PLANNING JUSTIFICATION LETTER
1315, 1329 & 1357 COUNTY ROAD 7

September 14, 2026

Dale Egan, RPP, MCIP
Planning Coordinator, Approvals
Department of Development Services
280 Picton Main Street, Picton ON
County of Prince Edward

RE: 1315, 1329 & 1357 County Road 7, Prince Edward County
Planning Justification Letter
Consent to Sever + Minor Variance Applications

Dear Mr. Egan,

Fotenn Planning + Design has been retained by 2522082 Ontario Inc. to prepare a planning justification letter related applications for consent to sever and minor variance for the property municipally known as 1315, 1329 and 1357 County Road 7. The purpose of these applications is to re-establish a previously existing rural residential lot with frontage on County Road 7. The proposed consent will result in two lots (one severed + one retained). An application for minor variance is required to permit a reduced lot area for the retained lot. The property is designated Shore Lands on Schedule 'A-2': Land Use Designations of the Prince Edward County Official Plan and split-zoned zoned Rural Residential (RR), Rural (RU), and Environmental Protection (EP) Zones in the County of Prince Edward Comprehensive Zoning By-law 140-2025.

The property is subject to an active zoning by-law amendment application (Z117-21) deemed completed by the County in April 2022. As a result of technical comments associated with the zoning by-law amendment application, the proposed development for the property has been modified and reduced, resulting in the land division proposed through the current consent and minor variance applications.

The following materials are submitted in support of the application:

- Survey;
- Concept Plan;
- Minimum Distance Separation (MDS) Study and Calculations;
- Hydrogeological and Servicing Assessment;
- Application forms; and
- This planning letter.

The purpose of this letter is to assess the appropriateness of the proposed applications in the context of the surrounding area and the policy and regulatory framework applicable to the property.

Site Description + Surrounding Context

The subject property is located on the north side of County Road 7, abutting the Bay of Quinte, east of Glenora and Picton. The property includes the municipal addresses 1315, 1329 and 1357 County Road 7. These parcels originally existed as three separate land holdings but subsequently merged on title following common ownership. As a result, 1315, 1329 and 1357 County Road 7 now form a single land holding. The proposed applications for consent and minor variance seek to re-establish one new rural residential lot from the subject property, effectively restoring a lot configuration similar to what existed prior to the parcels merging.



Figure 1: Previous Lot Fabric (Source: PEC Public GIS Viewer, annotated by Fotenn Planning + Design)

The current consolidated land holding consists of an area of approximately 9.8 hectares, with approximately 267 metres of frontage on County Road 7 and approximately 245 metres of water frontage along the Bay of Quinte (Adolphus Reach). The topography of the subject lands is varied, with a relatively flat central area and a steep escarpment near the water frontage, resulting in significant grade changes. The property is treed along the escarpment and along the County Road 7 frontage, and contains a small wetland centrally located within the property.

The property is developed with a single-detached dwelling (referred to as the farmhouse) and two sheds located towards County Road 7, a single-detached dwelling (referred to as the cottage) and accessory building located in proximity to the water frontage and escarpment, and an accessory building located in the northwest portion of the property in proximity to the escarpment.



Figure 2: Site Context (Source: PEC Public GIS Viewer, annotated by Fotenn Planning + Design)

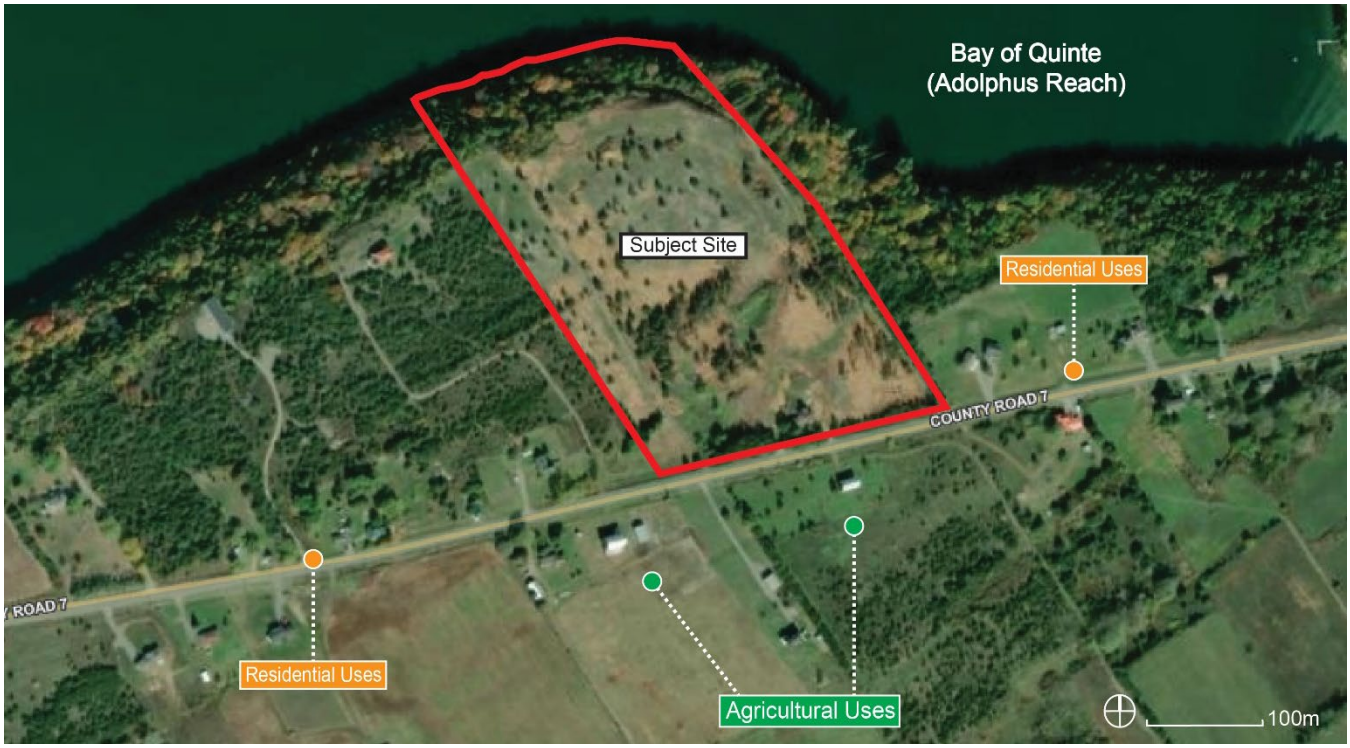


Figure 3: Surrounding Context (Source: PEC Public GIS Viewer, annotated by Fotenn Planning + Design)

The surrounding area consists of a mix of rural, agricultural, and rural residential uses. Rural residential properties are located to the west and east, generally along the north side of County Road 7, and rural and agricultural uses are generally located south of the property.

The following uses are located adjacent to the property:

- **North**: Bay of Quinte
- **East**: Rural residential
- **South**: Agricultural and rural
- **West**: Rural and rural residential

Proposed Development

The applicant is proposing to sever the property to result in two lots, one retained lot and one severed lot. The proposed retained lot will contain the existing cottage and one accessory building, and will have an area of approximately 6.2 hectares with approximately 74.8 metres of frontage on County Road 7. The proposed severed lot will contain the existing farmhouse and three accessory buildings, and will have an area of approximately 3.6 hectares with approximately 193.5 metres of frontage on County Road 7. The applicant is proposing an addition to the existing farmhouse dwelling for a three bedroom additional residential unit. Vehicular access to each lot will continue to be provided by their existing driveways.



Figure 4: Concept Plan (Source: Fotenn Planning + Design)

Supporting Studies

Minimum Distance Separation Study

A Minimum Distance Separation Study was conducted by Fotenn Planning + Design dated September 3, 2026. The purpose of the study was to assess the potential impact of setback requirements of surrounding livestock facilities on the proposed lot creation. MDS I setbacks are calculated based on the nature of the proposed land use and are divided into Type A (less sensitive) and Type B (more sensitive) land uses. The proposed development will create one new lot that results in a concentration of four or more lots in immediate proximity. Given the higher density of residential development in the area, this proposal was classified as a Type B (more sensitive) land use. Implementation Guideline (IG) #6 states that where an MDS setback is required, it must be measured from all existing livestock facilities and anaerobic digesters that are reasonably expected to be impacted by the proposed development. IG #6 limits the investigation distance to 1,500 metres of a proposed Type B land use. Using aerial imagery, eight possible livestock facilities within 1,500 metres of the subject property were identified. IG #12 allows for a reduced MDS setback where there are four or more uses of equal or greater sensitivity in the intervening area between the subject site and identified livestock facilities. There are four or more intervening uses separating Possible Barns #1, #2, #5, #6, #7, and #8 from the subject property, therefore, MDS setbacks were not calculated for the possible barns on these properties. There are an insufficient number of intervening uses separating the property from the remaining possible barns, triggering the need for further investigation. Based on the size and confirmed use of the barns by the property owner, the MDS calculations resulted in an MDS I setback of 239 metres for 1280 + 1296 County Road 7 and an MDS I setback of 283 metres from the 1338 County Road 7. While the MDS guidelines do not explicitly contemplate lot creation and reduced MDS setbacks where a dwelling exists on a lot, IG #7 states MDS I setbacks are not required for dwelling additions or renovations on existing lots, even where an addition results in the existing dwelling being closer to a surrounding livestock facility or anaerobic digester. This guideline can be interpreted to exempt existing dwellings from MDS I setbacks. The dwelling located on the proposed severed lot is existing and is permitted to continue existing in its current location despite the current MDS I setbacks. The proposed severance meets all Minimum Distance Separation requirements.

Hydrogeological and Servicing Assessment

A Servicing Report was prepared by Pinchin to present the technical investigations required to support the severance application, including well quantity and quality testing, assessment of potential impacts on neighbouring groundwater users, septic servicing evaluation, and nitrate impact assessment. The existing dwelling is supplied with potable water from a dug/blasted well located 46 metres west-northwest of the existing residential dwelling. The dwelling and proposed severed lot will be supported by a new sewage disposal system sized to service the dwelling and proposed additional residential unit. The assessment concluded that the existing residential dwelling and proposed additional residential unit can be adequately serviced by the new private well and approved on-site sewage disposal system. Adequate groundwater quantity has been demonstrated, no adverse interference with neighbouring groundwater users is expected, and the calculated nitrate concentration at the property boundary is below the applicable criterion. Potable water will be supplied through a proposed regulated engineered drinking water treatment system, which will be installed, commissioned, and operated in accordance with the relevant regulatory standards.

Overview of Applications

Consent to Sever

The subject property is designated Shore Lands on Schedule ‘A-2’: Land Use Designations of Prince Edward County’s Official Plan. The property is also split-zoned Rural Residential (RR), Rural (RU), and Environmental Protection (EP) Zone in the County of Prince Edward Comprehensive Zoning By-law 140-2025. The consent application proposes to sever and re-establish one new rural residential lot from the property, as shown in Figure 4 above.

Policy + Regulatory Review

Planning Act

In considering an application for land severance, the approving body must evaluate the merits of the proposal against Section 53 of the *Planning Act,* which further requires a review of Section 51 (24) of the *Planning Act*. The criteria relating to the proposed severances are below in *italics.*

> *53 (1) An owner of land or the owner's agent duly authorized in writing may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.*

The proposed application for consent seeks to re-establish one lot from the subject property. It is our opinion that a plan of subdivision is not necessary for the proper and orderly development of the proposed severance.

> *53 (12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent.*

Detailed criteria from section 51(24) is provided below.

> *51 (24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality to*
>
> *a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The proposed consent has proper regard for matters of provincial interest found in Section 2 in that it is not anticipated to negatively impact natural or cultural heritage resources, and it represents orderly privately serviced development within Prince Edward County's Rural Waterfront. The proposed consent will not create challenges in terms of public health and safety.

> *b) whether the proposed subdivision is premature or in the public interest;*

The proposed consent is not premature as the application seeks to re-establish a previous rural residential property and the proposed new lot will continue to utilize existing private individual infrastructure and is in the public interest.

> *c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

Conformity with the Official Plan is discussed herein. The proposal conforms to the Official Plan.

> *d) the suitability of the land for the purposes for which it is to be subdivided;*

The proposed consent to create two separately conveyable lots supports the continued rural residential use of the subject property and will result in the re-establishment of one additional lot within a predominantly rural residential area. The land is suitable for this purpose as it is already developed with existing residential dwellings and serviced by private wells and septic systems. The lot sizes are sufficient to accommodate continued residential use while maintaining compatibility with surrounding land uses and protecting natural features.

> *e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

The site has frontage on County Road 7, an existing municipal road. The County's engineering department will review the existing entrances on the property though the entrance permit process. Any required modifications or upgrades will be made as required.

f) *the dimensions and shapes of the proposed lots;*

The severed and retained parcels meet the general intent of the Zoning By-law. An application for minor variance is required to obtain relief from the minimum lot area of the Rural (RU) Zone for the proposed retained lot, however the proposed minor variance will not effect the ability of the lot to comply with all other applicable zoning by-law provisions. The severed and retained lots will be compatible with the size and shape of lots in the surrounding area.

g) *the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

All buildings and structures on the severed and retained parcels will be subject to the performance standards of the County of Prince Edward Comprehensive Zoning By-law 140-2025. There are no known restrictions on adjoining lands.

h) *conservation of natural resources and flood control;*

The property contains woodlands and wetland identified on Schedule 'B': Natural Features & Areas of the Official Plan, as well as a steep slope and flood line identified on Schedule 'C': Constraint Areas of the Official Plan. The woodland and steep slope areas are primarily located near the water's edge, associated with the escarpment that runs through the northern and eastern portion of the property. The wetland is located in the central area of the site. The proposed severed and retained lots are of sufficient size and appropriately configured to accommodate any future rural residential development while maintaining the required setbacks from these identified natural features and constraints. As such, no negative impacts to natural heritage features are anticipated as a result of the proposed severance.

i) *the adequacy of utilities and municipal services;*

The existing farmhouse and existing cottage are each serviced by existing private wells and septic systems. The proposed consent will result in two conveyable lots, each containing an existing dwelling with its own independent water and sanitary services. Both the proposed severed and retained lots have direct access to County Road 7. As such, the proposed lots are adequately serviced to support continued residential use.

j) *the adequacy of school sites;*

The re-establishment of one rural residential lot is not anticipated to have an impact on the capacity of local schools.

k) *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

In accordance with the *Planning Act,* cash-in-lieu of parkland will be provided as required.

l) *the extent to which the plan's design optimizes the available supply, means of supply, efficient use and conservation of energy; and,*

The proposed consent will re-establish one new lot on an existing property with frontage on a maintained public road. The proposed lot will contribute to the efficient use of land and existing infrastructure within the rural area.

m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designed under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, 2. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4).*

The proposed consent is not subject to the County of Prince Edward Site Plan Control By-law.

The proposed consent has proper regard for the criteria found in section 51 (24) of the *Planning Act.*

Provincial Planning Statement 2024

The 2024 Provincial Planning Statement (the PPS) provides policy direction on matters of provincial interest related to land use planning and development. The proposed consent supports the efficient use of land by re-establishing

a former privately serviced rural residential lot with frontage on a public road. The lot will continue to be privately serviced, avoiding the need for expanded municipal infrastructure or services. The proposal conforms to Minimum Distance Separation (MDS) requirements and is not anticipated to impact natural heritage features or natural constraints. The proposed consent is consistent with the policies of the PPS.

It is our professional planning opinion that the proposed consent is consistent with the 2024 Provincial Planning Statement.

Official Plan

The County of Prince Edward Official Plan was adopted by Council on February 24th, 2021 and approved by the Ministry of Municipal Affairs and Housing on July 7th, 2021. The Official Plan guides development activity and County initiatives for the next 25 years. It intends to provide strong, clear policy direction aimed at enhancing the liveability and quality of place in the County. The relevant policy considerations of the Official Plan are discussed below, with policies cited in italics.

The following sections of the Official Plan are reviewed in relation to the proposed consent:

- Section 3.0: Shaping the County – General Development Policies
- Section 4.0: The County Land Use Designations
- Section 5.0: The County Toolbox – Implementation Policies

Section 3.0: Shaping the County – General Development Policies

Section 3.0 of the Official Plan outlines policies intended to shape the growth of the County over the next 25 years. The policies will help ensure that growth occurs in the way envisioned by the County and in a manner that contributes to the sense of place in the County. These policies are focused on environmental protection, parks and trails network, stable and diversified economy, housing, arts and culture, and cultural heritage. The subject property contains areas of Wetland and Woodland (>40 ha) as identified on Schedule 'B': Natural Features & Areas as well as a Steep Slope (>25% and >3 m change in elevation) as identified on Schedule 'C': Constraint Areas of the Official Plan.

Section 3.1 provides policy direction pertaining to Environmental Protection and Enhancement in relation to development. Particularly, section 3.1.3 outlines key natural heritage systems policies including:

> *3.1.3 Natural Heritage System Policies*
>
> *6) The natural environment is one important consideration in the determination of how development can proceed. The Plan promotes the following general approaches:*
>
> *b) The most typical pattern of rural development within the County, generally consisting of the creation of new residential lots through severance (consents), and their subsequent development as single-detached homes, can occur in harmony with the protection of a healthy natural environment. However, care must be taken to ensure such development is undertaken in a manner that ensures that there are no negative impacts on the natural environment;*

The proposed consent aligns with the established pattern of rural development in Prince Edward County. Single-detached dwellings and associated accessory structures presently exist on both the proposed severed and retained lots. An addition is proposed to the existing farmhouse dwelling to be located on the proposed severed lot, however, itis not expected to result in any negative impacts to the natural environment.

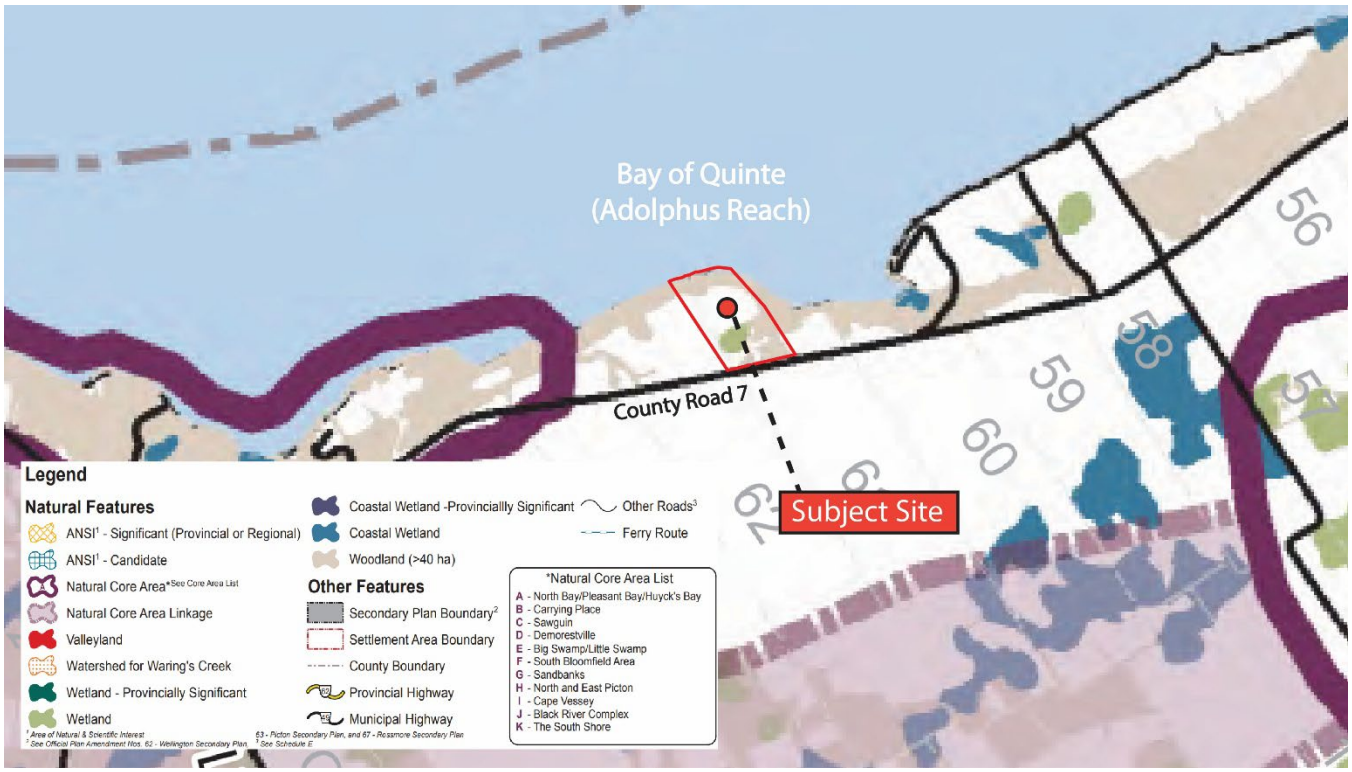


Figure 5: Schedule 'B': Natural Features & Areas (Source: County of Prince Edward OP, annotated by Fotenn)

Section 3.1.4 of the Official Plan contains feature specific policies pertaining to natural heritage features identified on Schedule 'B': Natural Features & Areas of the Official Plan. As areas of Wetland and Woodland are identified on the subject property, the following policies apply:

3.1.4 Feature Specific Policies

Wetlands – Other. Including unevaluated wetlands of other significance

2) *Development shall not be permitted within an identified Wetland – Other feature or within 50 metres of an identified Wetland – Other feature (i.e. unidentified wetland) unless the ecological function of the feature has been evaluated through an Environmental Impact Study (EIS) that demonstrates, to the satisfaction of the County, in consultation with Quinte Conservation and any other agency having jurisdiction, that there will be no negative impacts on the natural feature, or its ecological functions. The EIS must also demonstrate how any development activities are to be compatible with the feature.*

An area located roughly in the centre of the subject lands is identified as Wetland on Schedule 'B': Natural Features & Areas of the Official Plan. No changes are proposed to the property in proximity to this existing feature. The existing farmhouse dwelling is located approximately 70 metres south of the identified wetland and the proposed addition will not be located closer than the existing dwelling. Future development on the subject property will continue to comply with the required 50 metre setback from the wetland unless it has been evaluated though an Environmental Impact Study (EIS) that a lesser setback from the wetland can be achieved while demonstrating no negative impacts on the wetland or its ecological functions.

Woodlands

7) *Development shall not be permitted within woodlands identified in Schedule 'B': Natural Features & Areas or any significant woodlands identified during the planning process through criteria in the Ministry of Natural Resources and Forestry's Natural Heritage Reference Manual.*

8) *Development shall not be permitted on adjacent lands to the identified woodlands, unless the ecological function of the adjacent lands has been evaluated through an Environmental Impact Study (EIS) that demonstrates, to the satisfaction of the County, in consultation with Quinte Conservation and any other agency having jurisdiction, that there will be no negative impacts on the woodlands or on their ecological functions.*

The northern and southeastern portions of the subject lands are designated as Woodland (>40 ha) on Schedule 'B': Natural Features & Areas of the Prince Edward County Official Plan. Much of the designated Woodland is associated with the escarpment (Steep Slope) near the water's edge. The proposed addition to the farmhouse dwelling will be located outside of the woodland designated areas. No impacts to the woodland designated areas are anticipated as a result of the proposed lot creation.

Section 3.1.5 provides policy direction on unmapped natural heritage features in Prince Edward County. Section 3.1.5 provides policies for watercourse and shoreline buffers, which apply to the site.

3.1.5 Unmapped Natural Heritage Feature Policies
Watercourses and Shoreline Buffers

1) *Buffering of watercourses is important to ensure the protection of these natural functions. Coldwater systems require larger buffers than warm-water systems:*
    a) *All watercourses, together with a riparian zone extending a minimum 15 metres from their shorelines or top of bank, are to be protected; and*
    b) *The shorelines of Lake Ontario, the Bay of Quinte and all inland lakes shall be protected by riparian zone/natural buffer of at least 30 metres from the normal high-water mark. With only minor exceptions, subject to the approval of the County, in consultation with Quinte Conservation and any agency having jurisdiction, grading will not be permitted within this riparian zone/natural buffer.*
2) *For new lot creation, development, including the septic system tile bed, must be set back a minimum of 30 metres from the high-water mark of the lake with non-disturbance of the native soils and very limited removal of the shoreline vegetation. It is the understanding in consideration of a severance (consents) that the lot must be able to meet the setback with no subsequent variance*

The proposed consent will not result in any development in proximity to the shoreline. No new development is proposed within 30 metres of the high-water mark. The existing cottage dwelling located on the proposed retained lot is located within the natural 30 metre riparian zone/natural buffer of the Bay of Quinte as well as the Environmental Protection (EP) Zone. This structure is not proposed to be altered and will remain as an existing legal non-conforming structure.

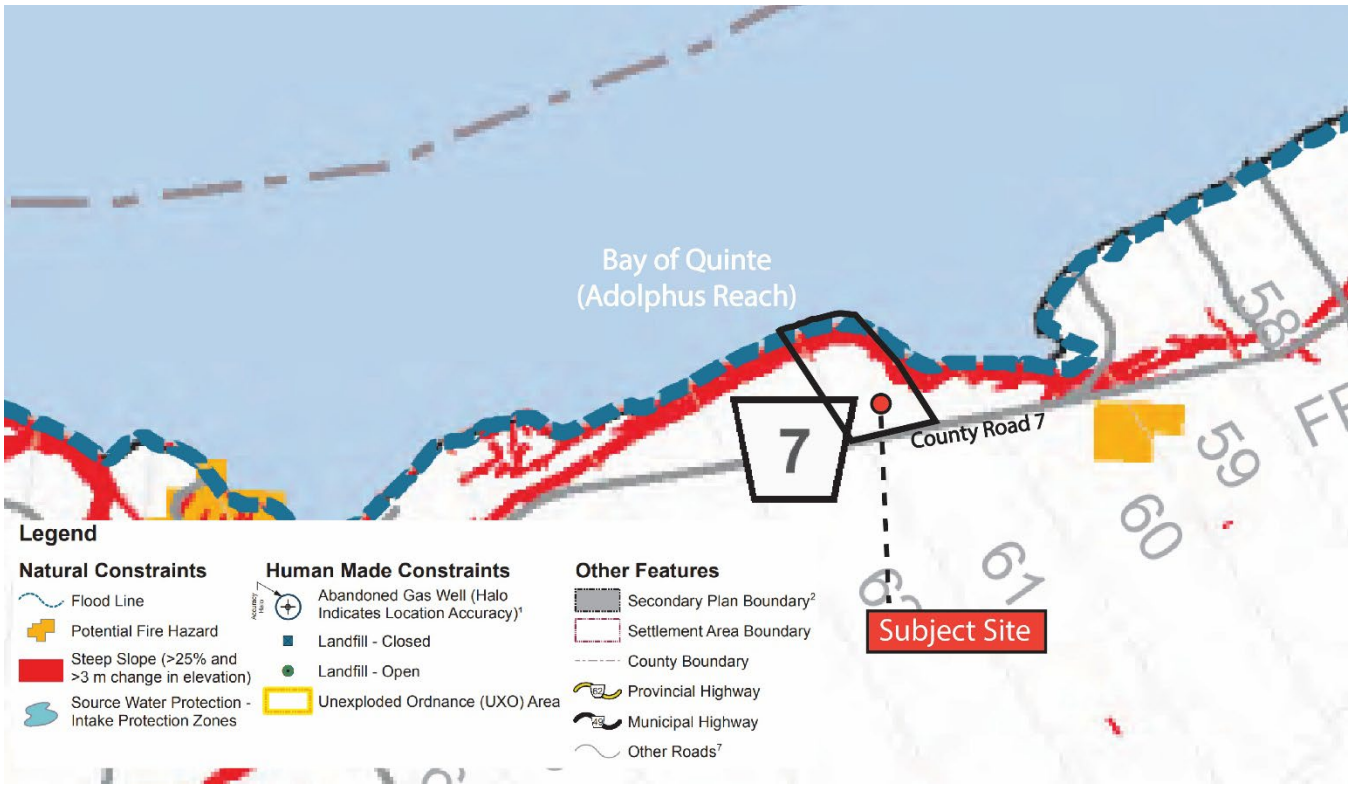


Figure 6: Schedule 'C': Constraint Areas (Source: County of Prince Edward OP, annotated by Fotenn)

Section 3.1.6 contains specific policies pertaining to mapped constraint areas identified on Schedule 'C': Constraint Areas of the Official Plan. A Steep Slope and Flood Line are located on the site as shown onSchedule 'C', as such the following policies applies to the site:

3.1.6 Constraint Area Policies

Steep Slopes

3) *The protection of Steep Slopes and escarpment features will be encouraged by the County. The County will direct new development away from the areas identified as Steep Slopes. For major development, a specific analysis of how development activities within proximity of identified Steep Slopes avoid or mitigate the impacts on those features will be required as part of the development review process.*

Schedule 'C': Constraint Areas of the Official Plan identifies a natural constraint in the form of a Steep Slope (greater than 25% grade and more than 3 metres of elevation change) in proximity to the shoreline of the subject property. This Steep Slope is referred to as an "Escarpment" which rises approximately 35 to 43 metres in height. The proposed development consists of re-establishing one rural residential and adding an addition to the existing farmhouse dwelling. No new dwellings or changes to existing dwellings or structures are proposed in proximity to the escarpment. The proposed severed and retained lots are of sufficient size to accommodate any future building envelopes and septic beds at an appropriate distance away from the area identified as a Steep Slope.

Flood Lines

20) *Regulatory Flood elevations have been established for most waterbodies However, where regulatory flood elevations have not been established, a minimum setback of 30 metres from the top of the bank shall be maintained, until such time as regulatory flood elevations have been established.*

The proposed consent does not make any changes to the existing site layout or propose any development in proximity to the top of bank. Any future development (i.e. the construction of buildings or structures) will comply with the required 30 metre setback provision from the top of bank.

Section 4.0: The County Land Use Designations

Section 4.0 of the County Official Plan outlines the policies associated with various land use designations. The subject property is designated Shore Lands, as shown on Schedule 'A-2': Land Use Designations. The Shore Lands designation is part of Prince Edward County's Rural Waterfront and acknowledges the interface between shoreline areas, agricultural lands, and rural lands. Its purpose is to protect the character of the rural waterfront while supporting the long-term integrity of the surrounding rural and agricultural community.

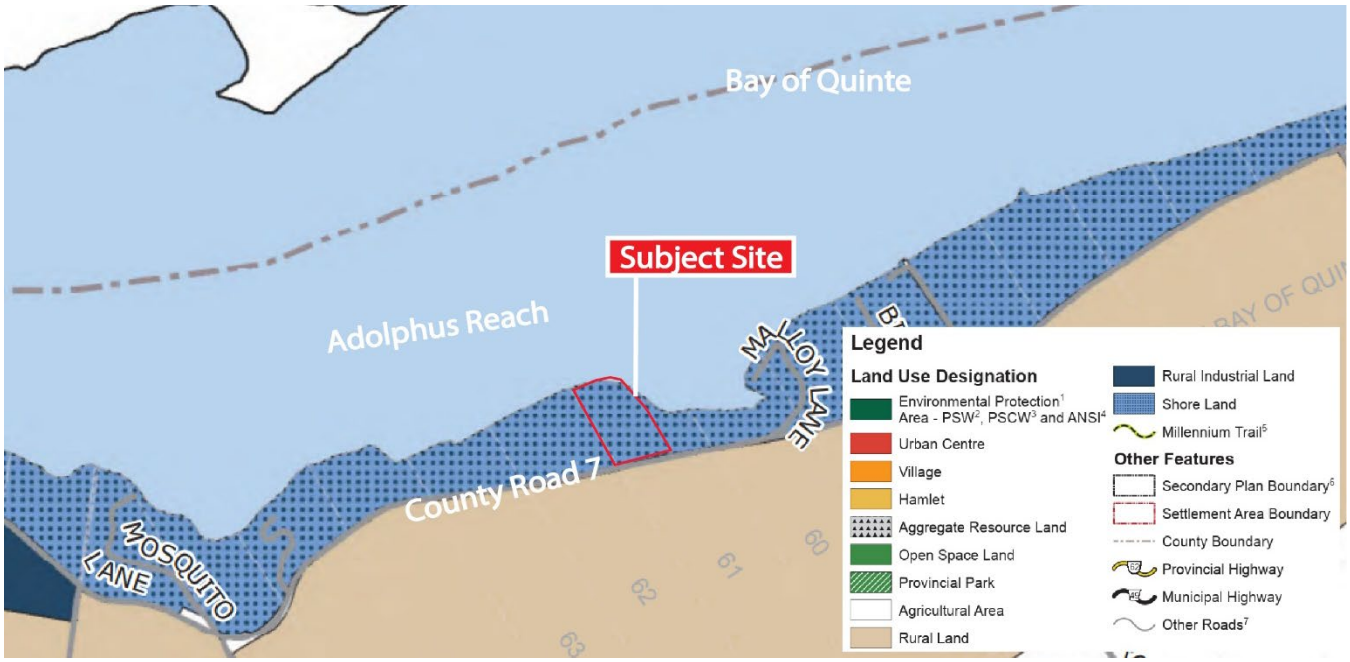


Figure 7: Schedule 'A-2': Land Use Designations (Source: County of Prince Edward OP, annotated by Fotenn)

Section 4.3.1.2 identifies the permitted uses within the Shore Lands designation, including low-density residential uses, specifically single-detached dwellings that are compatible with adjacent land uses. The proposed consent application conforms to these policies, as it will result in the creation of one new residential lot that supports the continued viability of the Rural Waterfront community.

Section 4.3.1.2 also includes additional policies relevant to the proposed consent application, including:

> 9) *All new development shall be required to meet the Minimum Distance Separation (MDS) Formulae established by the Province, as amended from time to time.*

As demonstrated by the Minimum Distance Separation (MDS) Study submitted with these applications, the proposed lot creation complies with MDS setbacks generated by nearby livestock facilities.

> 11) *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.*

The proposed consent will result two lots each with a lot area exceeding 0.8 hectares. Both lots are currently serviced by existing private on-site well and septic systems. The existing wells and septic systems are adequate to

support the existing single-detached dwellings and associated accessory structures on each lot and are not expected to adversely impact the groundwater supply of nearby properties, as no changes to the existing private services or the use of the site is proposed.

Section 5.0: The County Toolbox – Implementation Policies

Section 5.0 of the Official Plan describes the general administration and implementation policies. Further direction for the creation of new parcels by consent is provided in Section 5.1.3, as follows.

Land Division

1) *The Municipality shall support proposals for land division that:*
    a) *Contribute positively to the Municipality's unique rural character;*
    b) *Create opportunities for local economic development;*
    c) *Support the fiscal well-being of the municipality;*
    d) *Do not fragment the Environmental Protection designation and natural heritage features and areas; and*
    e) *Where possible, incorporate features that promote environmental sustainability and healthy living.*

The proposed consent will create one new lot, which is consistent with the surrounding lot fabric and character of Prince Edward County's Rural Waterfront. The existing residential uses are permitted within the Shore Lands designation. The proposed severed and retained lots maintain sufficient lot area and frontage to support private servicing and ensure that any future development can accommodate a building envelope that is adequately set back from natural heritage features and constraints identified on site.

Severances (Consents)

15) *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.*

The subject lands, comprising 1315, 1329 and 1357 County Road 7, formerly existed as three separate conveyable parcels. These parcels merged on title through common ownership. The proposed consent application seeks to re-establish one rural residential lot, resulting in the creation of two lots, one served lot and one retained lot. No previous severances have occurred from the current land holding as it existed on January 23, 1998. As such, the proposed severance is permitted to occur.

16) *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.*

The proposed application for consent seeks to re-establish one rural residential lot. It is our opinion that a plan of subdivision is not necessary for the proper and orderly development of the proposed severance.

17) *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.*

The proposed application for consent achieves the policy objectives outlined in Section 4.0: The County Land Use Designations. As a result, it is our opinion that the consent is permitted as it proposes lot creation in the Rural waterfront in accordance with the applicable policies of the Official Plan.

18) *Severances (consents) that would contribute to ribbon or strip development or unplanned or uneconomical extension of infrastructure between Settlement Areas shall not be approved.*

The proposed consent application does not constitute ribbon or strip development, as the subject property contains two existing single-detached dwellings for residential use outside of a settlement area. The intent of the consent application is to es-establish one rural residential lot which will include an existing residential dwelling. The consent will make use of existing infrastructure in the area.

19) *Applications for severances (consent) that would result in a parcel being landlocked shall not be approved.*

Both the proposed severed and retained lots will have adequate frontage along County Road 7, a year-round municipally maintained road, as well as waterfront frontage along the Bay of Quinte (Adolphus Reach). As a result, each lot will have multiple access points and will not be landlocked.

20) *The creation of lots may be permitted by severance (consent) if the proposed and retained lots:*

a) *Front onto an open, improved public road that is maintained on a year-round basis by the Municipality;*

The proposed severed and retained lots resulting from the consent application will have frontage on County Road 7, which is an open public road maintained year-round by the municipality.

b) *If the intent and purpose of this plan is maintained;*

The proposed consent application seeks to re-establish one rural residential lot within the County's Rural Waterfront area to support low-density residential use, which is permitted in the Shore Lands designation. The proposed lot is of sufficient size to allow for servicing and is consistent with the surrounding lot fabric. The application does not constitute ribbon or strip development, nor does it impact the ability of surrounding agricultural operations to continue. The lot is also large enough to ensure that any future development can be appropriately set back from existing natural heritage features. As such, the proposed consent conforms to the policies of the Official Plan and maintains its overall intent and purpose.

c) *Satisfy the minimum lot area requirements established for any land use/land use designation of this Plan, or any Secondary Plan;*

The proposed lot area of 3.6 hectares for the severed lot and 6.2 hectares for the retained lot exceed the minimum lot area requirement of 0.8 hectares in the Shore Land designation. Both lots are sufficiently sized to be adequately serviced by existing private water and sanitary sewage systems while maintaining appropriate setbacks from natural heritage features on the property.

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;*

The proposed lots created through the consent application will be regular in shape and generally consistent in size and configuration with surrounding rural waterfront properties. This will help maintain the established character of the area. The lot sizes are sufficient to support future residential uses without impacting the ability of nearby agricultural operations to function, ensuring compliance with Minimum Distance Separation (MDS) requirements. Additionally, the proposed lot configuration will not negatively affect the groundwater supply or wells on adjacent properties.

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*

The proposed lots created through consent will have adequate frontage along County Road 7 and will utilize existing infrastructure. As the lots are serviced by private wells and septic systems, no expansion of municipal water or wastewater infrastructure is required.

f) *Can be supplied with other municipal services such as fire protection and road maintenance, without adversely affecting the Municipality's finances.*

The proposed lots will make use of existing municipal services pertaining to fire protection and road maintenance. Both lots have adequate frontage along County Road 7 and existing entrances to provide for safe access to the proposed lots by way of County Road 7.

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.*
    a) *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;*
    b) *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*
    c) *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.*

The proposed consent will result in two lots, each with an area exceeding the minimum 0.8 hectares required for lots serviced by private on-site water and sewage systems. The subject lands are already developed with two existing private wells and septic systems that independently service the existing single-detached dwelling at 1329 County Road 7 and the cottage dwelling at 1357 County Road 7. The Hydrogeological and Servicing Assessment demonstrate the proposed severed lot and additional residential unit addition to the farmhouse dwelling will be adequately serviced by the existing private well and sewage system.

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.*

As demonstrated by the Minimum Distance Separation (MDS) Study submitted with these applications, the proposed lot creation complies with MDS setbacks generated by nearby livestock facilities.

23) *The same range of conditions of approval may apply to the creation of lots by consent as would occur by way of registered plan of subdivision, to ensure that County's growth objectives are achieved, including with respect to trails, transportation, parkland dedication and improved public access to the shoreline.*

It is acknowledged that the County may apply conditions to the proposed consent application.

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.*

A Minimum Distance Separation Study and Hydrogeological and Servicing Assessment are submitted together with the Planning Justification Letter to support the proposed consent application.

25) *The Municipality may require as a condition of approval that an applicant enter into an agreement with the Municipality regarding such conditions as it deems appropriate, including but not limited to financial requirements, the provision of on and off-site services, strategies to mitigate environmental impacts, sustainable building and site design features, and any other site planning requirements to protect health and safety, and promote compatibility with the surrounding community character.*

It is acknowledged that the municipality may require the applicant to enter into an agreement as a condition of provisional consent approval, addressing any matters the municipality deems appropriate in relation to the imposed conditions.

It is our professional planning opinion that the proposed consent conforms to Prince Edward County's Official Plan.

Minor Variance
An application for minor variance is required to obtain relief from the minimum lot area provisions of the RU Zone to allow the severance as proposed.

Description of Requested Variances

To facilitate the proposed severance, relief from the following provision is sought from the Zoning By-law 140-2025:

1) *Section 6.2b., Table 6-3: Lot Requirements for Rural Zones: Minimum Lot Area: 10 hectares*
Relief is requested to permit a reduced lot area of 6.2 hectares for the retained lot.

Four Tests

The proposed variance has been assessed based on the tests for a minor variance, as described in Section 45(1) of the *Planning Act* and in Section 5.1.2 of the OP as follows:

2) *The Committee of Adjustment may grant an application for minor variance from the Zoning By-Law only when satisfied that the variance:*
   a) *Is minor in nature;*
   b) *Is desirable for the appropriate development or use of the land/building/structure;*
   c) *Maintains the general intent and purpose of this Plan and any applicable Secondary Plan;*
   d) *Maintains the general intent and purpose of the Zoning By-law.*

Test 1: Is the variance requested minor in nature?
The assessment of whether a variance is minor is not based solely on numerical deviation, but rather on the potential for adverse impacts. In this case, the requested variance is limited in scope and confined to the subject property, with no anticipated negative impacts on the surrounding rural areas area. The property is located in a mixed rural, agricultural and rural residential context, where lot areas and frontages vary considerably. The reduced lot area will facilitate the continued rural residential use of the existing dwelling on the proposed retained lot, and will not impact the ability of the proposed retained lot to meet all other applicable zoning provisions. Notably, the property, as well as the RU zoned portion of the property, is currently less than the 10 hectare minimum lot area required for the zone, and non-residential rural uses that typically require larger land areas, although permitted, are not practically feasible on this property. Given the nature of the request and its limited impact to the proposed retained lot, the proposed variance is considered minor in nature.

It is our professional opinion that the requested variance is minor in nature.

Test 2: Is the variance desirable for the appropriate development or use of the lands/building/structure?
The requested variance facilitates the severance of the property in a manner that supports its continued use for rural residential purposes, consistent with the surrounding context. The retained lot will remain functional, appropriately sized, and capable of supporting existing and future rural residential use without impacting adjacent agricultural operations or natural heritage features. The site's access to County Road 7 further supports the suitability of the lot configuration and reinforces the efficient use of existing infrastructure and services.

It is our professional opinion that the requested variance is desirable for the appropriate development and use of the lands in question.

Test 3: Is the general intent and purpose of this Plan and any applicable Secondary Plan maintained?
The subject property is designated Shore Land on Schedule 'A-2' of the County of Prince Edward Official Plan and is not subject to a Secondary Plan. Section 4.3.1.2 permits low density residential uses, including single-detached dwellings on private services, with a minimum lot area of 0.8 hectares. The retained lot, currently used for rural residential purposes, is 6.2 hectares in size, well above the minimum OP lot area requirement, and no new development or changes in land use are proposed for the retained lot as part of this application. The existing use conforms with the Shore Land policies (Section 4.3.1.2) and supports the broader objectives of Section 4.3.1.1 to preserve the character of Prince Edward County's Rural Waterfront. Natural heritage features and constraints identified on Schedules 'B' and 'C' of the Official Plan include woodlands, a steep slope, a wetland, and a flood line. The proposed lot configuration ensures that sufficient area is available to maintain required setbacks from these features, consistent with the environmental protection policies of Section 3.0 of the Official Plan.The proposed variance maintains the general intent and purpose of the Official Plan.

It is our professional opinion that the proposed variances maintain the general intent and purpose of the Official Plan.

Test 4: Is the general intent and purpose of the Zoning By-law maintained?
The subject property is split-zoned Rural Residential (RR), Rural (RU), and Environmental Protection (EP) in the County of Prince Edward Comprehensive Zoning By-law 140-2025.



Figure 8: Current Zoning (Source: Prince Edward County Public GIS Viewer)

The Rural Residential (RR) Zone is intended to accommodate a range of residential uses as well as specified accessory uses. The Rural (RU) Zone is intended to accommodate agricultural, agricultural related, on-farm diversified uses, residential, and other accessory uses. The Environmental Protection (EP) Zone prohibits development to preserve and protect the County's natural heritage features and environmentally sensitive areas.

The following tables review applicable zoning provisions and identify the required variances.

Proposed Severed Lot – Zoning Review Table

Provision	Requirement	Severed Lot - Proposed	Variance Required?
Rural Residential (RR) Zone			
Permitted Uses	Single-Detached Dwelling Additional Dwelling Unit	Single-Detached Dwelling with an Additional Dwelling Unit	No
Min. lot area	8,000 m^2	+-3.6 ha	No
Min. lot frontage	20 m	+-193.5m	No
Min. front yard	7.5 m	13.3m	No
Min. interior side yard	3 m	+-136m (west); +-36m (east)	No
Min. rear yard	7 m	+-110m	No
Min. landscaped open space	30%	+-95%	No
Max. building height	10 m	Less than 10m	No
Environmental Protection (EP) Zone			
Permitted Uses	Residential Uses Prohibited	N/A	No
Section 4: Parking and Loading Provisions			
Table 4-1 Minimum Off-Street Parking Requirements	Single-Detached Dwelling: 2 spaces per dwelling unit	2 spaces	No

The proposed severed lot complies with all applicable provides of the zoning by-law.

Proposed Retained Lot – Zoning Review Table

Provision	Requirement	Retained Lot - Proposed	Variance Required?
Rural (RU) Zone			
Permitted Uses	Single-Detached Dwelling	Single-Detached Dwelling	No
Min lot area	10 ha	+-6.2 ha	**Yes**
Min lot frontage	60 m	+-74.8 m	No
Max lot coverage	10 %	+-1%	No
Min. front yard	15 m	N/A	No
Min. interior side yard	9 m	N/A	No
Min. rear yard	30 m	N/A	No
Min. landscaped open space	30%	N/A	No
Max. building height	10 m	N/A	No
Environmental Protection (EP) Zone			
Permitted Uses	Residential Uses Prohibited	One single-detached dwelling (existing)	No (existing)
Min. front yard	N/A	+- 375m	No (existing)
Min. interior side yard	N/A	+-63m (west); +-140m (east)	No (existing)
Min. rear yard	N/A	+- 15m (existing condition)	No (existing)
Min. landscaped open space	N/A	+- 95%	No (existing)
Max. building height	N/A	Less than 10m	No (existing)
Section 4: Parking and Loading Provisions			
Table 4-1 Minimum Off-Street Parking Requirements	Single-Detached Dwelling: 2 spaces per dwelling unit	2 spaces	No

The proposed retained lot does not meet the required minimum lot area of the Rural (RU) Zone. As such, this minor variance application seeks relief from the required minimum lot area. As indicated in the zoning table, the proposed retained lot complies with all other applicable zoning by-law provisions.

Minimum Lot Area
Relief is requested from the minimum lot area requirement of 10 hectares in the Rural (RU) Zone to permit a reduced lot area of 6.2 hectares for the proposed retained lot. The intent of the minimum lot area provision in the RU Zone is to ensure that lots are large enough to support a variety of rural uses. However, the subject property is currently used solely for low density residential purposes, consistent with surrounding rural residential uses, and there is no intent to introduce new rural uses that would require a larger lot area. The subject property, including both the proposed severed and retained parcels, has a total area of approximately 9.8 hectares. Notably, the property, as well as the RU zoned portion of the property, is currently less than the 10 hectare minimum lot area required for the zone, and non-residential rural uses that typically require larger land areas, although permitted, are not practically feasible on this property. The requested minor variance does not propose to reduce the RU zoned area further, but rather generally align the proposed severed and retained lot boundaries with the zone boundaries. The reduced lot area is not anticipated to affect the functionality of either the retained lot.

It is our professional opinion that the requested variance maintains the general intent and purpose of the Zoning By-law.

Conclusion

The applicant is seeking approval from the County of Prince Edward to re-establish one new lot with frontage on County Road 7 to support the continued rural residential use of the property. A minor variance is required to permit a reduced lot area for the retained parcel within the Rural (RU) Zone, in accordance with the County of Prince Edward Zoning By-law No. 140-2025. The proposed lot configuration is generally consistent with previous lot fabric of the property and current surrounding lot fabric, and conforms with the applicable permitted uses and policies of the Official Plan. The proposed consent and minor variance will facilitate the continued use of the properties while maintaining compliance with all other zoning provisions. The requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development and use of the land.

It is our opinion that the proposed consent and minor variance applications are appropriate and represent good land use planning. Should you have any questions or require any additional information, please do not hesitate to contact the undersigned at 613.542.5454 x 326.

Respectfully,



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