

Planning Justification

Severance
Rezoning

Eric Helmer
163 County Road 25
Picton, Ontario



June 15, 2021

Ray Essiambre and Associates Ltd.
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1. Introduction

- The owners Mr. Eric Helmer and Mrs. Lisa Helmer are requesting one severance on his property that will create a lot for an existing single family home.
- The retained parcel is undeveloped.
- A lot was previously severed from the original parcel in 1999.
- The proposed lot is located in the Rural Designation in the Official Plan.
- A rezoning will be required from the current RU2 Zone to RR2.
- The existing house is located on an area of the parcel that will produce an irregular shaped lot and a lot that is larger than the minimum lot size permitted in the RR2 Zone. The estimated area of the proposed lot is approximately 2.2 ha.
- The existing zoning shows an EP zone in the vicinity of the proposed lot and an EIS has been completed for the property by Greer Galloway Group.

2. Property Information and Pin Pages

Municipal address – 163 County Road 25.

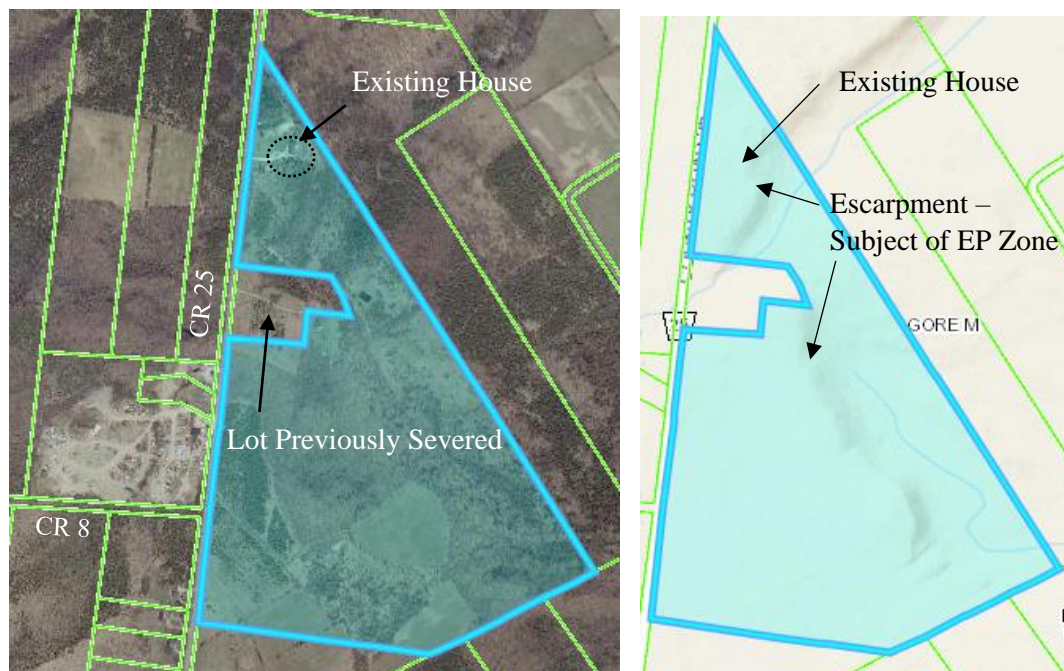
Assessment Roll Number - 135070101510700

The legal description of the subject Property is Concession 1 South of Bay of Quinte

The Pin Page and Pin Map are included in Attachment 1

3. Existing Conditions

Below is an image of the entire property and key features.



Below is an image of the area of the residence.



Propose Use of Proposed Lot, – there is an exiting residence and storage building on the property. No new development is proposed.

Site Services – include an existing well and septic that service the existing house.

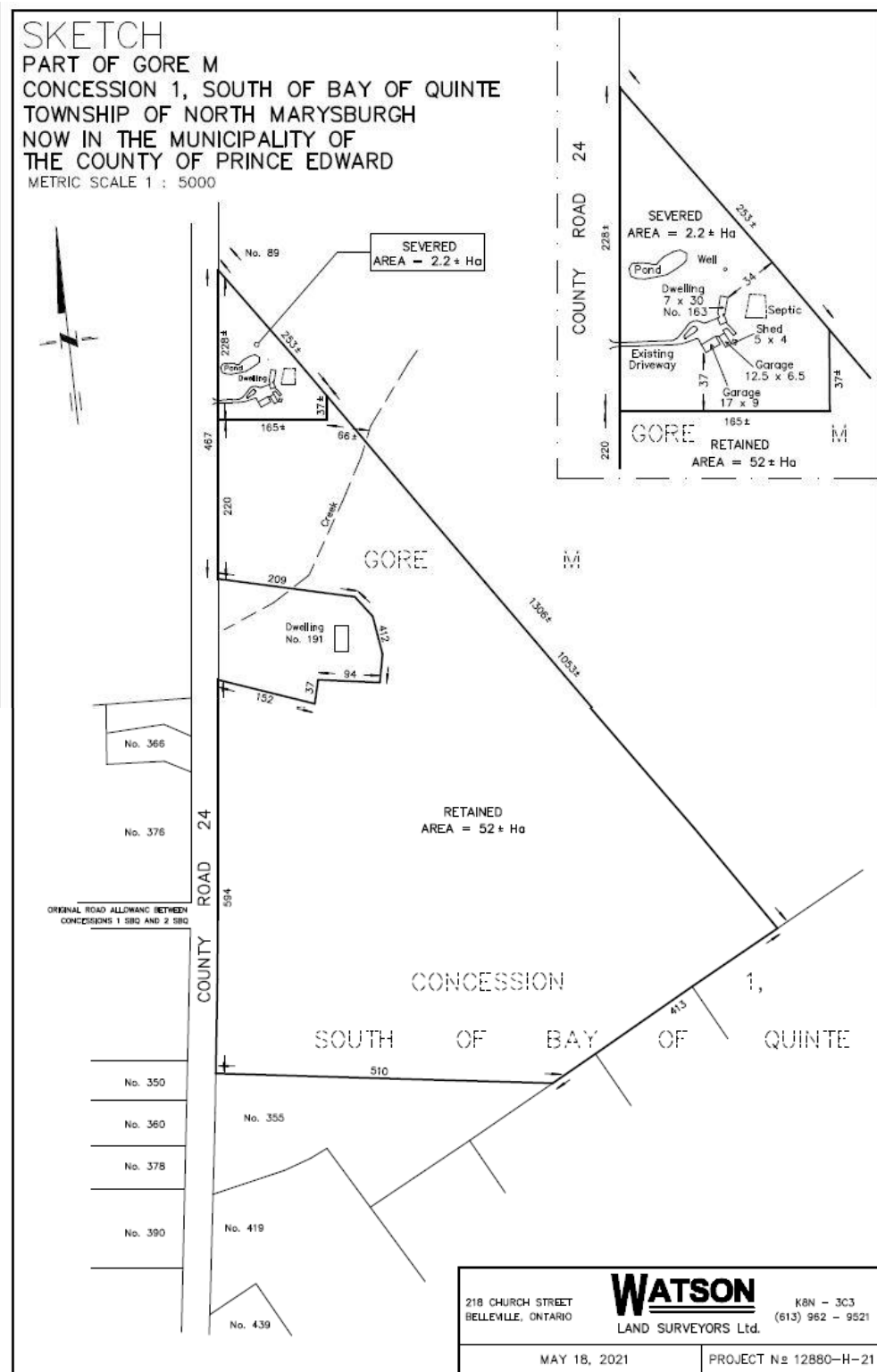
Retained Parcel – the retained parcel is vacant and undeveloped.

Wetland - A wetland is located on the north east portion of the property. An EIS has been prepared by Greer Galloway Group that shows the location of the wetland in relation to the proposed lot.

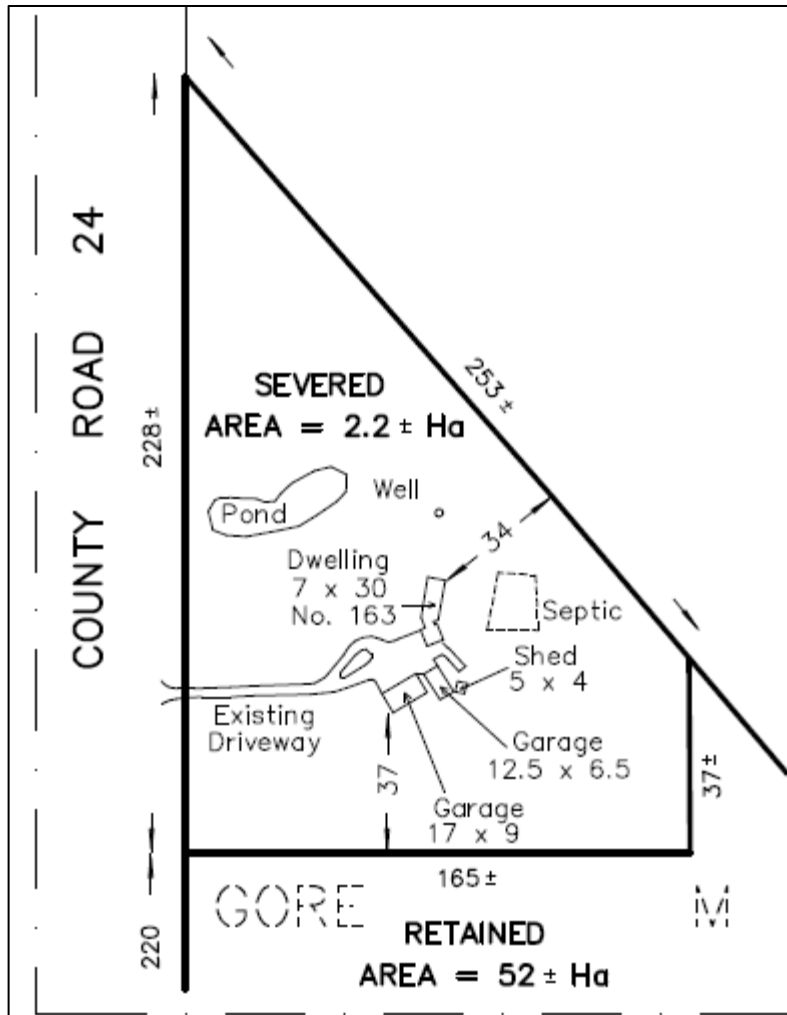
5. Proposed Severance

The application for consent, when it is approved, will have the effect of creating one new lot, and a retained parcel. The new lot will contain an existing single family home and a storage building. There is no development proposed for the retained parcel. Attachment 2 contains the surveyor's sketch of the entire property including the proposed lot and the retained parcel.

Below is an image of the proposed lot and the entire property.



Proposed Lot to be Severed



6. Regulatory Review

The following are planning policies contained in the Provincial Policy Statement 2020 and the Prince Edward County Official Plan that support the creation of the new lots and rezoning of the property.

6.1. Provincial Policy Statement (PPS)

The PPS permits limited residential development on Rural Lands as stated in policy 1.1.5 c). Below is an extract from the PPS.

1.1.5 Rural Lands in Municipalities

1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources, and Section 3:

Protecting Public Health and Safety 1.1.5.2 on rural lands located in municipalities, permitted uses are:

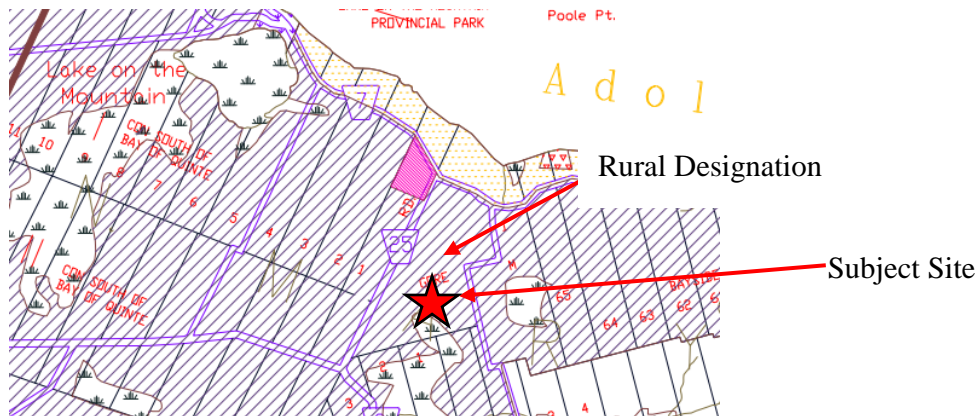
- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);*
- c) **limited residential development;***
- d) home occupations and home industries;*
- e) cemeteries; and*
- f) other rural land uses.*

Observations:

- The consent will create one new lot and a retained parcel.
- There is an existing residence on the proposed lot.
- No new development is proposed on either the proposed lot or the retained parcel.
- A single residential dwelling is limited development and consistent with the PPS.

6.2 Prince Edward County Official Plan (OP) Designation

The Official Plan (OP) for Prince Edward County, Schedule E: Land Use Map shows the designation of the subject property within the area designated “Rural”. The image shows a portion of Schedule E and the subject site.



Section 6.2 in the OP lists the permitted uses on land designated **RURAL**.

Subsection 6.2 e) states that, *limited residential uses are permitted in accordance with the policies of this Plan.*

Observations:

- The consent will create one new lot and a retained parcel.
- There is an existing residence on the proposed lot.

- No new development is proposed on either the proposed lot or the retained parcel.
- The proposed residential development is limited in scale and conforms to the PEC Official Plan policies.

6.3 Prince Edward County Official Plan and Consents

The OP Policies permit up to 2 lots and a retained parcel to be created by consent from a property. Below is the extract of Section Part V, 1.3.1 from the OP policies regarding consents.

General Strategies

- a) consents shall only be granted when it is clearly not necessary in the public interest that a Plan of Subdivision be registered.*
- b) in order to avoid creating a subdivision by the consent process, the County will not allow a land holding to be fragmented over time. In this respect, except as may be permitted by **Part V, Section 1.1.3, a maximum of three lots (including the retained lot) may be created by consent** from any land holding. A land holding is defined as any property as it existed as of January 23, 1998, the day the Ministry approved the Official Plan.*

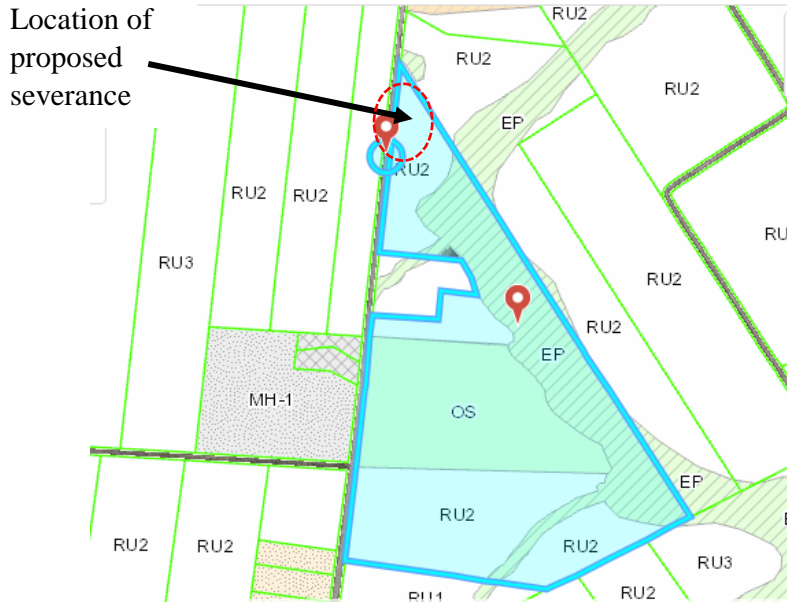
Observations:

- One lot has already been created from the original property, therefore only one additional lot can be severed.
- This application for consent conforms to policies of the Official Plan because the application is to create only one new lot, which is limited development, and a retained parcel.

6. Zoning

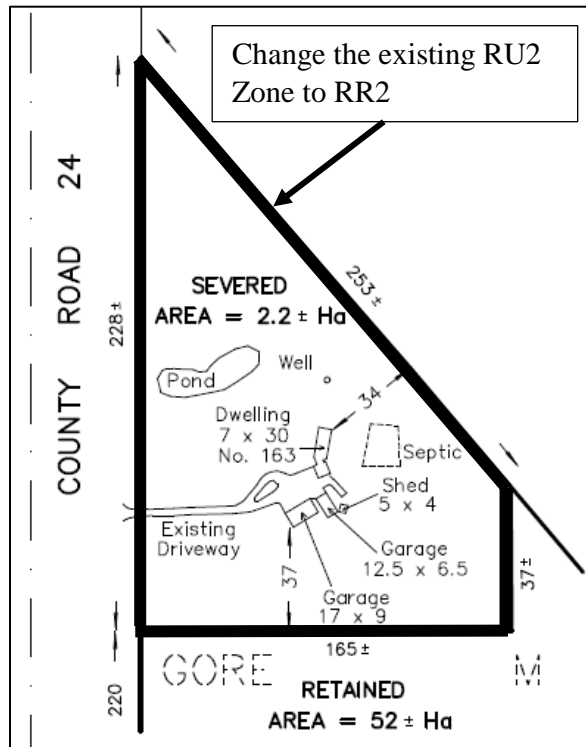
6.1 Existing Zoning

The existing zones on the property are RU2, EP and OS. An area of the property was zoned OS to prevent development adjacent to the MH-1 zone located on the west side of County Road 25. The area that is zoned EP provides protection for an Escarpment that crosses the property.



6.2 Proposed Zoning

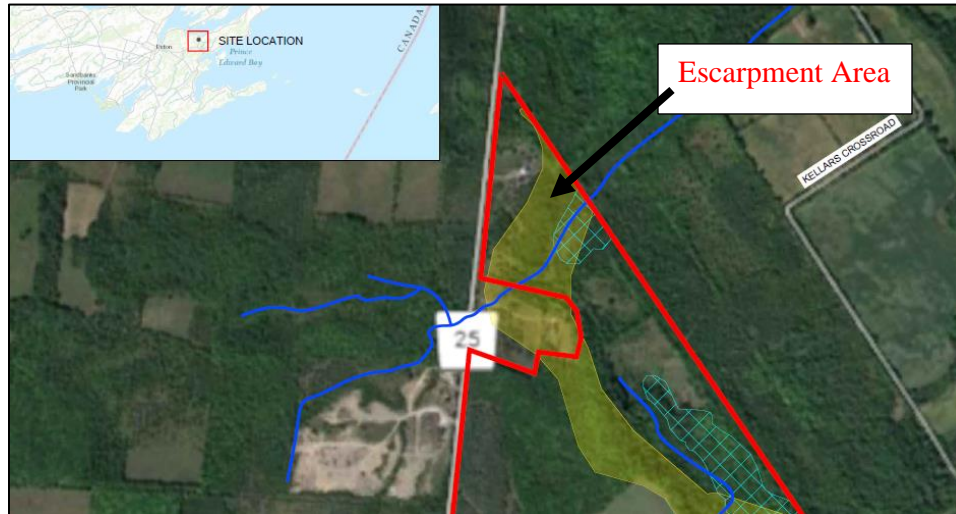
It is proposed that the new lot be rezoned from RU2 to RR2. The proposed lot meets the provision of the RR2 zone.



Zoning Conformity	
Lot frontage required, 60 m – provided	228 m
Lot area required, 0.8 ha – provided	2.2 ha
Minimum front yard, 15 m – provided	45 m
Side yard required, 6 m – provided	34 m
Rear yard required 12 m – provided	37 m

7. Technical Studies

Yazmin Ramirez of Greer Galloway Group has prepared an Environmental Impact Study for the property which has been submitted with the application. The Plan – Significant Natural Features shows the boundary of the Escarpment which is zoned EP.



8.0 Conclusion

8.1 The proposal is to create one lot that will contain the existing residence and 2 accessory storage buildings. No new development will occur as a result of creation of the lot.

8.2 The creation of the new lot is consistent with the PPS and it conforms to the policies of the Official Plan of Prince Edward County.

8.3 The zoning of the property will change from RU2 to RR2 and the proposed lot conforms to all of the provisions of the RR2.

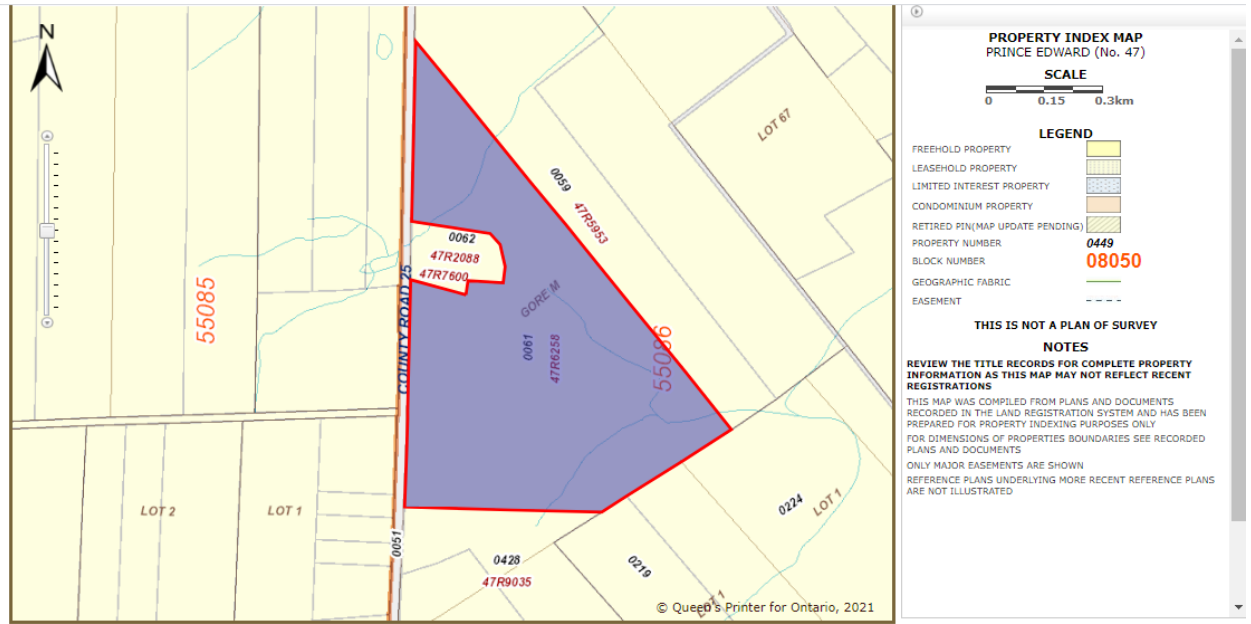
8.4 An EIS was completed by Greer Galloway Group That shows the existing house and proposed lot do not negatively impact the adjacent EP Zone.

8.5 The proposed severance represents good land use planning.

Prepared by:

Ray Essiambre, Principal Planner
Ray Essiambre and Associates Ltd.
June 15, 2021

Attachment 1 - Pin Map and Pin Page



PIN	Type	Address	Area	Map Status
55086-0061	Parcel	419 COUNTY RD 25	547099m ²	

PROPERTY INDEX MAP
 PRINCE EDWARD (No. 47)

SCALE
 0 0.15 0.3km

LEGEND

- FREEHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN/MAP UPDATE PENDING)
- PROPERTY NUMBER **0449**
- BLOCK NUMBER **08050**
- GEOGRAPHIC FABRIC
- EASEMENT

THIS IS NOT A PLAN OF SURVEY

NOTES
 REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY. FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS. ONLY MAJOR EASEMENTS ARE SHOWN. REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED.

UTM: Click on map to get coordinates

ONLAND

PAGE 1 OF 1
PREPARED FOR Ray Essiambre
ON 2021/05/13 AT 12:08:05

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #47



55086-0061 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT CORSE 1/4 M B/W LT 67 AND LT 1 CON 1 SOUTH OF BAY OF QUINTE N MARVSBURGH PT 4 47R7600, PRINCE EDWARD

PROPERTY REMARKS:
RECENTLY:
FIRST CONVERSION FROM BOOK
CAPACITY: 80000
JTEN
JTEN

RECENTLY:
FIRST CONVERSION FROM BOOK

PROPERTY REMARKS:
RECENTLY:
FIRST CONVERSION FROM BOOK

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FIRST CONVERSION FROM BOOK

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERY/ CHKO
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO						
SUBSECTION #1(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *						
AND ESCHEATS OR FORFEITURE TO THE CROWN.						
THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF						
IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY						
CONVENTION.						
ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.						
**DATE OF CONVERSION TO LAND TITLES: 2007/11/19 **						
47R2088	1981/02/06	PLAN REFERENCE				C
47R6258	1995/10/27	PLAN REFERENCE				C
FE137066	1995/10/31	TRANSFER	\$150,000	HELMER, ERIC EDGAR HELMER, LISA JANE		C
47R7600	2004/03/17	PLAN REFERENCE				C
EC6708	2008/05/26	CHANGE	\$100,000	HELMER, ERIC EDGAR HELMER, LISA JANE	THE TORONTO-DOMINION BANK	C

Attachment 2 - Surveyor's Sketch

