing infrastructure and facilities.

Part V, Section 1.1.5.4 states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. Development shall also be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of the infrastructure. The proposed application will not require the expansion of municipal infrastructure.

Part V, Section 2.2.8 states that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. As part of the scope of work the applicant was required to complete an Environmental Impact Assessment due to the proximity of the lot to an identified wetland. Ecological Services was retained to complete the work and identified the nearby wetland as regionally significant. The report concluded that the proposed severance will have no negative impact on the natural heritage features or on their ecological functions and that the proposal is consistent with the PPS.

Based on the above, the proposed consent and rezoning is consistent with the PPS.

2- Official Plan

The subject lands is designated Rural on Schedule E of the Official Plan (OP). The Rural designation permits limited consents for residential purposes provided not more than 3 lots are created from the property as it existed at the time of amalgamation, and each lot is of no size less than 0.8 hectares (2 acres). Although the subject application will result in 1 severance since the time of amalgamation the land will have met their maximum severance potential as the adjacent wetland limits any further development.

Subsection 6.3.2 of Section 6.3 ‘Pattern of Development for Rural Areas’, states that development will be at a low density in order to avoid overcrowding of the rural areas and environmental problems with cumulative effects of individual servicing. Approval of this application will result in 1 additional dwelling unit in a low density area.



A small portion of the lands appears to be designated Environmental Protection on Schedule E of the Official Plan. Section 8.3.2 of the Official Plan states before development is allowed on lands abutting an Environmental Protection area, the development shall be reviewed for the impacts that it may have on the Environmental Protection land. An Environmental Evaluation may be required by the County in consultation with the local Conservation Authority and the Ministry of Natural Resources to assist in this review. Also, refer to Section 8.4.2 c) relative to the preparation of an Environmental Impact Study (E.I.S.) for development within 40 metres of a 'Provincially Significant Wetland'. As part of the submission an Environmental Evaluation was prepared by Ecological Services. The adjacent wetland was deemed to be regionally significant and the conclusions of the report supported the severance as presented.

Based on the above, the proposed consent and rezoning meets both the intent and purpose of the Official Plan.

Comprehensive Zoning By-Law No. 1816-2006

The subject lands is currently zoned the Rural 1 (RU1) Zone and the Environmental Protection (EP) Zone. Through the subject zoning application the proposed severed and retained lands will be rezoned to the Rural Residential 2 (RR2) Zone to recognize the size and intended use. The Environmental Protection (EP) Zone on both the severed and retained lands is proposed to reflect the 30 metre setback from the wetland.

Conclusion

In conclusion, we trust that the Planning Division will concur with the analysis presented here and support the request for consent and rezoning approval. If there is anything else that is required or there is clarification needed on certain points of this letter, please call at your convenience.

Yours truly,

A handwritten signature in black ink, appearing to read 'Brendan O'Connor', with a long horizontal flourish extending to the right.

Brendan O'Connor RPP