



Planning Rationale

To: Dale Egan, Planner I
From: RFA Planning Consultant Inc.
Cc: Elizabeth Brown (c/o Gregory Gannon)
Date: April 29, 2022
Re: Applications for Consent & Rezoning – 37 Bellavista Drive, Hillier, County of Prince Edward (Elizabeth Brown)

This memo is to summarize our planning opinion in support of Applications for a Consent and Rezoning on the subject property, municipally known as 37 Bellavista Drive in the County of Prince Edward.

In doing so, conformity to the Provincial Policy Statement (PPS), County of Prince Edward Official Plan general policies within the “*Shore Land*” designation are reviewed as well as the applicable Zoning By-law provisions for the “*Rural Residential (RR1) Zone*”.

BACKGROUND

RFA Planning Consultant Inc. was retained by Gregory Gannon, son-in-law to the owner, Elizabeth Brown, to undertake consent and rezoning applications for the subject property. It is intended that the Proposed Severed lot be conveyed to Mr. Gannon. The lands are described as Concession 1, Part of Lot 18, Hillier, County of Prince Edward. The subject property has an area of 4.09 hectares with 86.1 metres of frontage on the east side and terminus of Bellavista Drive (publically travelled) and is municipally known as 37 Bellavista Drive. **Table 1** below provides a background summary of the subject property.

TABLE 1: BACKGROUND SUMMARY

PIN 55024-0201	
Legal Description	Part of Lot 18, Concession 1, Hillier, Part 6, Plan 47R5827, Except Part 1 Plan 47R6942; Prince Edward
Civic Address	37 Bellavista Drive
Lot Area	4.09 hectares
Lot Frontage	189.0 metres (unopened); 86.1 metres (Bellavista Drive – Publically Travelled)
Access	Bellavista Drive
Official Plan Designation	"Shore Land"
Zoning	"Rural 1 (RU1) Zone"

Rural and Rural Residential lots surround the property from the north, east, and west, and Lake Ontario to the south. The site consists of estate residential uses that are serviced by individual on-site water and sewage systems. The subject property is designated "Shore Land" in the County of Prince Edward Official Plan. Under the County of Prince Edward Comprehensive Zoning By-law No. 1816-2006 the subject property is within the "Rural 1 (RU1) Zone". The following photographs depict the existing conditions of the subject lands; a site visit was conducted on August 5, 2021.



Figure 1 – Location Map



Bellavista Drive – View looking south on Bellavista Drive.



Bellavista Drive – View looking south at the unopened road allowance of Bellavista Drive to Lake Ontario.



Proposed Retained Lot – View looking east towards Proposed Retained Lot from entrance off Bellavista Drive.



Proposed Severed Lot – View looking at front yard near potential dwelling; existing dwelling (No. 37) in background.



Bellavista Drive – View looking north along unopened portion of Bellavista Drive.



Proposed Retained Lot – View looking northeast at existing dwelling (No. 37) and rear yard.

APPLICATION FOR CONSENT

The application for consent is for a single-lot severance, with the intent of creating one Rural Residential 1 (RR1) Zone lot, and one Rural 1 (RU1) Zone lot. The Proposed Severed Lot will have an area of 0.8 hectares (1.97 acres) and 14.6 metres (47.9 feet) of lot frontage at the cul-de-sac terminus of Bellavista Drive, along with 46 metres lot width. The Proposed Retained Lot will have an area of 3.29 hectares (8.13 acres) and 71.5 metres (234.58 feet) of lot frontage on the east side of Bellavista Drive. **Figure 2** below illustrates the proposed severance.

Currently, Bellavista Drive ends immediately at the entrance of the Proposed Retained Lot and No. 38 Bellavista Drive. Further to pre-consultation with the Municipality, a cul-de-sac turn-around area shall be constructed by the applicant to the satisfaction of the County. It will be appropriate to implement this requirement through execution of a Development or Consent Agreement.

A lot width and area analysis (**Table 2** below) has been prepared based on similar Rural Residential properties within the immediate area to confirm if the proposed development is locally appropriate. Dwelling separation distances within the immediate area have also been assessed. The study area consists of lands between Spencer Point at the western extent to Loyalist Parkway at the eastern extent and from County Road 20 at the northern extent to Lake Ontario at the southern extent. The proposed lot width and area of 46 metres and 0.8 hectares, respectively, are within the lower ranges of the study area, and are considered locally appropriate. The location of a potential dwelling on the Proposed Severed Lot exceeds the narrowest separation (approximately 19 metres) between dwellings within the study area. The potential dwelling location is anticipated to be separated approximately 45 metres from the nearest dwelling at 38 Bellavista Drive, and approximately 58 metres away from the second nearest dwelling at 37 Bellavista Drive. On this basis, it is our professional planning opinion that the proposed lot configuration is locally appropriate and will be able to provide an adequate level of public health and safety through the proposed 45-metre lot width, 0.8-hectare lot area and dwelling separation that exceeds both the existing minimum within the study area by nearly 2.5 times, along with a dwelling separation of 7.5 times the theoretical distance between Rural Residential uses.

TABLE 2: LOT WIDTH AND AREA ANALYSIS

<i>Municipal Address</i>	<i>Lot Frontage / Width (m)</i>	<i>Lot Area (ha)</i>
289 County Road 20	60.5	0.8
283 County Road 20	61.5	1.0
271 County Road 20	46	1.0
267 County Road 20	34	0.8

Municipal Address	Lot Frontage / Width (m)	Lot Area (ha)
257 County Road 20	45	0.5
247 County Road 20	46	1.8
203 County Road 20	64	0.9
171 County Road 20	61	2.9
163 County Road 20	61	2.5
143 County Road 20	60	2.8
38 Bellavista Drive	60	2.4
37 Bellavista Drive	46 (Severed)	0.8 (Severed)
	71 (Retained)	3.3 (Retained)
123 County Road 20	85	0.9
105 County Road 20	70	0.8
87 County Road 20	42	0.5

Narrowest Lot Frontage / Width = 42 metres

Smallest Lot Area = 0.5 hectares

Widest Dwelling Separation = 251 metres (Between Nos. 105 and 37)

Narrowest Dwelling Separation = 19 metres (Between Nos. 203 and 207)

APPLICATION FOR REZONING

The rezoning application requests to recognize the proposed uses and lot configuration. Currently, the subject property is within the “Rural 1 (RU1) Zone”. It is requested to rezone the Proposed Severed Lot to a special site-specific “Rural Residential 1 (RR1-XX) Zone” with a site specific provision. The site-specific provision will recognize the proposed 14.6-metre lot frontage. No change in use is proposed for the Retained Lot; however, a site-specific provision for a minimum 3.2-hectare lot area is requested to recognize the resultant lot size. **Tables 3 and 4** below provide a detailed analysis of the RR1 Zone and RU1 Zone.

The proposed rezoning conforms to the general intent of the County of Prince Edward Official Plan and is consistent with the Provincial Policy Statement.

The following have been prepared, under separate cover, in support of the Consent and Rezoning Applications:

- ✓ Sketch for Severance Application by Watson Land Surveyors Ltd.;
- ✓ Stage 1/2 Archaeological Assessment by Earthworks Inc.; and
- ✓ Limited Hydrogeological Assessment by BluMetric Environmental Inc.

TABLE 3 – RURAL RESIDENTIAL 1 (RR1) ZONE ANALYSIS

Section 6.3 Regulations	RR1 Zone	Proposed RR1-XX
1. Minimum Lot Area	0.38 ha	0.8 ha
2. Minimum Lot Frontage	44.8 m	14.6 m
3. Minimum Front Yard	15 m	±130.8 m
4. Minimum Exterior Side Yard	15 m	N/A
5. Minimum Interior Side Yard	3 m	±8.4 m
6. Minimum Rear Yard	12 m	±43.7 m
7. Maximum Lot Coverage	15%	1.6%
8. Minimum Landscaped Open Space	30%	30%
9. Maximum Height of Buildings	10 m	10 m
10. Maximum Number of Dwelling Units / Lot	2	1
11. Min. Dwelling Unit Area Requirements	90 m ²	126 m ²

***Bold and grey shading indicates a special provision.**

TABLE 4 – RURAL 1 (RU1) ZONE ANALYSIS

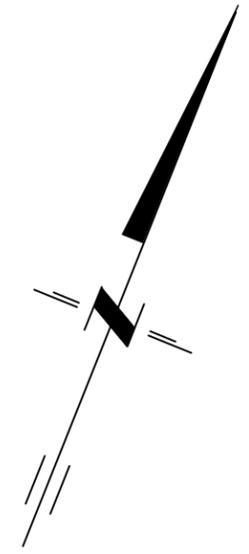
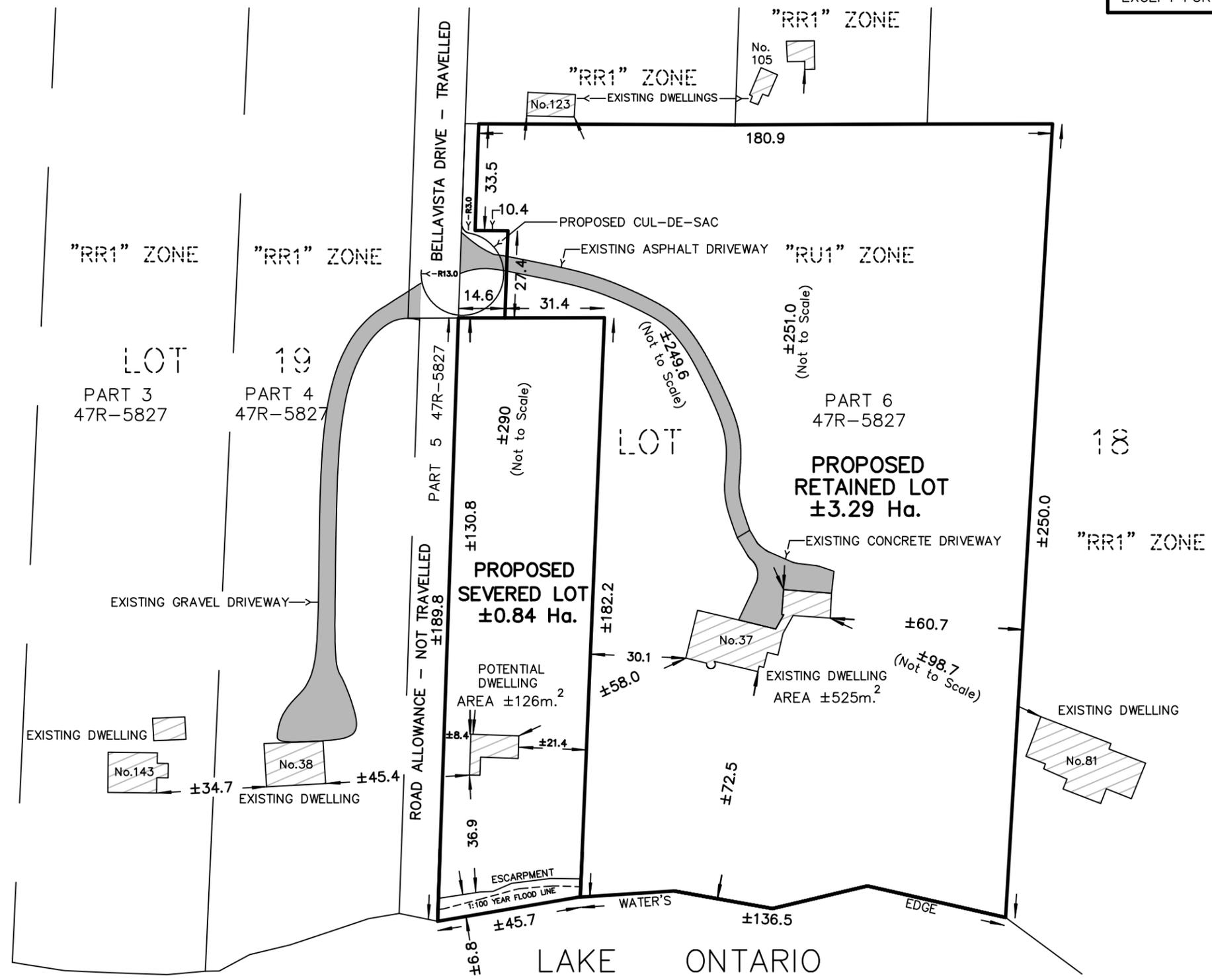
Section 7.3 Regulations	RU1 Zone	Proposed RU1-XX
1. Minimum Lot Area	10 ha	3.2 ha
2. Minimum Lot Frontage	60 m	71.3 m
3. Minimum Front Yard	15 m	±108 m
4. Minimum Exterior Side Yard	15 m	N/A
5. Minimum Interior Side Yard	7.5 m	±30.1 m
6. Minimum Rear Yard	15 m	±60.7 m
7. Maximum Lot Coverage	10%	1.6%
8. Minimum Landscaped Open Space	30%	30%
9. Maximum Height of Buildings	10 m	10 m
10. Maximum Number of Dwelling Units / Lot	1	1
11. Min. Dwelling Unit Area Requirements	90 m ²	525 m ²

***Bold and grey shading indicates a special provision.**

SKETCH for SEVERANCE APPLICATION

METRIC SCALE 1 : 1500

CAUTION
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK



NOTES :

37 BELLAVISTA DRIVE
PART OF LOT 18
CONCESSION 1
TOWNSHIP OF HILLIER
NOW IN THE MUNICIPALITY OF THE
COUNTY OF PRINCE EDWARD

DIMENSIONS AND INFORMATION SHOWN ARE DERIVED FROM
PLANS 47R-5827, 47R-6942 AND FIELD WORK.
1:100 YEAR FLOOD LINE ELEVATION 75.7m.

DISTANCES SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

THIS SKETCH IS AN ORIGINAL IF EMBOSSED BY THE SURVEYOR'S SEAL.

APRIL 29, 2022

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CONFORMITY TO THE PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (PPS) applies to all planning applications effective May 1, 2020. It provides policy direction on matters of provincial interest related to land use planning and development. All decisions related to land use planning matters “shall be consistent with” the PPS. **Table 5** below provides an analysis of the PPS as it relates to the subject application. The application for the subject Zoning By-Law Amendment is consistent with the PPS.

TABLE 5: PROVINCIAL POLICY STATEMENT AND ANALYSIS

PPS POLICY	PLANNING ANALYSIS
1.1.5 Rural Lands in Municipalities	
<p>1.1.5.2 <i>On rural lands located in municipalities, permitted uses are:</i></p> <p><i>c) residential development, including lot creation, that is locally appropriate;</i></p> <p><i>g) other rural land uses.</i></p>	<p>The Proposed Severed Lot is for residential development, which is permitted. The Proposed Retained Lot is already developed with a single-detached dwelling. A lot width and area analysis (Table 2) has been prepared by RFA Planning Consultant Inc. to assess the appropriateness of the proposed lot configuration and dwelling separation. Based on our analysis, RFA concludes that an adequate level of compatibility, privacy and public health and safety can be provided through the proposed 46-metre and 71-metre lot widths/frontages, along with the 0.8-hectare and 3.3-hectare lot areas, as they meet or exceed minimum requirements. RFA also concludes that an adequate level of compatibility, privacy and public health and safety can be provided with the proposed minimum 45-metre dwelling separation, as it exceeds that of the study area neighbourhood by nearly 2.5 times, along with the theoretical distance between Rural Residential uses by 7.5 times. This said, the Proposed Severed Lot frontage appears only to be a function of its location at the terminus of a public road, and there are no apparent compatibility, privacy or public health</p>

PPS POLICY	PLANNING ANALYSIS
	<p>and safety impact concerns with surrounding land uses. Given the proposed lot configuration and dwelling separation meet or exceed minimum requirements, and are within the ranges of the study area neighbourhood, it is our professional planning opinion that they are locally appropriate.</p>
<p>1.1.5.4 <i>Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted</i></p>	<p>The Proposed Retained Lot consists of existing individual on-site services. The Proposed Severed Lot is expected to accommodate a single-detached dwelling to be sustained by rural levels of service typical of rural residential development. The proposed building envelope is sufficient to maintain the rural landscape through a 130-metre front yard setback, while respecting applicable Zoning By-law, Ontario Building Code and environmental setbacks.</p>
<p>1.1.5.5 <i>Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.</i></p>	<p>New development on the Proposed Severed Lot will not require any unjustified and/or uneconomical expansion of infrastructure. The new lot shall be serviced with individual on-site water and sewage services.</p>
<p>1.1.5.6 <i>Opportunities should be retained to locate new or expanding land uses that require separation from other uses.</i></p>	<p>The County Road 20 Shore Land area is already developed and the proposed infill lot will not contribute to additional impact to surrounding farming operations or minimum distance separation of new or expanding livestock facilities.</p>
<p>1.1.5.8 <i>New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.</i></p>	<p>The subject property is not within a reasonable distance to trigger a MDS calculation.</p>

PPS POLICY	PLANNING ANALYSIS
1.6.6 Sewage, Water and Stormwater	
<p>1.6.6.4 <i>Where municipal sewage and water services or private communal sewage and water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.</i></p>	<p>The Proposed Severed Lot will be serviced by individual on-site water and sewage services. A Limited Hydrogeological Assessment has been prepared by BluMetric Environmental in support of the proposed development. BluMetric concludes the potential for interference with nearby drilled wells is considered to be insignificant, as the “lakeshore dug well” anticipated to be constructed will not intersect or draw water from the bedrock aquifer. BluMetric recommends a minimum 50-metre separation between the “lakeshore dug well” and on-site septic bed and confirms water treatment requirements. Regarding wastewater treatment and disposal, BluMetric conducted a predictive nitrate impact assessment and concludes that nitrate in effluent from the proposed development will have an acceptable impact on overburden water quality. On this basis, and that there appears to be sufficient area outside of required environmental, zoning and building code setbacks to site a dwelling, well and septic, the Proposed Severed Lot appears to be suitable for the long-term provision of individual on-site services, subject to required water treatment and setbacks.</p>
<p>1.6.6.7 <i>Planning for stormwater management shall:</i></p> <ul style="list-style-type: none"> <i>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</i> <i>b) minimize, or, where possible, prevent increases in contaminant loads;</i> 	<p>Drainage review will be fulfilled as a typical condition of provisional consent approval.</p>

PPS POLICY	PLANNING ANALYSIS
<p>c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</p> <p>d) mitigate risks to human health, safety, property and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</p>	
2.1 Natural Heritage	
<p>2.1.2 <i>The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features</i></p>	<p>The Sketch for Severance Application demonstrates sufficient lot depth and building envelope outside of the 75.7-metre Lake Ontario flood elevation to provide a 30-metre setback for the protection of a riparian zone/natural buffer.</p>
<p>2.1.8 <i>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 on their ecological functions</i></p>	<p>Given there is sufficient lot depth and building envelope to provide the 30-metre setback from the Lake Ontario flood elevation prescribed in the County Official Plan, and that no Environmental Impact Study was identified as part of a complete application through pre-consultation, there is no apparent need for further environmental evaluation.</p>
2.2 Water	
<p>2.2.1 <i>Planning authorities shall protect, improve or restore the quality and quantity of water by:</i></p> <p>a) <i>using the watershed as the ecologically meaningful scale for integrated and long-</i></p>	<p>No new development is proposed within 30 metres the Lake Ontario flood elevation. This will ensure the protection of a riparian zone/natural buffer as prescribed in the County Official Plan, and minimize potential</p>

PPS POLICY	PLANNING ANALYSIS
<p><i>term planning, which can be a foundation for considering cumulative impacts of development;</i></p> <p><i>b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;</i></p>	<p>negative impacts to the Lake Ontario shoreline.</p>
2.6 Cultural Heritage and Archaeology	
<p>2.6.1 <i>Significant built heritage resources and significant cultural heritage landscapes shall be conserved.</i></p>	<p>An Archaeological Assessment was conducted by Earthworks Archaeological Services Inc. No built or cultural heritage was found on the subject property.</p>
<p>2.6.2 <i>Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.</i></p>	<p>The Archeological Assessment concluded that the subject property was free of archaeological materials.</p>
3.1 Natural Hazards	
<p>3.1.1 <i>Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:</i></p> <p><i>a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;</i></p>	<p>The subject property is adjacent to Lake Ontario. Lake Ontario flood elevation has been surveyed and sufficient land exists outside of the prescribed 30-metre setback.</p>

CONFORMITY TO THE COUNTY OF PRINCE EDWARD OFFICIAL PLAN

The County of Prince Edward Official Plan was approved by the Ministry of Municipal Affairs and Housing on July 8, 2021. The subject property is designated “Shore Land” on Schedule ‘A-3’ Land Use Plan. The consent and rezoning application conform to the general intent and purpose of the Official Plan. The relevant “Shore

Land” policies have been assessed on Table 6 for conformity to the County of Prince Edward Official Plan.

TABLE 6: COUNTY OF PRINCE EDWARD OFFICIAL PLAN AND ANALYSIS

COUNTY OF PRINCE EDWARD OFFICIAL PLAN	PLANNING ANALYSIS
3.3.4 CULTRAL HERITAGE POLICIES	
<p><i>19) The County shall respect the integrity of archaeological remains in situ and require sufficient investigation and mitigation to ensure their conservation. The County, using the Provincial Checklist/Criteria for determining Areas of Archaeological Potential as a guide, shall determine the potential for impacts to archaeological resources from any proposed development. Upon receiving information that lands proposed for development may include archaeological resources or constitute an area of archaeological potential, the County will not approve the development until it has been demonstrated that archaeological resources have been conserved.</i></p>	<p>The subject property is within 300 metres of Lake Ontario, thus an Archaeological Assessment is required as part of a complete application. A Stage 1 & 2 Archeological Assessment was completed by Earthworks Archaeological Services Inc., which concluded that the subject property is considered free of archaeological materials.</p>
<p><i>20) Any proponent of development on lands that may include archaeological resources or constitute an area of archaeological potential shall retain a licensed archaeologist to carry out an Archaeological Assessment of the subject property prior to any demolition, grading or other soil disturbance. The Archaeological Assessment shall be carried out by qualified archaeological professionals and shall, at a minimum:</i></p> <p><i>a) Assess the property;</i></p> <p><i>b) Assess the impact of the proposed development or site disturbance;</i></p> <p><i>c) Indicate methods to mitigate any negative impact of the proposed development or site disturbance on any archaeological resources,</i></p>	<p>A Stage 1 & 2 Archaeological Assessment was completed by Michael Golloher, M.Sc., a licensed arachnologist of Earthworks Archaeological Services Inc. The study’s scope includes:</p> <ul style="list-style-type: none"> • Information about the property’s geography, history, previous archaeological fieldwork and current land condition • Evaluation of the property’s archeological potential • Documentation of archaeological resources located on the property • Determination of whether any identified archeological resources require future assessment • Recommendation for Stage 3 assessment strategies for any

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<p><i>including methods of recovery and conservation; and</i></p> <p><i>d) Comply with current Ministry of Tourism, Culture and Sport standards and guidelines for consulting archaeologists. All compliance letters are to be forwarded to the County.</i></p>	<p>archaeological sites determined to require additional assessment.</p> <p>The final report has been submitted to the MHSTCI and is awaiting entry into the Ministry's registry.</p>
3.4.3 WATER AND SANITARY SEWER SERVICES POLICIES	
<p>3.4.3.6 Individual on-site water services and on-site sewage services Policies</p> <p><i>2) Development that involves 5 or more residential units, or equivalent, within approximately a 5-hectare area, shall only be given consideration when subject to a hydrogeological study that indicates no negative impact upon the groundwater from the development.</i></p>	<p>A Limited Hydrogeological Assessment has been prepared by BluMetric Environmental in support of the proposed development. BluMetric concludes the potential for interference with nearby drilled wells is considered to be insignificant as the "lakeshore dug well" anticipated to be constructed will not intersect or draw water from the bedrock aquifer. BluMetric recommends a minimum 50-metre separation between the "lakeshore dug well" and on-site septic bed and confirms water treatment requirements. Regarding wastewater treatment and disposal, BluMetric conducted a predictive nitrate impact assessment and concludes that nitrate in effluent from the proposed development will have an acceptable impact on overburden water quality.</p>
4.3 RURAL WATERFRONT	
4.3.1 SHORELAND	
<p><i>Lands within the Shore Lands designation represent a major landscape feature in the Municipality that shall be made accessible to both public and private users. Shore Lands are also a major tourist attraction as they provide the resource base for both passive and active recreational activities. It is the intent of this Plan to require a stewardship ethic for Shore</i></p>	<p>The proposed severance is located in the Shore Land designation and is considered infill intensification. The unopened Bellavista Drive to Lake Ontario road allowance will remain unchanged in order to reserve for potential future community needs.</p>

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<p><i>Lands that will include landscape naturalization, guaranteed on-site retention and treatment of pollutants, and development that is innovative and protects and conserved the natural environment.</i></p> <p><i>This Plan recognizes that different areas of shoreline and associated lands may exhibit varying recreational qualities and capacities. A range of experiences is encouraged from active social environments through to remote environments.</i></p> <p><i>Designated Shore Lands are expected to serve the projected seasonal and recreational growth needs of the County, including through infill and intensification where in conformity with this Plan. The intent of this Plan is to not realize the complete build out of waterfront areas, but to maintain a reserve for future community needs.</i></p>	
4.3.1.2 Policies	
<p>1) <i>The following uses may be permitted within this designation:</i></p> <p>a) <i>Low density residential uses, limited to single-detached dwellings which may include second units and garden suites;</i></p>	<p>It is intended that the Proposed Severed Lot is to accommodate a single-detached dwelling, which is a permitted use.</p>
<p>4) <i>The Shore Lands designation generally reflects the physical limits of the existing shoreline community. The shoreline community functions as a series of existing residential neighbourhoods, resort commercial activities and parks, open space and conservation uses, all touching on and focused on the adjacent lakes. In addition, the boundaries generally reflect areas that are physically or functionally related to the shoreline areas of the County.</i></p>	<p>The Proposed Retained Lot and Proposed Severed Lot have water frontage along Lake Ontario and are within a developed Shore Land residential neighbourhood. The County Road 20 neighbourhood where the subject property is located is physically and functionally unique from the rest of the County Road 20 Shore Land area, as Bellavista Drive is able to facilitate in-depth development.</p>

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<p>10) <i>All new development shall reflect, as appropriate, the Design Policies for Shore Lands outlined in Appendix C of this Plan.</i></p>	<p>Future development of the Proposed Severed lot shall address Appendix C Design Policies for Shore Lands.</p>
<p>11) <i>Residential development on individual on-site water services and individual on-site sewage services shall be limited to single-detached dwellings including second units and garden suites, with a minimum lot area greater than or equal to 0.8 hectares with sufficient area to accommodate services.</i></p>	<p>Future development of a single-detached dwelling on the Proposed Severed Lot will be serviced by individual water and sewage services. The Proposed Severed Lot will have a lot area of 0.8 hectares. BluMetric has not indicated concern with accommodating individual on-site services, subject to a minimum 50-metre well-septic separation, a water quantity test and required treatment measures.</p>
<p>5.1 PLAN ADMINISTRATION</p>	
<p>5.1.3 LAND DIVISION</p>	
<p>2) <i>The Municipality shall endeavor to support applicants through the development approvals process by:</i></p> <p><i>a) Providing clear information about procedural and submission requirements; b) b) Wherever possible, providing reference materials that demonstrate how design and development standards can be achieved; and c) Processing applications in a timely manner, in accordance with the provisions of the Planning Act.</i></p>	<p>Pre-consultation occurred through a site visit, numerous emails and a record of pre-consultation provided by planning staff.</p>
<p>15) <i>To avoid fragmented land patterns, a maximum of two lots (including the retained lot) may be created by consent from any land holding, subject to the applicable policies of this Plan. A land holding is defined as any property as it existed on January 23, 1998.</i></p>	<p>The current land holding is the same land holding as it existed on January 23, 1998; therefore, the subject property is eligible for a single-lot severance on this basis.</p>

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<p>16) <i>The creation of lots may be permitted by severance (consent) if it has been established that the development would not more appropriately proceed by way of plan of subdivision or plan of condominium.</i></p>	<p>It is understood that plans of subdivision and condominium are the preferred forms of lot creation, however the proposed development does not meet the criteria to proceed with a plan of subdivision or condominium as mention in Section 5.1.3.3 of the Plan.</p>
<p>17) <i>New residential development created by severance (consent) is encouraged to locate in areas designated for growth, including in Settlement Areas, and particularly the Urban Centres of Picton, Wellington and Rossmore. Lot creation by severance is also permitted in the Countryside and Rural waterfront, in accordance with the policies of this Plan. Consents are typically permitted the Agricultural area for farm consolidation purposes, but must be in accordance with the policies of this Plan.</i></p>	<p>The proposed development is located within a Rural Waterfront area, more specifically the Shore Land designation, where lot creation by severance is permitted.</p>
<p>18) <i>Severances (consents) that would contribute to ribbon or strip development or unplanned or uneconomical extension of infrastructure between Settlement Areas shall not be approved.</i></p>	<p>The proposal does not require any extension of Bellavista Drive, or other infrastructure, and is considered in-depth, infill intensification of an underutilized lot that will not contribute to ribbon or strip development. Bellavista Drive is the only public road in the immediate neighbourhood that can facilitate in-depth development and it will become more efficient with additional users.</p>
<p>20) <i>The creation of lots may be permitted by severance (consent) if the proposed and retained lots:</i> a) <i>Front onto an open, improved public road that is maintained on a year-round basis by the Municipality;</i></p>	<p>a) The proposed severance will front onto Bellavista Drive, an open, improved public road that is maintained on a year-round basis by the Municipality.</p>

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<p><i>b) If the intent and purpose of this plan is maintained;</i></p> <p><i>c) Satisfy the minimum lot area requirements established for any land use/land use designation of this Plan, or any Secondary Plan;</i></p> <p><i>d) Achieve an appropriate lot configuration that is compatible with the surrounding community character and does not restrict the development of other parcels of land;</i></p> <p><i>e) Can be serviced by the Municipality's infrastructure without adversely affecting the Municipality's finances, or by private well and waste water disposal system where municipal services are not planned or existing; and</i></p> <p><i>f) Can be supplied with other municipal services such as fire protection and road maintenance, without adversely affecting the Municipality's finances.</i></p>	<p>b) The intent and purpose of the Plan is maintained, which is supported by our analysis in Table 6 of this report.</p> <p>c) The proposed lot areas of 0.84 hectares and 3.29 hectares exceed Shore Land minimum lot area requirements.</p> <p>d) Further to the lot width and area analysis in Table 2 above, the proposed lot configuration is considered locally appropriate and will ensure compatibility by providing an adequate level of privacy and public health and safety through the proposed 45-metre lot width, 0.8-hectare lot area and dwelling separation that exceeds that of the area by nearly 2.5 times, along with the theoretical distance between Rural Residential uses by 7.5 times.</p> <p>e) Municipal services are not planned or existing to the subject property and the Proposed Severed Lot will be serviced by private well and waste water disposal systems.</p> <p>f) An upgraded cul-de-sac turnaround will be constructed to current standards at the owner's expense to the satisfaction of the County. This is intended to improve other municipal services, such as fire protection, that currently extend to Nos. 37 and 38 Bellavista Drive.</p>
<p><i>21) Applications for severance (consent) where any new lot is to be serviced by individual on-site water and sanitary sewage services shall only be permitted where an environmental (hydrogeological) study, prepared by a qualified engineer, can support the application.</i></p>	<p>21) Given the application for severance is to be serviced by individual on-site water and sanitary sewage, a Limited Hydrogeological Assessment has been prepared by BluMetric Environmental in support of the proposed development.</p>

COUNTY OF PRINCE EDWARD OFFICIAL PLAN	PLANNING ANALYSIS
<p>a) <i>All lots on private individual on-site water services have sufficient area and frontage to protect groundwater and surface water quality and are a minimum size of 0.80 hectares in size, or less where supported through hydrogeological, land use compatibility or other relevant studies, in accordance with the policies of this Plan;</i></p> <p>b) <i>The soil and groundwater conditions are capable of supporting the necessary private potable well water system with no negative impacts on the ground or surface water system, the adjacent properties or the proposed development site to the satisfaction of the Municipality and any agency having jurisdiction; and</i></p> <p>c) <i>All lots on private individual on-site sewage services are suitable or capable of supporting an acceptable sewage disposal system with no negative impacts on this ground or surface water system, the adjacent properties on the proposed development site to the satisfaction of the Municipality and any agency having jurisdiction.</i></p>	<p>a) The Proposed Severed Lot is larger than the minimum 0.8-hectare size requirement and has a width of 46 metres. BluMetric has reviewed the Proposed Severed Lot and average lot size in the vicinity, and indicates the site is potentially hydrogeologically sensitive. On this basis, BluMetric conducted a predictive nitrate impact assessment to analyze the impacts associated with individual on-site sewage systems. Below are details on the protection of groundwater and surface water quality. BluMetric has not indicated the Proposed Severed Lot has inadequate area and width. There otherwise appears to be a typical Rural Residential land base, where sufficient area is illustrated on the Sketch for Severance Application outside of required environmental, zoning and building code setbacks to protect a riparian zone/natural buffer along the Lake Ontario shoreline and adequately separate a new dwelling, well and septic.</p> <p>b) BluMetric concludes the proposed development interference with nearby drilled wells is considered to be insignificant as the “lakeshore dug well” anticipated to be constructed will not intersect or draw water from the bedrock aquifer. A lakeshore dug well is anticipated to be capable of providing potable water supply, subject to a water quantity test and required treatment measures. Alternatively, a drilled water supply can be considered if there are lakeshore dug well quality</p>

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	<p>and/or quantity concerns. A minimum 30-metre riparian zone/natural buffer along the Lake Ontario shoreline can be provided.</p> <p>c) BluMetric conducted a predictive nitrate impact assessment and concludes that nitrate in effluent from the proposed development will have an acceptable impact on overburden water quality. Based on assessed terrain conditions, BluMetric anticipates a raised tile bed for the Proposed Severed Lot and recommends a 50-metre offset between the proposed tile bed to the lakeshore dug well to ensure a safety margin between the two on-site services. A minimum 30-metre riparian zone/natural buffer along the Lake Ontario shoreline can be provided.</p>
<p><i>22) The Municipality shall consider the impact of a new residential lot created by severance (consent) on the potential to expand the agricultural productivity of any adjacent agricultural lands when assessing the required Minimum Distance Separation (MDS) Formulae and the need to potentially increase it.</i></p>	<p>The subject property is not within a reasonable distance for a MDS calculation to be warranted.</p>
<p><i>24) Applicants of a proposed severance (consent) may be required to prepare studies in accordance with the requirements of this Plan to assess the impacts of the proposal and any mitigation strategies.</i></p>	<p>A Stage 1/2 Archaeological Assessment and Limited Hydrogeological Assessment were prepared in support of the consent and rezoning application, per the record of pre-consultation prepared by planning staff.</p>

The C.3 Design Policies for Shore Lands are reviewed below.

- The Proposed Severed Lot is anticipated to accommodate a single-detached dwelling residential use. All new development shall be setback 30-metres from the flood elevation to ensure both the new development and Lake Ontario shoreline are protected.
- The unopened Bellavista Drive road allowance, and its existing vegetation, shall remain with the County and be retained to ensure the viewscape to Lake Ontario remains and for future planning purposes/community needs.
- Future development of a single-detached dwelling on the Proposed Severed Lot shall maintain the rural landscape and be visually buffered from the public, as it is anticipated to be setback 130 metres from the public road, and the existing vegetation and solar panels on the Proposed Severed Lot shall remain. The future single-detached dwelling is anticipated to be more modest in scale than the surrounding dwellings along Lake Ontario.
- Development on the Proposed Severed Lot shall be outside of the prescribed minimum 30-metre setback from the flood elevation, to provide a riparian zone/natural buffer along the Lake Ontario shoreline.
- The lot configuration of the Proposed Severed Lot takes into account the dwelling separation from adjacent dwellings to the east and west, as well as existing lot widths within the study area neighbourhood.
- Access to the Proposed Severed Lot will be through the public road allowance of Bellavista Drive. An upgraded cul-de-sac shall be constructed to current standards at the applicant's expense to the satisfaction of the County to ensure safe turnaround area is provided for vehicles.

PLANNING OPINION AND CONCLUSION

The subject lands are located within the “*Shore Land*” designation of the County of Prince Edward Official Plan and zoned “*Rural 1 (RU1) Zone*” under Zoning By-law No. 1816-2006. The proposed consent and rezoning requests to:

- Sever 0.8 hectares from the subject property;
- Construct an upgraded cul-de-sac turnaround area at the applicant's expense to the satisfaction of the County;
- Rezone the Proposed Severed Lot to “*Rural Residential 1 (RR1-XX) Zone*” with site-specific provisions.

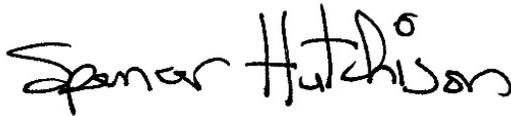
- Rezone the Retained Lot to “*Rural 1 (RU1-XX) Zone*” with site-specific provisions.

The proposal is considered appropriate as the retained and severed parcels will have sufficient frontage, area, and lot configuration to comply with the current zoning, and no land locking parcels will be created.

The applications for consent and rezoning are consistent with the 2020 Provincial Policy Statement and conform to the “*Shore Land*” planning policies of the County of Prince Edward Official Plan. Future development of the Proposed Severed Lot will comply with the provisions of the RR1 Zone in Zoning By-law No. 1816-2006.

If you have any questions about this information, please do not hesitate to contact our office.

Yours truly,



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