

AUGUSTA TOWNSHIP
AGENDA
AGRICULTURE & RURAL AFFAIRS COMMITTEE MEETING
September 7, 2022 at 6:30 P.M.

REGULAR COMMITTEE SESSION

- A. Call to Order
- B. Approval of Agenda
- C. Approval of Minutes of Previous Meetings
- D. Disclosure of Interest and Nature Thereof
- E. Business Arising from the Minutes
- F. Planning Applications
 - Severance: B-115-22 (Kinghorn) Page 5
 - Severance: B-118-22 & B-119-22 (Laidlaw) Page 15
 - Severance: B-123-22 (Streight) Page 31
 - Severance: B-124-22 & B-125-22 (Serbouti) Page 41
 - Severance: B-126-22 (Pitts) Page 54
- G. Other Business
 - Backyard Fowl By-Law- Page 64
 - Proposed Zoning By-Law Amendments- Page 71
 - Additional Residential Units (ARUs)
 - Accessory Building Height Maximum in RU and A Zones
- H. Discuss Date of Next Meeting – October 5, 2022
- I. Adjournment

AUGUSTA TOWNSHIP
MINUTES
AGRICULTURE & RURAL AFFAIRS COMMITTEE MEETING
July 6, 2022 at 6:30 p.m.

PRESENT

Mayor Doug Malanka (Acting Chair), Conor Cleary, Jonas Cole, Adrian Wynands
Planner Melissa Banford, Jessica Linn Development Services Coordinator

REGRETS

Councillor Samantha Schapelhouman (Committee Chair), Rob Jones

1. Call to Order

Mayor Doug Malanka (Acting Chair) called the meeting to order at 6:30 p.m.

2. Approval of Agenda

Agenda approved.

3. Approval of the Minutes

Minutes approved, for the June 1, 2022 meeting.

4. Disclosure of Interest

None.

5. Business Arising from the Minutes

None.

6. Planning Applications

**6.1 Report to ARAC re: Severance Application B-66-22 (Denison) 5191
Algonquin Rd**

- The Planner provided a brief overview of the Report to the Committee and reviewed the seven (7) conditions proposed to be recommended to Council related to the severance application. The Committee was advised that the Chief Building Official, Manager of Public Works, and Fire Chief all emailed with no concerns.
- The Committee noted that the subject property was quite large and favourable for two severances, as opposed to the one application being brought forward. The Planner stated that the application only requested one but may be eligible for two under the eligibility policy and based on the minimum of two acres needed per lot in a Rural (RU) zone.
- The Committee discussed the application further and concurred with the Planner's report regarding the seven (7) conditions of approval. Mayor Malanka (Acting Chair) will report to Council that a consensus was reached.

AUGUSTA TOWNSHIP

- 6.2 Report to ARAC re: Severance Application B-79-22 (Chillson) 3400 County Rd 15
- The agent Dave Annable was in attendance.
 - The Planner provided a brief overview of the Report to the Committee and reviewed the six (6) conditions proposed to be recommended to Council related to the severance application. The Committee was advised that the Chief Building Official, Manager of Public Works, and Fire Chief all emailed with no concerns.
 - The Committee discussed the application and inquired about MDS in relation to horses specifically and where they are located on the property. The Planner clarified that the MDS is applied to where the livestock are housed and any manure storage areas.
 - The Committee concurred with the Planner's report regarding the six (6) conditions of approval. Mayor Malanka (Acting Chair) will report to Council that a consensus was reached.
- 6.3 Report to ARAC re: Severance Application B-87-22 (Verheul) 3255 County Road 26 (lot addition onto 3301 County Road 26)
- The Planner provided a brief overview of the Report to the Committee and reviewed the five (5) conditions proposed to be recommended to Council related to the severance application. The Planner advised that the County is agreeable to an entranceway provided that it will be used as a field entrance only, which is understood to be the property owner's intent.
 - The Committee discussed the application, seeking clarification on the existing right-of-way and entrance. The Planner clarified that the purpose is to provide access for farm equipment and machinery.
 - The Committee concurred with the Planner's report regarding the five (5) conditions of approval. Mayor Malanka (Acting Chair) will report to Council that a consensus was reached.

7. Other Business

- 7.1 The Committee questioned if right-of-ways are kept in the Township's records. The Planner stated that the Township would not maintain a list but, if it was a registered right-of-way, would be accessible via the Land Registry Office. The Planner stated that unregistered right-of-ways may not be listed.
- 7.2 The Committee noted a property for sale within the Township that currently has two trailers located on it and inquired on its status. Staff will investigate further and update the Committee accordingly.
- 7.3 The Committee was informed by the Planner that a Backyard Chicken By-Law was being drafted and would be brought forward at a future Committee meeting.

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8. **Next Meeting – To Be Determined**
9. **Adjournment**
The meeting adjourned at 7:02 p.m.

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TO: AGRICULTURE AND RURAL AFFAIRS COMMITTEE

DATE: September 7, 2022

RE: Severance Application B-115-22 (Kingham)
Con. 9, Pt. Lot 15; 9500 Hall Road
Lot Addition onto 9512 Hall Road

AUTHOR: Melissa Banford, Planner

RECOMMENDATION:

THAT Augusta Council recommend to the United Counties of Leeds and Grenville Consent Granting Authority that consent application B-115-22 be approved, subject to the following five (5) conditions of approval:

1. That the severed lands be registered on title in the exact same name in which the intended recipient/purchaser's abutting land is registered (9512 Hall Road, Assessment Roll 0706 000 030 03902). A copy of the purchaser's registered deed for the abutting land is to be submitted to the Consent Granting Authority; prior to endorsement of consent on the deed for the severed land to ensure this. Section 50(3) of the Planning Act shall apply to any subsequent conveyance or transaction involving the severed land (such that the severed and recipient lands cannot be conveyed separately). The Consent Granting Authority shall be responsible for ensuring the implementation and fulfillment of this condition.
2. That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) (Assessment Roll 0706 000 030 03901) shall be paid to Augusta Township.
3. That an acceptable reference plan, survey or legal description of the severed lands be submitted to Augusta Township.
4. That all costs associated with fulfilment of conditions are at the applicant's sole expense.
5. That favourable comments are received by the Consent Granting Authority from circulated commenting agencies to the satisfaction of the Consent Granting Authority.

PURPOSE:

The United Counties of Leeds and Grenville's Consent Granting Authority has received and circulated severance application B-115-22 to prescribed/required agencies, to area property owners within the prescribed distance and to the Township for comment. The application has been filed by the owner of the abutting recipient lot at 9512 Hall Road. Refer to the **attached applications (excerpts) and site sketches.**

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In brief:

- B-115-22 proposes to sever 56.02 sq.m. (603 sq.ft.) +/-, with no road frontage, from 9500 Hall Road for the purpose of a lot addition onto the abutting property at 9512 Hall Road;
- The retained lands would have 4.02 ha (9.94 ac.) +/- with 150.87 m (495 ft.) of road frontage, which has an existing dwelling at 9500 Hall Road.

CONSULTATION:

As of the date of this report, Township planning staff have not received any comments from the United Counties' Consent Granting Authority, regarding their public consultation and circulation of the application to prescribed agencies and area property owners.

At the Township level, the proposed severance was circulated internally by the Township's Planner to the Chief Building Official, Public Works Manager, Fire Chief and Treasurer. No concerns or foreseeable issues are anticipated, however, the Planner will confirm if any comments otherwise are received at the September 7, 2022 ARAC meeting. The standard condition on severances requiring payment of any outstanding taxes or the tax account, to the satisfaction of the Treasurer, should apply.

BACKGROUND:

The existing property is a 4.03 ha (9.95 ac.) lot, which has an existing dwelling located at 9500 Hall Road. The lot addition severance proposes to sever 56.02 sq.m. (603 sq.ft.), with no road frontage, to be added to the abutting property to the north at 9512 Hall Road. The purpose of the lot addition application is to address an existing detached garage which encroaches onto abutting 9500 Hall Road property.

ANALYSIS:

This application is for the purpose of a lot addition only. As no new lot is to result, the eligibility policy for the creation of new lots under the Township's Official Plan is not applicable.

The subject property is designated Rural and areas of the lot are within the Provincially Significant Wetlands 120m adjacent lands under Schedule A of the Official Plan. Areas of the subject property are also within the Significant Woodlands 120m adjacent lands under the Development Constraints Schedule B. The 56.02 sq.m. (603 sq.ft.) area to be severed and added to the abutting lot is located within the Significant Wetlands 120m adjacent lands, however, no new development is proposed as the purpose of the application is for a lot addition only. The area to be severed is outside of the 120m Significant Woodlands influence area.

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Under the Counties Official Plan, the subject property is designated Rural Lands and within the influence area of the Provincially Significant Wetlands.

The severance of 56.02 sq.m. (603 sq.ft.) lot area from 9500 Hall Road will result in the retained lands having a resulting lot area of 4.02 ha (9.94 ac.). No change is proposed to the lot's existing 150.87 m (495 ft.) road frontage. This exceeds the Rural (RU) zone minimum requirements.

The recipient lot of 9512 Hall Road is currently 7.3 ha (18.12 ac.) with 50.29 m (165 ft.) of frontage on Hall Road, which currently exceeds the RU zone requirements. It is understood that the purpose of the lot addition is to resolve a property issue where a portion of the existing detached garage belonging to 9512 Hall Road encroaches onto the property at 9500 Hall Road. The area proposed to be severed will provide 3 m (9.84 ft.) setback from the detached garage to the new property line, which is the minimum setback in the RU zone. The application will resolve the legal property issue and will provide setback compliance to current zone requirements.

Other rural policies to be regarded, including Minimum Separation Distance (MDS) etc., are not applicable to this application as no new lot is being created.

This severance application, subject to the recommended conditions of approval, appears to conform with the intent of the Provincial Policy Statement (2020), the United Counties of Leeds and Grenville Official Plan, the Augusta Official Plan and the Augusta Zoning By-law. The recommended conditions capture policy considerations and current standard conditions of approval by the Township for severances.

POLICY IMPLICATIONS:

There are no implications for current policies, subject to recommended conditions of approval.

FINANCIAL CONSIDERATIONS:

There are no budgetary requirements for the Township.

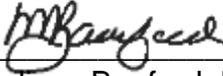
OPTIONS:

- 1. Support the severance application proceeding to the Counties Consent Granting Authority based on the planner's recommendation with conditions as written.
- 2. Support the severance application proceeding to the Counties Consent Granting Authority based on the planner's recommendation with revisions as may be deemed appropriate by the Agricultural and Rural Affairs Committee.

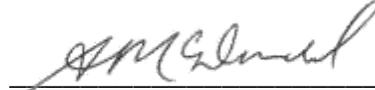
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LINK TO MUNICIPAL PLANS:

The recommendations on Severance Application B-115-22, with stated conditions, appear to align with the rural severance policies of the Augusta's Official Plan and will meet/exceed the zone provisions of Augusta's Zoning By-law.



Melissa Banford, Planner



Steve McDonald, CAO

Attachments.

-Severance B-115-22 excerpts

AUGUSTA TOWNSHIP



APPLICATION FOR CONSENT Under Section 53 of the Planning Act UNITED COUNTIES OF LEEDS AND GRENVILLE

File No. B- 115-22

PLEASE NOTE: FEES ARE NON-REFUNDABLE ONCE APPLICATION HAS BEEN CIRCULATED

Roll Number 0706 000 03003901 (Mandatory 15 digits)
Date consulted with Municipality: June 23, 2022 Date Accepted: July 29/22

1. **NAME OR OWNER(S):** John Steven Kinghorn & Gail Jean Kinghorn
ADDRESS, CITY/TOWN: 9500 Hall Rd., North Augusta,
POSTAL CODE: K7A 4S5 **TELEPHONE: (Home)** _____ **(Work)** _____
EMAIL ADDRESS: _____

2. **AGENT/APPLICANT:** Name of the person who is to be contacted about the application, if different than owner. Please include your email address. (This may be a person or firm acting on behalf of the owner – An owner's authorization is required if the applicant is not the owner)
Greg and Susie Kinghorn
ADDRESS, CITY/TOWN: 355 County Rd 17, Smiths Falls
POSTAL CODE: K7A 4S5 **TELEPHONE: (Home)** _____ **(Work)** _____

3. **LOCATION OF THE SUBJECT LAND:** **MUNICIPALITY** Augusta Township
Former Municipality: _____ Concession No. 9 Lot No. 15
Registered Plan No.: _____ Lot(s) _____ Block(s) _____ Reference Plan No. _____
Civic Address: 9500 Hall Rd North Augusta, ON
Are there any easements or restrictive covenants affecting the subject land? Yes No

4. **PURPOSE OF THIS APPLICATION:** (Check appropriate box)
 Creation of New Lot Addition to a Lot An easement/right-of-way
 Other - Correction of Title, Or Lease
Name of person(s), if known, to who this land or interest in land is to be transferred, leased or charged
James Gregory & Susan Kinghorn • 9512 Hall Rd. (roll no. 0706 000 03003902)
* If a lot addition, identify on the required sketch the lands to which the parcel will be added

5. **DESCRIPTION OF LAND INTENDED TO BE SEVERED:** 0.0056 hectares
4.9km Frontage 150.87 (metres) Depth 273 N/A 15 (metres) Area (hectares) ~~4.99~~ 56.02 m²
Existing Use Rural residential Vacant Proposed Use Rural Residential Vacant.
Number and use of buildings and structures:
Existing no change / no structures Proposed no change / no structures.

6. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:** 4.02 hectares
Frontage 150.87 (metres) Depth 273 (metres) Area (hectares) 9.936 ac (40211.63 m²)
Existing Use Rural residential Proposed Use Rural residential
Number and use of buildings and structures: no change

7. **WHAT TYPE OF WATER SUPPLY IS PROPOSED?** (Check appropriate space) no changes

	" Severed Lot "	Retained Lot
Municipally owned and operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Well (circle – dug or drilled)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Communal Well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

Effective date September 2021

AUGUSTA TOWNSHIP

8. **WHAT TYPE OF SEWAGE DISPOSAL IS PROPOSED?** (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Septic Tank	<input type="checkbox"/>	<input type="checkbox"/>
Communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) <u>no changes Private Sewage system</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. **TYPE OF ACCESS:** (Check appropriate space)

	Severed Lot	Retained Lot
Provincial Highway _____	<input type="checkbox"/>	<input type="checkbox"/>
County Road _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, maintained all year _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, seasonally maintained _____	<input type="checkbox"/>	<input type="checkbox"/>
Right-of-way owned by _____	<input type="checkbox"/>	<input type="checkbox"/>
Water Access (Specify docking and parking facilities and distance of these facilities from the subject land and the nearest public road) _____	<input type="checkbox"/>	<input type="checkbox"/>

10. **OTHER SERVICES:** (Check if the service is Available)

	Severed Lot	Retained Lot
Electricity	<input type="checkbox"/>	<input checked="" type="checkbox"/>
School Bussing	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Garbage Collection	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. **LAND USE:**

What is the existing UCLG Official Plan designation of the subject land? Rural Lands

What is the existing Municipal Official Plan designation of the subject land? Rural

What is the Zoning of the subject land? Rural - R4

12. **Please check YES or NO to the following:**

USE OR FEATURE	YES	NO
Is there an agricultural operation including livestock facility or stockyard located on or within 1500 metres of the severed or retained land? (if yes, MDS calculations will be required)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
** Are there any tile drains on the land to be severed; if present, show them on the application sketch.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a landfill within 500 metres of severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a Provincially Significant Wetland (Class 1, 2 or 3 Wetland) on the severed or retained lands or within 120 metres?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an industrial or commercial use, including propane distributors, located within 500 metres of the severed or retained land? (If yes, specify the use)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active railway line within 300 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Utility corridor(s) (i.e. towers, etc.) located on the severed or retained lands or within 500 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUGUSTA TOWNSHIP

Page 3

13. History of the Subject Land:

Has the subject land ever been the subject of an application for approval of consent or a plan of subdivision under the Planning Act? No Yes Unknown If yes and if known, provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use:

Has any land been severed from the parcel originally acquired by the owner of the subject land? No Yes If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use:

14. Current Applications:

Is the subject land currently the subject of a proposed UCLG and/or Municipal Official Plan Amendment(s)?

No Yes Unknown If yes, and if known, specify the appropriate file number and status of application(s).

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?

No Yes Unknown If yes, and if known, specify the appropriate file number and status of application.

15. SKETCH: The application shall be accompanied by a sketch **no larger than 8.5" by 14"** showing the following:
Please refer to the sample sketch on page 6 of this form.

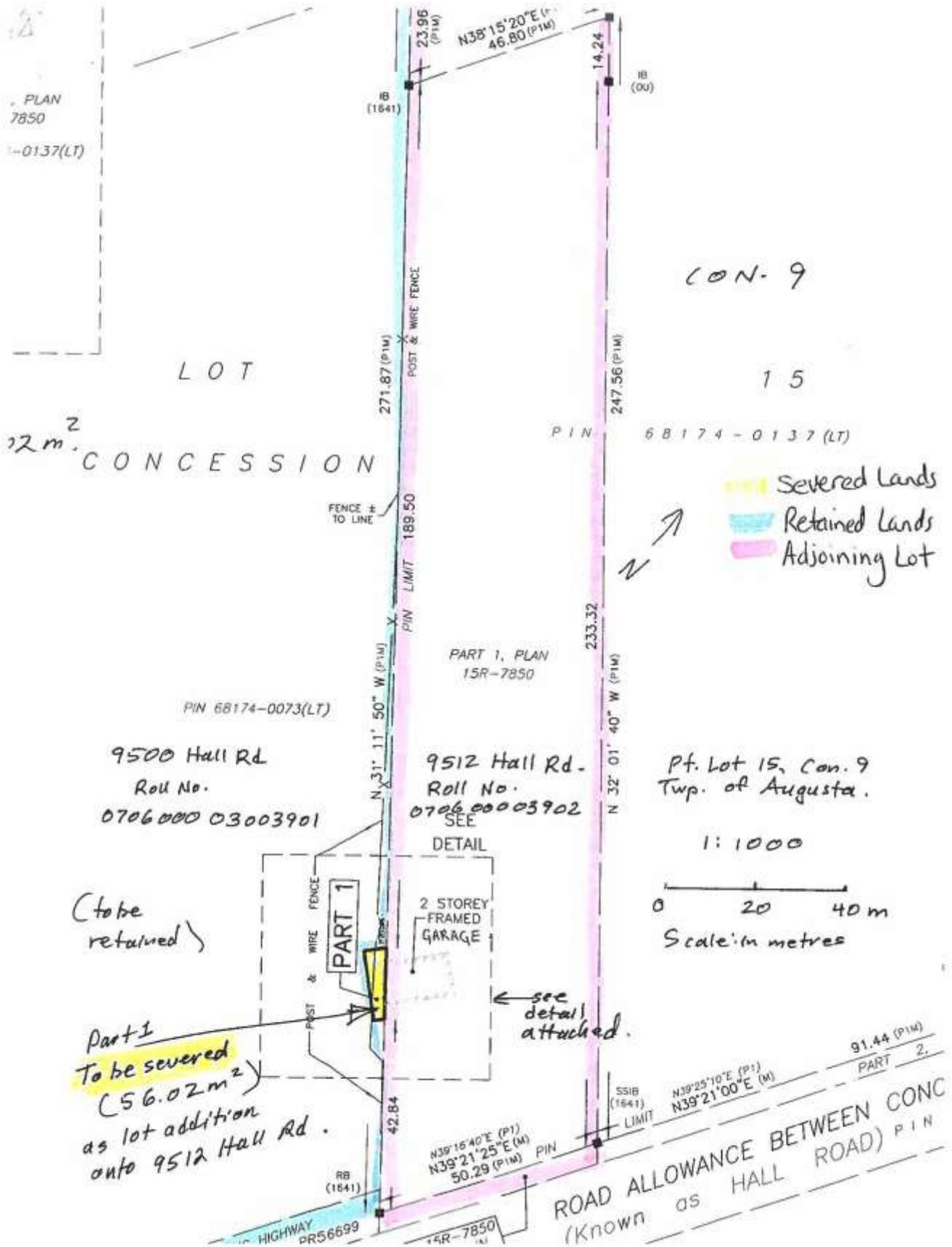
- The dimensions of the subject land, outline the part that is to be severed in yellow and the part that is to be retained in blue.
- The dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The existing use(s) on adjacent lands.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right-of-way.
- If access to the subject land is by water only, the location of the parking or boat docking facilities to be used.
- The location and nature of any easement affecting the subject land.

16. OTHER INFORMATION: Is there any other information that you think may be useful to the Consent Granting Authority or other agencies in reviewing this application? If so, explain below or attach a separate page.

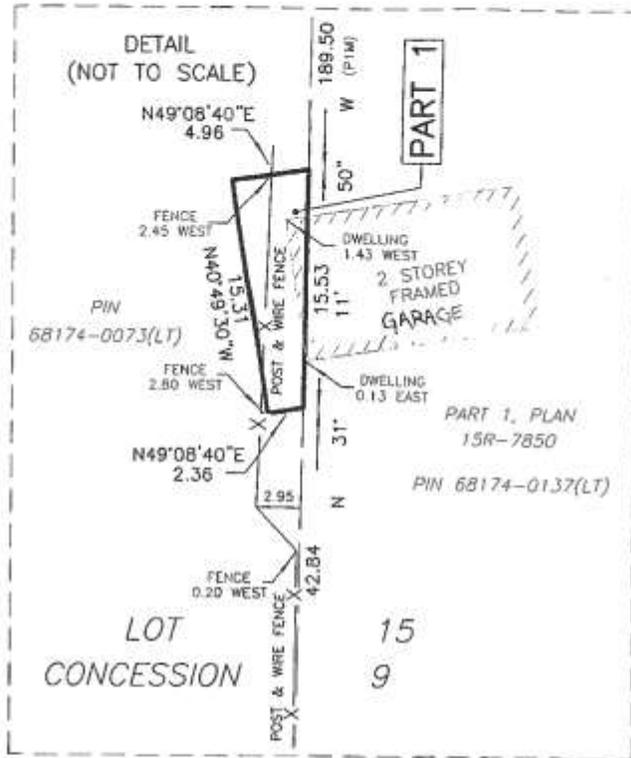
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Note: Lot Addition to be a min. of 3m to garage.

Area to be severed: $56.02 m^2$



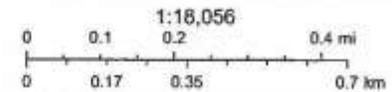
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B-115-22 Kinghorn Severance



7/29/2022, 8:27:09 AM

 Subject Lands  Parcel  Road Network
 Municipal Road



Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METANASA, USGS, EPA,

Leeds Grenville GIS

Disclaimer: The data provided is for informational purposes only. UCLG is not liable for positioning inaccuracies, subsequent updates, errors or omissions of data.

AUGUSTA TOWNSHIP

TO: AGRICULTURE AND RURAL AFFAIRS COMMITTEE (ARAC)

DATE: September 7, 2022

RE: Severance Application B-118-22 and B-119-22 (Laidlaw)
Con. 1, Pt. Lot 10; 1614 County Road 2
Two (2) New Lots

AUTHOR: Melissa Banford, Planner

RECOMMENDATION:

THAT Augusta Council recommend to the United Counties of Leeds and Grenville Consent Approval Authority that consent applications B-118-22 and B-119-22 be approved, subject to the following eight (8) conditions of approval:

1. That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) (Assessment Roll 0706 000 055 01500) shall be paid to Augusta Township.
2. That an acceptable reference plan, survey or legal description of the severed lands and the deed or instrument conveying the severed lands be submitted to Augusta Township.
3. That a cash-in-lieu of parkland levy of \$500.00 for each application B-118-22 and B-119-22 (\$1000.00 total) be paid to Augusta Township, as a two (2) new building lots are resulting.
4. That the severed lands under B-118-22 and B-119-22 and the retained lands be rezoned from Highway Commercial (CH) Zone to Rural (RU) Zone.
5. That a supportive archaeological assessment be completed by a qualified archaeologist on the severed lands under B-118-22 and B-119-22 and that the Township recent confirmation that this has been entered in the Registry with the Ministry of Tourism, Culture and Sport.
6. That a groundwater assessment on the suitability of the quantity and quality of groundwater to service the new building lot be undertaken by a qualified hydrogeological consulting firm to confirm an acceptable opinion of groundwater quantity and quality. This favourable assessment shall be provided to the Township of Augusta. This condition is deemed required as the new lots would result in being more than the fifth (5th) lot within a 5 ha area to be serviced by groundwater and/or is in a rural area where there is concentrated existing development.
7. That favourable comments are received by the Consent Approval Authority from circulated commenting agencies to the satisfaction of the Consent Granting Authority.
8. That all costs associated with fulfilment of conditions are at the applicant's sole expense.

AUGUSTA TOWNSHIP

PURPOSE:

The United Counties of Leeds and Grenville's Consent Granting Authority has received and circulated severance applications B-118-22 and B-119-22 to prescribed/ required agencies, to area property owners within the prescribed distance and to the Township for comment. The application has been filed by the agent ZanderPlan Inc.. Refer to the **attached applications (excerpts) and site sketches.**

In brief:

- B-118-22 proposes to sever 0.8098 ha (2 ac.) +/-, with 30.4 m (99.74 ft.) road frontage onto County Road 2, for the purpose of a new residential lot;
- B-119-22 proposes to sever 1.0152 ha (2.5 ac.) +/-, with 43.5 m (142.7 ft.) road frontage onto County Road 2, for the purpose of a new residential lot;
- The retained lands would have 3.128 ha (7.7 ac.) +/- with 59.5 m (195 ft.) of road frontage, which contains the existing dwelling at 1614 County Road 2.

CONSULTATION:

As of the date of this report, Township planning staff have received comment from the United Counties' Consent Granting Authority, regarding their public consultation and circulation of the application to prescribed agencies and area property owners.

An email was received G. Flanagan of 1618 County Road 2, dated August 26, 2022, raising concerns with the proposed lot frontages for the two new lots. The agent Tracy Zander provided a response by email dated August 30, 2022. The neighbour's email, and the agent's response, have been attached to this report.

At the Township level, the proposed severances were circulated internally by the Township's Planner to the Chief Building Official, Public Works Manager, Fire Chief and Treasurer. No concerns or foreseeable issues are anticipated, however the Planner will confirm if any comments otherwise are received at the September 7, 2022 ARAC meeting. The standard condition on severances requiring payment of any outstanding taxes or the tax account, to the satisfaction of the Acting Treasurer, should apply.

BACKGROUND:

The existing property is a 4.95 ha (12.24 acre) lot, which has an existing dwelling located at 1614 County Road 2. The existing dwelling and detached garage are to be retained with 3.128 ha (7.7 ac.) and 59.5 m (195 ft.) of frontage. A 0.8098 ha (2 ac.)

AUGUSTA TOWNSHIP

vacant lot and a 1.0152 ha (2.5 ac.) vacant lot are proposed to be created under severance applications B-118-22 and B-119-22.

ANALYSIS:

Under the Township's Official Plan, lot creation from an original lot that existed as of July 26, 2004, via severance may result in the creation of three lots (including the retained lot), so in effect, two (2) new building lots subject to meeting other policies in the plan. The subject property appears to be eligible for severance consideration for the proposed two (2) new lots, as no previous severances appear to have been taken off the original lot since the eligibility date. The severance must meet other policies in the Official Plan.

This property is designated Rural under Schedule A of the Official Plan and no Development Constraints are identified on the lands under Schedule B of the Official Plan. The minimum new lot size of 0.8 ha (2.0 acres) under the Official Plan is exceeded in these applications.

The Rural policies provides limited opportunity to develop low density residential development in the rural area, while preserving the identity and character of the rural area. (Section 3.1.1). The policy provides that inefficient land use patterns such as strip or scattered development are to be avoided. The policy does not define these terms and as such they are an interpretation during severance assessments by the Township. The proposed severances appear to be similar to an infill lot under Section 3.1.3.3. of the Official where an infill lot can be considered where there is less than 150m between two existing dwellings that existed as of the date of the Official Plan (May 25, 2012). This appears to be the case for both severed lots proposed under B-118-22 and B-119-22. Hydrogeological assessments are recommended in the Official Plan under the infill policies and the development is proposed on private services (well/septic). The two (2) new lots would also result in it being over the fifth 5th lot in a 5 ha area, also triggering groundwater quality/quantity assessment under Council Resolution No. 6 (March 28, 2022).

Under the Township's Zoning By-law 2965, as amended, the property appears to be zoned Highway Commercial Zone (CH) from the road frontage to a depth of 130m+ and the balance of the lands zoned Rural Zone (RU). It is understood that the CH zoning was a result of a zoning amendment in 1983 for Bed & Breakfast and restaurant use. It is understood from the property owner that this use never occurred on the property, nor have there been any commercial uses of the lands. As a condition of severance, rezoning from CH Highway Commercial Zone to RU Rural Zone would be required as Single Detached Dwelling Use is not permitted in the CH zone. The two (2) new lots and retained lands are proposed for residential use. The two (2) new lots and the retained lands will meet the RU minimum lot area of 0.8094 ha. (2 ac.) and 30 m (98.4 ft.) road frontage

AUGUSTA TOWNSHIP

Other rural policies to be regarded are ensuring that new lot development meets the Minimum Separation Distance (MDS) standards from any livestock barns in the area. There do not appear to be any livestock barns in the immediate area.

Section 9.10.3.4 of the Official Plan provides regard for areas of archaeological potential. The property meets the screening criteria for archaeological potential under the Official Plan, as well as the provincial screening criteria, as is it located all within 300m of the St. Lawrence River. An archaeological assessment is required to support the severances and has been included as a condition of approval.

Under the Counties Official Plan, the lands are designated Rural Lands. The southern portion of the subject lands are within the Intake Protection Zone 2 (IPZ-2), however, the lands are proposed for residential purposes only and the lands are proposed to be rezoned from commercial (CH) to rural (RU), so it is not anticipated to be a concern. South Nation Conservation (SNC), who acts as the Township's Risk Management Official with respect to Source Water Management, would also be circulated the severance applications.

This severance application, subject to the recommended conditions of approval, appear to conform with the intent of the Provincial Policy Statement (2020), the United Counties of Leeds and Grenville Official Plan, the Augusta Official Plan and the Augusta Zoning By-law. The recommended conditions capture policy considerations and current standard conditions of approval by the Township for severances.

POLICY IMPLICATIONS:

There are no implications for current policies, subject to recommended conditions of approval.

FINANCIAL CONSIDERATIONS:

There are no budgetary requirements for the Township.

OPTIONS:

- 1. Support the severance applications proceeding to the Counties Consent Granting Authority based on the planner's recommendation with conditions as written.
- 2. Support the severance applications proceeding to the Counties Consent Granting Authority based on the planner's recommendation with revisions as may be deemed appropriate by the Agricultural and Rural Affairs Committee.

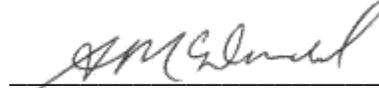
AUGUSTA TOWNSHIP

LINK TO MUNICIPAL PLANS:

The recommendations on Severance Applications B-118-22 and B-119-22, with stated conditions, appear to align with the rural severance policies of the Augusta's Official Plan and will meet/exceed the zone provisions of Augusta's Zoning By-law.



Melissa Banford, Planner



Steve McDonald, CAO

Attachments.

- Severance B-118-22 and B-119-22 excerpts
- Email from G. Flanagan, dated August 26, 2022
- Email response from T. Zander, dated August 30, 2022

AUGUSTA TOWNSHIP



APPLICATION FOR CONSENT
Under Section 53 of the Planning Act
UNITED COUNTIES OF LEEDS AND GRENVILLE

Application 1 of 2

File No. 118-22

PLEASE NOTE: FEES ARE NON-REFUNDABLE ONCE APPLICATION HAS BEEN CIRCULATED

Roll Number: 0706-006-055-01500 (Mandatory 15 digits)
Date consulted with Municipality: June 30/22 Date Accepted: August 17, 2022

1. **NAME OR OWNER(S):** Shelly Laidlaw and Clinton Laidlaw
ADDRESS, CITY/TOWN: 1814 County Road 2 Augusta ON
POSTAL CODE: K7H 3M5 **TELEPHONE: (Home)** _____ **(Work)** _____
EMAIL ADDRESS: _____

2. **AGENT/APPLICANT:** Name of the person who is to be contacted about the application, if different than owner. Please include your email address. (This may be a person or firm acting on behalf of the owner - An owner's authorization is required if the applicant is not the owner)
ZandorPlan Inc.
ADDRESS, CITY/TOWN: P.O. Box 20148 Perth ON
POSTAL CODE: K7H 3M5 **TELEPHONE: (Home)** _____ **(Work)** 613.264.9600

3. **LOCATION OF THE SUBJECT LAND:** **MUNICIPALITY:** Augusta
Former Municipality: Augusta Concession No. 1 Lot No. 10
Registered Plan No.: _____ Lot(s) _____ Block(s) _____ Reference Plan No. _____
Civic Address: 1614 County Road 2
Are there any easements or restrictive covenants affecting the subject land? Yes No

4. **PURPOSE OF THIS APPLICATION:** (Check appropriate box)
 Creation of New Lot Addition to a Lot An easement/right-of-way
 Other - Correction of Title Or Lease
Name of person(s), if known, to who this land or interest in land is to be transferred, leased or charged: _____

* If a lot addition, identify on the required sketch the lands to which the parcel will be added

5. **DESCRIPTION OF LAND INTENDED TO BE SEVERED:**
Frontage: 20.4 meters Depth: Irregular (268.4) meters Area (hectares): 0.8098 H
Existing Use: Vacant Residential Proposed Use: Future Dwelling
Number and use of buildings and structures:
Existing: None Proposed: Future Dwelling

6. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:**
Frontage: 29.5 meters Depth: Irregular meters Area (hectares): 4.143 H
Existing Use: Rural Residential Proposed Use: No Change
Number and use of buildings and structures: 1 - 2 storey dwelling and garage

7. **WHAT TYPE OF WATER SUPPLY IS PROPOSED?** (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Well (cattle - dug or drilled)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal Well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify): _____	<input type="checkbox"/>	<input type="checkbox"/>

Effective date: September 2011

AUGUSTA TOWNSHIP

- 8. WHAT TYPE OF SEWAGE DISPOSAL IS PROPOSED?** (Check appropriate space)
- | | Severed Lot | Retained Lot |
|--|-------------------------------------|-------------------------------------|
| Municipally owned and operated sanitary sewers | <input type="checkbox"/> | <input type="checkbox"/> |
| Septic Tank | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Communal septic system | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (Specify) _____ | <input type="checkbox"/> | <input type="checkbox"/> |
-
- 9. TYPE OF ACCESS:** (Check appropriate space)
- | | Severed Lot | Retained Lot |
|--|-------------------------------------|-------------------------------------|
| Provincial Highway _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| County Road / County Road 2 _____ | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Municipal road, maintained all year _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Municipal road, seasonally maintained _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Right-of-way owned by _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Water Access (Specify docking and parking facilities and distance of these facilities from the subject land and the nearest public road) _____ | <input type="checkbox"/> | <input type="checkbox"/> |
-
- 10. OTHER SERVICES:** (Check if the service is Available)
- | | Severed Lot | Retained Lot |
|--------------------|-------------------------------------|-------------------------------------|
| Electricity | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| School Bussing | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Garbage Collection | <input type="checkbox"/> | <input type="checkbox"/> |
-
- 11. LAND USE:**
 What is the existing UCLG Official Plan designation of the subject land? Rural Lands
 What is the existing Municipal Official Plan designation of the subject land? Rural
 What is the Zoning of the subject land? Highway Commercial and Rural

12. Please check YES or NO to the following:

USE OR FEATURE	YES	NO
Is there an agricultural operation including <u>livestock facility</u> or stockyard located on or within 1500 metres of the severed or retained land? (if yes, MDS calculations will be required)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
** Are there any tile drains on the land to be severed; if present, show them on the application sketch.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a landfill within 500 metres of severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a Provincially Significant Wetland (Class 1, 2 or 3 Wetland) on the severed or retained lands or within 120 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an industrial or commercial use, including propane distributors, located within 500 metres of the severed or retained land? (if yes, specify the use)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active railway line within 300 metres of the severed or retained land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Utility corridor(s) (i.e. towers, etc.) located on the severed or retained lands or within 500 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUGUSTA TOWNSHIP

Page 3

13. History of the Subject Land:

Has the subject land ever been the subject of an application for approval of consent or a plan of subdivision under the Planning Act? No Yes Unknown If yes and if known, provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use.

Has any land been severed from the parcel originally acquired by the owner of the subject land? No Yes If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

14. Current Applications:

Is the subject land currently the subject of a proposed U/LG and/or Municipal Official Plan Amendment(s)?

No Yes Unknown If yes, and if known, specify the appropriate file number and status of application(s)

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?

No Yes Unknown If yes, and if known, specify the appropriate file number and status of application.

15. SKETCH: The application shall be accompanied by a sketch no larger than 8.5" by 14" showing the following. **Please refer to the sample sketch on page 6 of this form.**

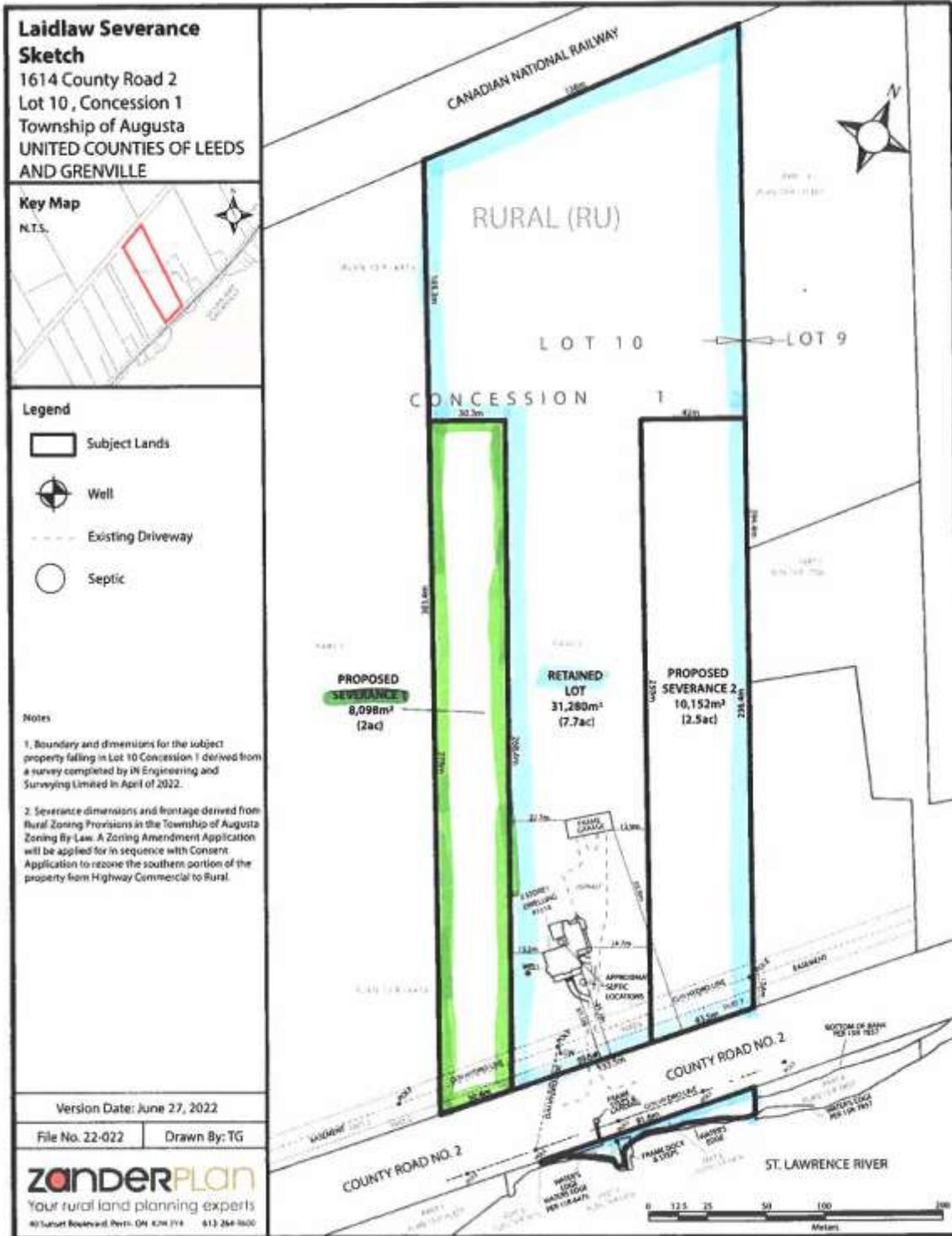
- The dimensions of the subject land, outline the part that is to be severed in yellow and the part that is to be retained in blue
- The dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- The existing use(s) on adjacent lands
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right of way
- If access to the subject land is by water only, the location of the parking or boat docking facilities to be used
- The location and nature of any easement affecting the subject land.

16. OTHER INFORMATION: Is there any other information that you think may be useful to the Consent Granting Authority or other agencies in reviewing this application? If so, explain below or attach a separate page.

(Please note there has been no past commercial activity occurring on the property.)

Effective date September 2021

AUGUSTA TOWNSHIP



AUGUSTA TOWNSHIP



APPLICATION FOR CONSENT
Under Section 53 of the Planning Act
UNITED COUNTIES OF LEEDS AND GRENVILLE

Application 2 of 2

File No. B 119-22

PLEASE NOTE: FEES ARE NON-REFUNDABLE ONCE APPLICATION HAS BEEN CIRCULATED

Roll Number 0706-000-055-01500 (Mandatory 15 digits)
Date consulted with Municipality: June 30/22 Date Accepted: August 17, 2022

1. **NAME OR OWNER(S):** Sheryl Laddow and Clinton Laddow
ADDRESS, CITY/TOWN: 1614 County Road 2 Augusta ON
POSTAL CODE: K7H 3M6 **TELEPHONE: (Home)** _____ **(Work)** _____
EMAIL ADDRESS: _____

2. **AGENT/APPLICANT:** Name of the person who is to be contacted about the application, if different than owner. Please include your email address. (This may be a person or firm acting on behalf of the owner - An owner's authorization is required if the applicant is not the owner).
ZanderPlan Inc.
ADDRESS, CITY/TOWN: P.O. Box 20148 Perth ON
POSTAL CODE: K7H 3M6 **TELEPHONE: (Home)** _____ **(Work)** 613-264-9900

3. **LOCATION OF THE SUBJECT LAND:** **MUNICIPALITY:** Augusta
Former Municipality: Augusta Concession No. 1 Lot No. 10
Registered Plan No.: _____ Lot(s) _____ Block(s) _____ Reference Plan No. _____
Civic Address: 1614 County Road 2
Are there any easements or restrictive covenants affecting the subject land? Yes No

4. **PURPOSE OF THIS APPLICATION:** (Check appropriate box)
 Creation of New Lot Addition to a Lot An easement/right-of-way
 Other - Correction of Title Or Lease
Name of person(s), if known, to who this land or interest in land is to be transferred, leased or charged _____

* If a lot addition, identify on the required sketch the lands to which the parcel will be added

5. **DESCRIPTION OF LAND INTENDED TO BE SEVERED:**
Frontage 43.5 (metres) Depth Irregular (236.4) (metres) Area (hectares) 10.152m² 1.0152 H
Existing Use Vacant Residential Proposed Use Future Dwelling
Number and use of buildings and structures:
Existing None Proposed Future Dwelling

6. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:**
Frontage 59.5 (metres) Depth Irregular (metres) Area (hectares) 21.280m² 3.128 H
Existing Use Rural Residential Proposed Use No Change
Number and use of buildings and structures: 1-2 storey dwelling and garage

7. **WHAT TYPE OF WATER SUPPLY IS PROPOSED?** (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Well (cable - dug or drilled)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal Well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

Effective date September 2021

AUGUSTA TOWNSHIP

8. WHAT TYPE OF SEWAGE DISPOSAL IS PROPOSED? (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Septic Tank	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

9. TYPE OF ACCESS: (Check appropriate space)

	Severed Lot	Retained Lot
Provincial Highway _____	<input type="checkbox"/>	<input type="checkbox"/>
County Road _____ County Road # _____	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, maintained all year _____	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, seasonally maintained _____	<input type="checkbox"/>	<input type="checkbox"/>
Right-of-way owned by _____	<input type="checkbox"/>	<input type="checkbox"/>
Water Access (Specify docking and parking facilities and distance of these facilities from the subject land and the nearest public road) _____	<input type="checkbox"/>	<input type="checkbox"/>

10. OTHER SERVICES: (Check if the service is Available)

	Severed Lot	Retained Lot
Electricity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
School Bussing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Garbage Collection	<input type="checkbox"/>	<input type="checkbox"/>

11. LAND USE:
 What is the existing UCLG Official Plan designation of the subject land? Rural Lands
 What is the existing Municipal Official Plan designation of the subject land? Basic
 What is the Zoning of the subject land? Highway Commercial and Rural

12. Please check YES or NO to the following:

USE OR FEATURE	YES	NO
Is there an agricultural operation including livestock facility or stockyard located on or within 1500 metres of the severed or retained land? (if yes, MDS calculations will be required)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
** Are there any tile drains on the land to be severed; if present, show them on the application sketch.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a landfill within 500 metres of severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a Provincially Significant Wetland (Class 1, 2 or 3 Wetland) on the severed or retained lands or within 120 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an industrial or commercial use, including propane distributors, located within 500 metres of the severed or retained land? (if yes, specify the use)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active railway line within 300 metres of the severed or retained land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Utility corridors (i.e. towers, etc.) located on the severed or retained lands or within 500 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUGUSTA TOWNSHIP

Page 3

13. **History of the Subject Land:**
Has the subject land ever been the subject of an application for approval of consent or a plan of subdivision under the Planning Act? No Yes Unknown If yes and if known, provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use.

Has any land been severed from the parcel originally acquired by the owner of the subject land? No Yes If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

14. **Current Applications:**

Is the subject land currently the subject of a proposed UCLG and/or Municipal Official Plan Amendment(s)?

No Yes Unknown If yes, and if known, specify the appropriate file number and status of application(s).

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?

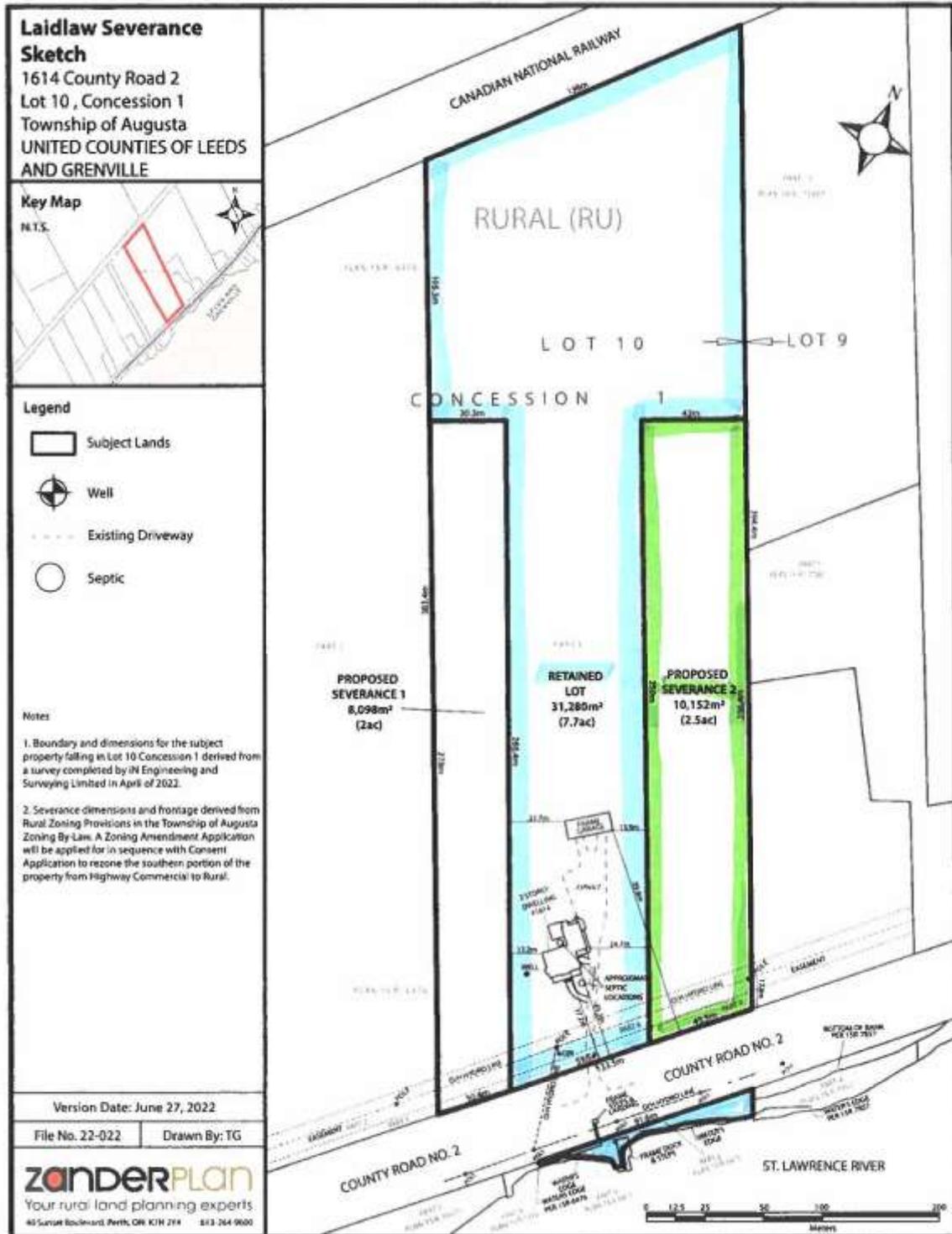
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Please refer to the sample sketch on page 6 of this form.
- The dimensions of the subject land, outline the part that is to be severed in yellow and the part that is to be retained in blue.
 - The dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge.
 - The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
 - The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - The existing use(s) on adjacent lands.
 - The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right-of-way.
 - If access to the subject land is by water only, the location of the parking or boat docking facilities to be used.
 - The location and nature of any easement affecting the subject land.
16. **OTHER INFORMATION:** Is there any other information that you think may be useful to the Consent Granting Authority or other agencies in reviewing this application? If so, explain below or attach a separate page.

Please note there has been no past commercial activity occurring on the property. (Sketches)

Effective date September 2021

AUGUSTA TOWNSHIP



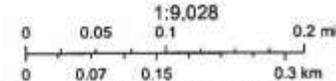
AUGUSTA TOWNSHIP

B-118-22 & B-119-22 Laidlaw Severances



8/17/2022, 11:03:39 AM

- | | | |
|---|--|--|
|  Subject Lands |  Severance Activity |  Municipal Road |
|  Parcels |  Road Network | |
| |  County Road | |



Natural Resources and Forestry, United Counties of Leeds and Grenville
Ontario Ministry of Natural Resources and Forestry - Provincial Mapping Unit

Leeds Grenville GIS

Disclaimer: The data provided is for informational purposes only. UCLG is not liable for positioning inaccuracies, subsequent updates, errors or omissions of data.

AUGUSTA TOWNSHIP

Weidenaar, Krista

From: Gary Flanagan [REDACTED]
Sent: Friday, August 26, 2022 5:47 PM
To: Weidenaar, Krista
Cc: [REDACTED]
Subject: Notice of consent application b11822 1614 County Rd. 2

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing as I received a letter today from Leeds Grenville as my property butts up to this proposed lot creation. In the letter it says I can submit my comments or concerns. My basic concern is that waterfront on the 2 new proposed lots are inconsistent with the other properties on the neighborhood. The smallest lot only has 30 metre frontage, which is much smaller than other lots in the area. If the proposal was to proceed the lots should be evenly divided at approximately 45 metres per lot.

Gary Flanagan
1618 County rd 2
Prescott Ontario
613 [REDACTED]

Sent from my iPad

AUGUSTA TOWNSHIP

Melissa Banford

From: Weidenaar, Krista <Krista.Weidenaar@uclg.on.ca>
Sent: August 30, 2022 8:13 AM
To: 'Tracy Zander'
Cc: Melissa Banford; 'South Nation Conservation'
Subject: RE: 1614 County rd 2 laidlaw B-118-22 Neighbour objection

Thank you Tracy. I will forward these comments on to the neighbour.

Thank You,

Krista Weidenaar

Secretary-Treasurer Consent Granting Authority
United Counties of Leeds and Grenville
Tel: 613-342-3840 ext. 2414 / 1-800-770-2170

From: Tracy Zander <tracy@zanderplan.com>
Sent: Tuesday, August 30, 2022 8:04 AM
To: Weidenaar, Krista <Krista.Weidenaar@uclg.on.ca>
Cc: 'Melissa Banford' <mбанford@augusta.ca>; 'South Nation Conservation' <planning@nation.on.ca>
Subject: RE: 1614 County rd 2 laidlaw B-118-22 Neighbour objection

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
Good morning, Krista. In response to the neighbour's comments, I would offer the following information:

The proposed severed lots will be rezoned to the Rural (RU) zone, to permit a single detached dwelling; the commercial zoning will be removed on the severed lots. The RU zone allows for a minimum lot frontage of 30 metres, and a minimum lot area of 8000 m²; both of the severed lots will comply with these provisions.

I also wish to note that the severed lots would not be considered "waterfront lots" as they do not have any frontage on the River; the strip of land shown on our sketch that abuts the River will stay with the retained parcel at 1614 County Road 2.

Thanks
Tracy

From: Weidenaar, Krista <Krista.Weidenaar@uclg.on.ca>
Sent: Monday, August 29, 2022 3:05 PM
To: 'Tracy Zander' <tracy@zanderplan.com>
Cc: 'Melissa Banford' <mбанford@augusta.ca>; South Nation Conservation (planning@nation.on.ca) <planning@nation.on.ca>
Subject: RE: 1614 County rd 2 laidlaw B-118-22 Neighbour objection

Good afternoon,

AUGUSTA TOWNSHIP

TO: AGRICULTURE AND RURAL AFFAIRS COMMITTEE (ARAC)

DATE: September 7, 2022

RE: Severance Application B-123-22 (Streight)
Con. 9, Pt. Lot 12; 9574 Diamond Road
New Lot

AUTHOR: Melissa Banford, Planner

RECOMMENDATION:

THAT Augusta Council recommend to the United Counties of Leeds and Grenville Consent Granting Authority that consent application B-123-22 be approved, subject to the following six (6) conditions of approval:

1. That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) (Assessment Roll 0706 000 030 03300) shall be paid to Augusta Township.
2. That an acceptable reference plan, survey or legal description of the severed lands be submitted to Augusta Township.
3. That the severed lands be rezoned to a site-specific Agricultural (A) zone to permit hobby farm use with a minimum lot area of 1.42 ha (3.5 ac.) +/-, and; that the retained lands be rezoned to a site-specific Agricultural (A) zone to prohibit any dwelling use or any type of residential occupancy.
4. That the road allowance of Diamond Road be widened if required to provide for 10 metres from the centreline of the travelled road, across the frontage of the severed lot and that a Transfer/Deed conveying the said land to Augusta Township be prepared and executed and such lands be confirmed free/clear of any encumbrances, in consideration of the payment of \$1.00. If such widening already exists, a surveyor shall confirm such with the Township.
5. That favourable comments are received by the Consent Granting Authority from circulated commenting agencies, to the satisfaction of the Consent Granting Authority.
6. That all costs associated with fulfilment of conditions are at the applicant's sole expense.

PURPOSE:

The United Counties of Leeds and Grenville's Consent Granting Authority has received and circulated severance application B-123-22 to prescribed/required agencies, to area property owners within the prescribed distance, and to the Township for comment. The application has been filed by the property owners. Refer to the **attached application (excerpts) and site sketch.**

AUGUSTA TOWNSHIP

In brief:

- B-123-22 proposes to sever 1.42 ha (3.5 ac.) +/-, with 128 m (420 ft.) road frontage onto Diamond Road, with the existing dwelling and barn for residential/hobby farm use;
- The retained lands will be 37.03 ha (91.5 ac.) +/- with 832 m (2730 ft.) road frontage on Diamond Road and 227 m (745 ft.) road frontage on Hall Road for agricultural/crop purposes only.

CONSULTATION:

As of the date of this report, Township planning staff have received no comments from the United Counties' Consent Granting Authority, regarding their public consultation and circulation of the application to prescribed agencies and area property owners.

At the Township level, the proposed severance was circulated internally by the Township's Planner to the Chief Building Official, Public Works Manager, Fire Chief and Treasurer. No concerns or foreseeable issues are anticipated, however the Planner will confirm if any comments otherwise are received at the September 7, 2022 ARAC meeting. The standard condition on severances requiring payment of any outstanding taxes or the tax account, to the satisfaction of the Treasurer, should apply.

BACKGROUND:

The subject property is a 38.44 ha (95 acre) lot, which has an existing dwelling, small livestock barn and shed located at 9574 Diamond Road. The existing dwelling and structures are to be severed with 1.42 ha (3.5 ac.) as being a surplus dwelling to an area farmer, for the purposes of residential and hobby farm use. The 37.03 ha (91.5 ac.) retained vacant lot is to be used for agricultural/crop use.

ANALYSIS:

This property is designated Agricultural Resource Lands under Schedule A of the Official Plan with Floodplain with a watercourse on the Development Constraints Schedule B.

In the Agriculture Resource Lands designation, both under the Provincial Policy Statement (PPS) and the Township's Official Plan, severances are very limited and restricted, whereby new residential lots are not permitted to be created in the Agriculture Resource Lands designation to avoid agricultural use conflicts. Under Section 3.2.5.1 of the Official Plan, new lots for existing dwellings, that are surplus to a farming operation as a result of farm consolidation are permitted, provided the lands are to be

AUGUSTA TOWNSHIP

consolidated with a farm operation within 20 km of the subject property. Section 3.2.5.2 further requires that there is a restrictive condition imposed on a farm consolidation severance such that there is no new dwelling permitted on the vacant parcel as a result of the severance.

The property owner is a farmer from the Bishops Mills area, with the main farm property being located within 6 km +/- of the subject property. The property owner is aware of the requirement to rezone to prohibit a residential dwelling on the retained/vacant lands and it is understood that they are proposing to tile drain the property for the purposes of crop plantings only. The property is comprised of Class 2 and 3 soils.

The new lot for the surplus dwelling should be limited to the minimum size needed to accommodate the use and appropriate sewage and water services, so as to retain as much of the land as possible with the agricultural use lot. The dwelling on the severed lot contains an existing small livestock barn and the severed lot is proposed to be 1.42 ha (3.5 ac.) +/- in size to accommodate the structures and a small area for hobby farm use with the existing corrals. The severed lot is zoned Agricultural (A) Zone, under current Zoning By-law 2965, as amended, which requires a minimum of 2 ha (4.94 ac.) and 38 m (124.7 ft.) frontage on a lot where hobby farm use is accessory to a single family dwelling. In order to permit the continued hobby farm use of the severed lot, the lands will need to be rezoned to a site-specific zone to permit this use on the proposed 1.42 ha (3.5 ac.) lot.

Minimum Separation Distance (MDS) is not applicable to the new recent lot/retained lands as no new residential dwelling will be permitted on this property.

The Floodplain designation area (in the area of the watercourse) on the retained lands permits established agricultural uses under Section 6.1.6.1. It appears that this area has been used agriculturally for some time, however, any new clearing or draining of additional lands within the Floodplain limits would not be permitted.

Under the Counties Official Plan, the lands are designated Agricultural Area. There is an area of Sand and Gravel Resources (Tertiary) on the south/east corner of the lot. As no new development will be permitted on the retained lands, which is to be severed for agricultural purposes only, this has not been raised as a concern by Township staff.

This severance application, subject to the recommended conditions of approval, appear to conform with the intent of the Provincial Policy Statement (2020), the United Counties of Leeds and Grenville Official Plan, the Augusta Official Plan and the Augusta Zoning By-law. The recommended conditions capture policy considerations and current standard conditions of approval by the Township for severances.

AUGUSTA TOWNSHIP

POLICY IMPLICATIONS:

There are no implications for current policies, subject to recommended conditions of approval.

FINANCIAL CONSIDERATIONS:

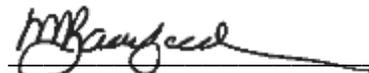
There are no budgetary requirements for the Township.

OPTIONS:

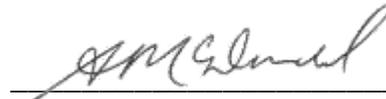
- 1. Support the severance application proceeding to the Counties Consent Granting Authority based on the planner's recommendation with conditions as written.
- 2. Support the severance application proceeding to the Counties Consent Granting Authority based on the planner's recommendation with revisions as may be deemed appropriate by the Agricultural and Rural Affairs Committee.

LINK TO MUNICIPAL PLANS:

The recommendations on Severance Application B-123-22, with stated conditions, appear to align with the Agricultural severance policies of the Augusta's Official Plan and will meet zone provisions of Augusta's Zoning By-law, pending the finalization of the zoning by-law amendment required as a condition of approval.



Melissa Banford, Planner



Steve McDonald, CAO

Attachments.

- Severance B-123-22 excerpts

AUGUSTA TOWNSHIP



APPLICATION FOR CONSENT
Under Section 53 of the Planning Act
UNITED COUNTIES OF LEEDS AND GRENVILLE

File No. B- 123-22

PLEASE NOTE: FEES ARE NON-REFUNDABLE ONCE APPLICATION HAS BEEN CIRCULATED

Roll Number 07 06 0000 30 33 09 (Mandatory 15 digits)
 Date consulted with Municipality: July 15, 2022 Date Accepted: _____

1. **NAME OR OWNER(S):** Robert Streight, David Streight, Michael Streight, Scott Streight
ADDRESS, CITY/TOWN: 370 County Road 18 Oxford Station
POSTAL CODE: K0G 1T0 **TELEPHONE: (Home):** _____ **(Work):** _____
EMAIL ADDRESS: _____

2. **AGENT/APPLICANT:** Name of the person who is to be contacted about the application, if different than owner. Please include your email address. (This may be a person or firm acting on behalf of the owner – An owner's authorization is required if the applicant is not the owner)
Elizabeth Streight
ADDRESS, CITY/TOWN: 370 County Rd 18 Oxford Station
POSTAL CODE: K0G 1T0 **TELEPHONE: (Home):** _____ **(Work):** _____

3. **LOCATION OF THE SUBJECT LAND:** **MUNICIPALITY** AUGUSTA
 Former Municipality: _____ Concession No. 9 Lot No. 12 south half
 Registered Plan No.: _____ Lot(s) _____ Block(s) _____ Reference Plan No.: _____
 Civic Address: 9574 Diamond Road
 Are there any easements or restrictive covenants affecting the subject land? Yes No

4. **PURPOSE OF THIS APPLICATION:** (Check appropriate box)
 Creation of New Lot Addition to a Lot An easement/right-of-way
 Other - Correction of Title, Or Lease
 Name of person(s), if known, to who this land or interest in land is to be transferred, leased or charged

* If a lot addition, identify on the required sketch the lands to which the parcel will be added

5. **DESCRIPTION OF LAND INTENDED TO BE SEVERED:** IRREGULAR LOT (3.5 acres)
 Frontage 128 m (metres) Depth 107 m (metres) Area (hectares) 1.42 hectares
 Existing Use Agriculture/Residence Proposed Use Agriculture/Residence
 Number and use of buildings and structures:
 Existing House/Barn/shed Proposed same

6. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:** (9.5 acres)
 Frontage 832 (metres) Depth 100 m (metres) Area (hectares) 37.03 hectares
 Existing Use AGRICULTURE Proposed Use AGRICULTURE
 Number and use of buildings and structures: N/A

7. **WHAT TYPE OF WATER SUPPLY IS PROPOSED?** (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Well (circle - dug or drilled)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Communal Well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

Effective date September 2021

AUGUSTA TOWNSHIP

8. WHAT TYPE OF SEWAGE DISPOSAL IS PROPOSED? (Check appropriate space)

Municipally owned and operated sanitary sewers	Severed Lot	Retained Lot	
Septic Tank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Communal septic system	<input type="checkbox"/>	<input type="checkbox"/>	
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>	

9. TYPE OF ACCESS: (Check appropriate space)

Provincial Highway _____	Severed Lot	Retained Lot	
County Road _____	<input type="checkbox"/>	<input type="checkbox"/>	
Municipal road, maintained all year _____	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Municipal road, seasonally maintained _____	<input type="checkbox"/>	<input type="checkbox"/>	
Right-of-way owned by _____	<input type="checkbox"/>	<input type="checkbox"/>	
Water Access (Specify docking and parking facilities and distance of these facilities from the subject land and the nearest public road.) _____	<input type="checkbox"/>	<input type="checkbox"/>	

10. OTHER SERVICES: (Check if the service is Available)

Electricity	Severed Lot	Retained Lot	
School Bussing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Garbage Collection	<input type="checkbox"/>	<input type="checkbox"/>	

11. LAND USE:

What is the existing UCLG Official Plan designation of the subject land? AGRICULTURE AREA

What is the existing Municipal Official Plan designation of the subject land? AGRICULTURE RESOURCE LANDS

What is the Zoning of the subject land? AGRICULTURE (w/ FLOODPLAIN) (2)

Part Flood Plain
 Terrestrial Soil; Gravel Mineal
 SW
 SW

12. Please check YES or NO to the following:

USE OR FEATURE	YES	NO
Is there an agricultural operation including livestock facility or stockyard located on or within 1500 metres of the severed or retained land? (if yes, MDS calculations will be required) <u>CROPLAND ONLY</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
** Are there any tile drains on the land to be severed; if present, show them on the application sketch.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a landfill within 500 metres of severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a Provincially Significant Wetland (Class 1, 2 or 3 Wetland) on the severed or retained lands or within 120 metres?	<input type="checkbox"/>	<input type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an industrial or commercial use, including propane distributors, located within 500 metres of the severed or retained land? (If yes, specify the use)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active railway line within 300 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Utility corridor(s) (i.e. towers, etc.) located on the severed or retained lands or within 500 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUGUSTA TOWNSHIP

Page 3

13. History of the Subject Land:

Has the subject land ever been the subject of an application for approval of consent or a plan of subdivision under the Planning Act? No Yes Unknown If yes and if known, provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use:

1991 By Previous Owner - creation of 2 lots zoned Rural

Has any land been severed from the parcel originally acquired by the owner of the subject land? No Yes
If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

14. Current Applications:

Is the subject land currently the subject of a proposed UCLG and/or Municipal Official Plan Amendment(s)?

No Yes Unknown If yes, and if known, specify the appropriate file number and status of application(s).

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?

No Yes Unknown If yes, and if known, specify the appropriate file number and status of application.

15. SKETCH: The application shall be accompanied by a sketch **no larger than 8.5" by 14"** showing the following:
Please refer to the sample sketch on page 6 of this form.

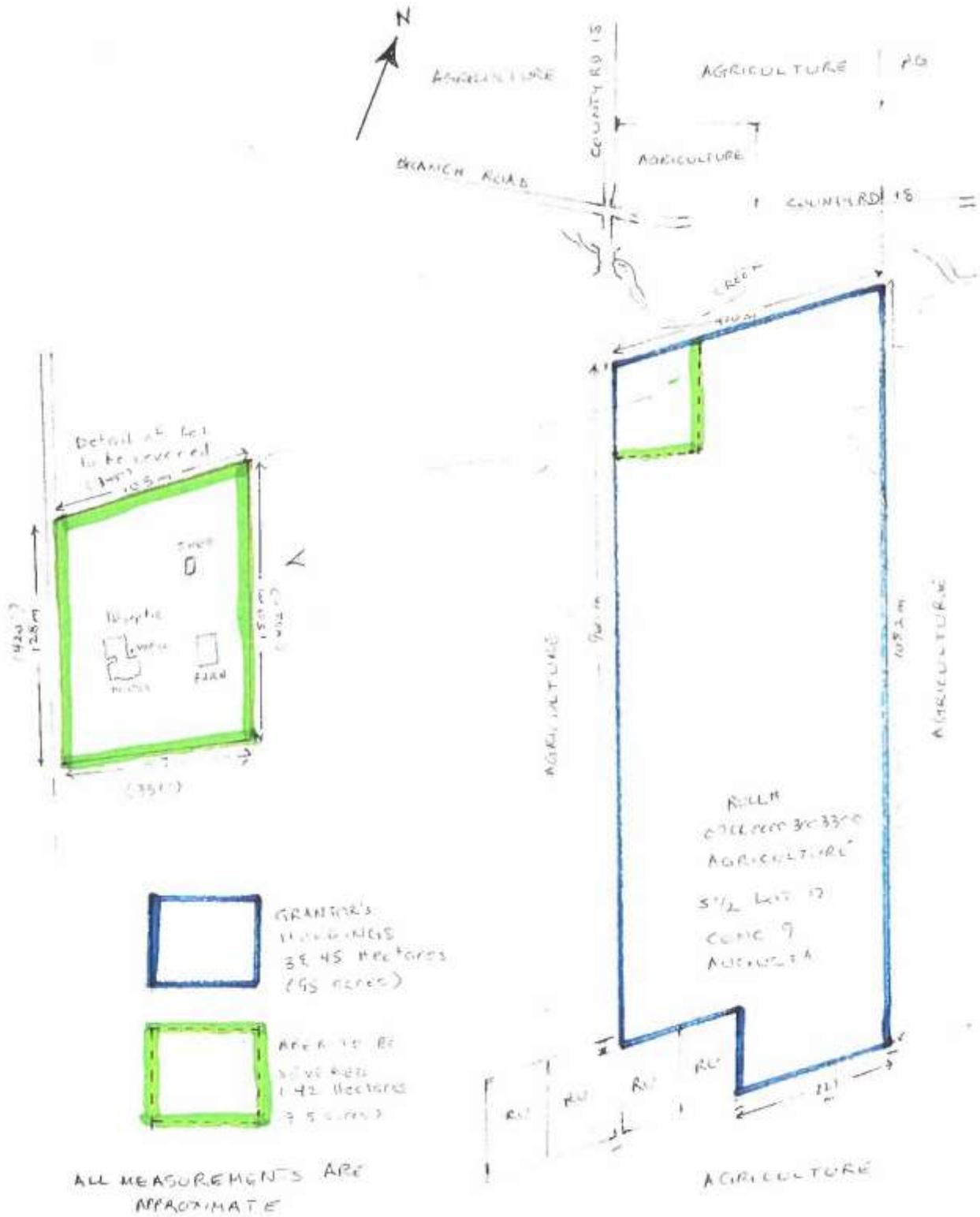
- The dimensions of the subject land, outline the part that is to be severed in yellow and the part that is to be retained in blue.
- The dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The existing use(s) on adjacent lands.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right-of-way.
- If access to the subject land is by water only, the location of the parking or boat docking facilities to be used.
- The location and nature of any easement affecting the subject land.

16. OTHER INFORMATION: Is there any other information that you think may be useful to the Consent Granting Authority or other agencies in reviewing this application? If so, explain below or attach a separate page.

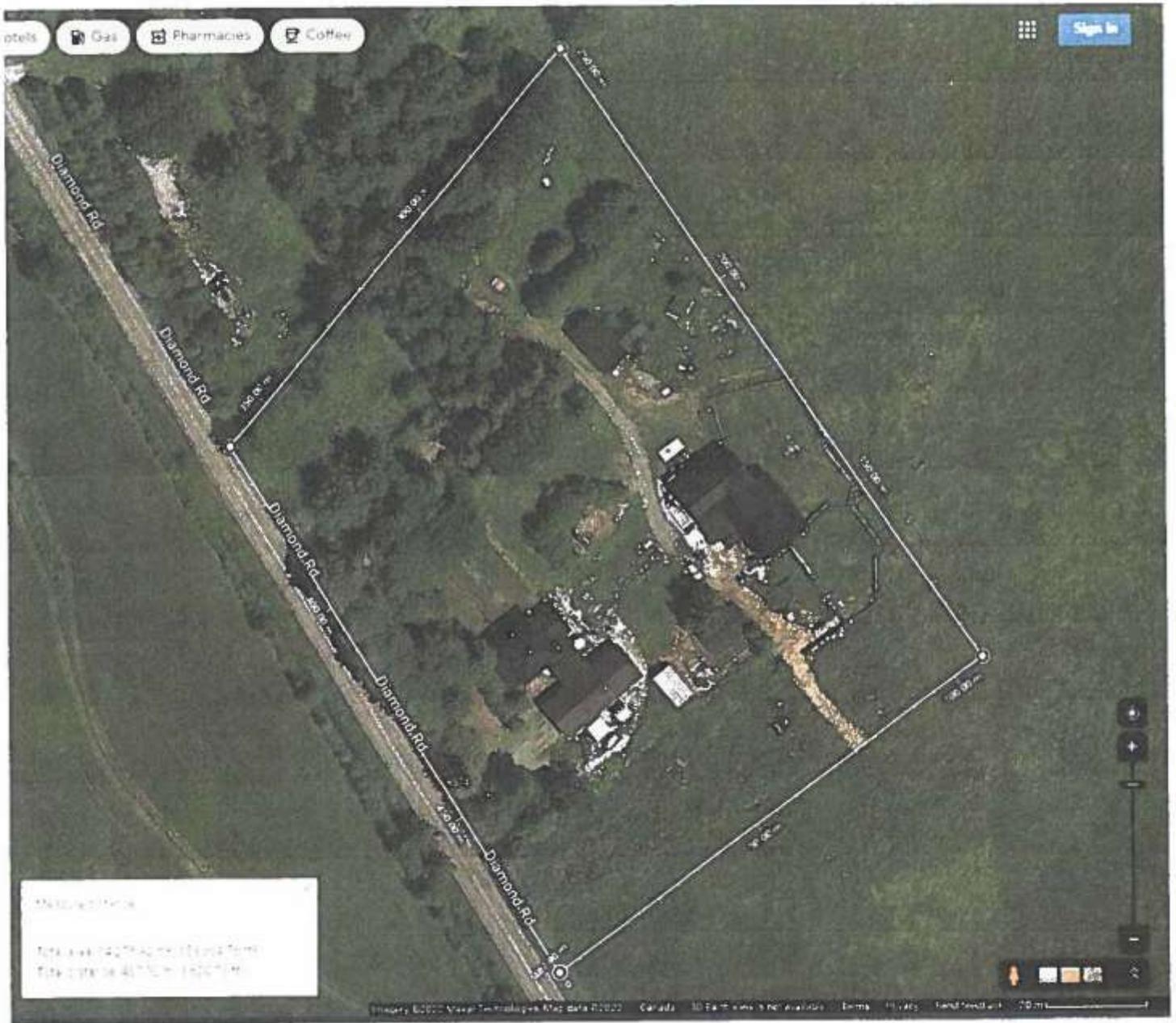
Recently purchased (July 15) - farm consolidation

Effective date September 2021

AUGUSTA TOWNSHIP



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B-123-22 Straight Severance



8/24/2022, 11:32:44 AM

- Subject lands
- Parcels
- Severance Activity
- Road Network
- Municipal Road
- County Road

1:18,056
0 0.1 0.2 0.4 mi
0 0.17 0.35 0.7 km
Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METNUSA, USGS, EPA

Leads Geoville GIS

Disclaimer: The data provided is for informational purposes only. UCLG is not liable for positioning inaccuracies, subsequent updates, errors or omissions of data.

AUGUSTA TOWNSHIP

TO: AGRICULTURE AND RURAL AFFAIRS COMMITTEE (ARAC)

DATE: September 7, 2022

RE: Severance Application B-124-22 and B-125-22 (Serbouti)
Con. 8, Pt. Lot 13; Vacant Lands Hall Road
Two (2) New Lots

AUTHOR: Melissa Banford, Planner

RECOMMENDATION:

THAT Augusta Council recommend to the United Counties of Leeds and Grenville Consent Granting Authority that consent applications B-124-22 and B-125-22 be approved, subject to the following seven (7) conditions of approval:

1. That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) (Assessment Roll 0706 000 025 06805) shall be paid to Augusta Township.
2. That an acceptable reference plan, survey or legal description of the severed lands be submitted to Augusta Township.
3. That a cash-in-lieu of parkland levy of \$500.00 for application B-124-22 and B-125-22 (\$1,000.00 total) be paid to Augusta Township, as a two (2) new building lots will result.
4. That the road allowance of Hall Road be widened if required to provide for 10 metres from the centreline of the travelled road, across the frontage of the severed/new building lots under B-124-22 and B-125-22 and that a Transfer/Deed conveying the said land to Augusta Township be prepared and executed and such lands be confirmed free/clear of any encumbrances, in consideration of the payment of \$1.00. If such widening already exists, a surveyor shall confirm such with the Township.
5. That the following note be placed on the Decisions related to B-124-22 and B-125-22, to read as follows: **Note: The Township of Augusta advises that it is the responsibility of the property owner to ensure an adequate supply and quality of potable water to service the severed lot (new building lot).**
6. That favourable comments are received by the Consent Granting Authority from circulated commenting agencies, to the satisfaction of the Consent Granting Authority.
7. That all costs associated with fulfilment of conditions are at the applicant's sole expense.

AUGUSTA TOWNSHIP

PURPOSE:

The United Counties of Leeds and Grenville's Consent Granting Authority has received and circulated severance applications B-124-22 and B-125-22 to prescribed/required agencies, to area property owners within the prescribed distance, and to the Township for comment. The applications have been filed by property owner. Refer to the **attached applications (excerpts) and site sketches.**

In brief:

- B-124-22 proposes to sever 0.809 ha (2 ac.) +/-, with 42.7 m (140 ft.) road frontage onto Hall Road, for the purpose of a new residential lot;
- B-125-22 proposes to sever 0.809 ha (2 ac.) +/-, with 42.7 m (140 ft.) road frontage onto Hall Road, for the purpose of a new residential lot;
- The retained lands would have 2.42 ha (6 ac.) +/- with 114.8 m (376.6 ft.) of road frontage onto Hall Road.

CONSULTATION:

As of the date of this report, Township planning staff have not received any comments from the United Counties' Consent Granting Authority, regarding their public consultation and circulation of the application to prescribed agencies and area property owners.

At the Township level, the proposed severances were circulated internally by the Township's Planner to the Chief Building Official, Public Works Manager, Fire Chief and Treasurer. No concerns or foreseeable issues are anticipated, however the Planner will confirm if any comments otherwise are received at the September 7, 2022 ARAC meeting. The standard condition on severances requiring payment of any outstanding taxes or the tax account, to the satisfaction of the Treasurer, should apply.

BACKGROUND:

The existing property is a 4 ha (10 acre) +/- lot, which is currently vacant on Hall Road. Two (2) new 0.809 ha (2 ac.) vacant lots are proposed to be created under severance applications B-124-22 and B-125-22.

ANALYSIS:

Under the Township's Official Plan, lot creation by severance, from an original lot that existed as of July 26, 2004, may result in the creation of three lots (including the

AUGUSTA TOWNSHIP

retained lot), so in effect, two (2) new building lots subject to meeting other policies in the plan. The subject property appears to be eligible for severance consideration for the proposed two (2) new lots, as no previous severances appear to have been taken off the original lot since the eligibility date.

Under the County Official Plan, the lands are designated Rural Lands, and there is a very small area of Sand and Gravel Resources (Tertiary) at the west corner of the subject property. Given the limited size of the tertiary area and the size of the lot, it is staff's opinion that the proposed severances would not further preclude the ability for area deposits to be extracted.

This property is designated Rural under Schedule A of the Township's Official Plan and no Development Constraints are identified on the lands under Schedule B. The minimum new lot size of 0.8 ha (2.0 acres) under the Official Plan is exceeded in these applications.

The Rural policies provides limited opportunity to develop low density residential development in the rural area, while preserving the identity and character of the rural area. (Section 3.1.1). The policy provides that inefficient land use patterns such as strip or scattered development are to be avoided. The policy does not define these terms and as such they are an interpretation during severance assessments by the Township. Given the limited development in this area, on the south side of Hall Road, the severance applications do not appear to be creating strip development.

Other rural policies to be regarded are ensuring that new lot development meets the Minimum Separation Distance (MDS) standards from any livestock barns in the area. There do not appear to be any livestock barns in the immediate area impacting these severance applications.

The subject property appears to be zoned RU, Rural zone, under current Zoning By-law 2965, as amended. The proposed two (2) new lots will meet the minimum 0.8 ha (2 ac.) lot size and minimum 30m (98.4 ft.) road frontage required in the RU zone. There are Provincially Significant Wetlands (PSW) located to the west of the subject property, however, the two (2) new lots will be located entirely outside of this 120m PSW influence area. Any development on the retained lands that may be within the 120m PSW setback will need to be supported by an Environmental Impact Study (EIS).

The two (2) new lots are proposed for residential use only and do not meet the 2 ha. (4.94 ac) lot size and 38m (124.7) road frontage requirements for a hobby farm accessory to a residential use. The retained lands will meet the size and frontage requirements for hobby farm use, however, any proposed livestock barn and manure storage areas will need to meet Minimum Distance Separation (MDS) to ensure that the barn/manure storage are sufficiently set back from area dwellings and vacant lots.

Development is proposed on private services (well/septic) to service the severed lots. The lots to be severed are located within a highly vulnerable aquifer. The need for any

AUGUSTA TOWNSHIP

groundwater quality/quantity assessment is to be considered on a case-by-case basis, subject to criteria endorsed by Council Resolution No. 6 (March 28, 2022). Given that size of the proposed lots exceeds the Township's minimum of 0.8 ha (2.0 acres) and that the severed lot will not result in being the 6th development within a 5 ha area, it would be recommended that a note be placed on the severance Decisions to flag that the provision of an adequate supply and quality of water is the owner's responsibility.

These severance applications, subject to the recommended conditions of approval, appear to conform with the intent of the Provincial Policy Statement (2020), the United Counties of Leeds and Grenville Official Plan, the Augusta Official Plan and the Augusta Zoning By-law. The recommended conditions capture policy considerations and current standard conditions of approval by the Township for severances.

POLICY IMPLICATIONS:

There are no implications for current policies, subject to recommended conditions of approval.

FINANCIAL CONSIDERATIONS:

There are no budgetary requirements for the Township.

OPTIONS:

- 1. Support the severance applications proceeding to the Counties Consent Granting Authority based on the planner's recommendation with conditions as written.
- 2. Support the severance applications proceeding to the Counties Consent Granting Authority based on the planner's recommendation with revisions as may be deemed appropriate by the Agricultural and Rural Affairs Committee.

LINK TO MUNICIPAL PLANS:

The recommendations on Severance Applications B-124-22 and B-125-22, with stated conditions, appear to align with the rural severance policies of the Augusta's Official Plan and will meet/exceed the zone provisions of Augusta's Zoning By-law.



Melissa Banford, Planner



Steve McDonald, CAO

Attachments.

- Severance B-124-22 and B-125-22 excerpts

AUGUSTA TOWNSHIP



APPLICATION FOR CONSENT
Under Section 53 of the Planning Act
UNITED COUNTIES OF LEEDS AND GRENVILLE

File No. B- 124-22

PLEASE NOTE: FEES ARE NON-REFUNDABLE ONCE APPLICATION HAS BEEN CIRCULATED

Roll Number 070600002506805 (Mandatory 15 digits)
 Date consulted with Municipality: July 2022 Date Accepted: August 24/22

1. **NAME OR OWNER(S):** MOHAMMED Serbouti
ADDRESS, CITY/TOWN: 204 Manorwood Cres, Ottawa, Ontario
POSTAL CODE: K1T0L5 **TELEPHONE: (Home)** _____ **(Work)** _____
EMAIL ADDRESS: _____

2. **AGENT/APPLICANT:** Name of the person who is to be contacted about the application, if different than owner. Please include your email address. (This may be a person or firm acting on behalf of the owner – An owner's authorization is required if the applicant is not the owner)

ADDRESS, CITY/TOWN: _____
POSTAL CODE: _____ **TELEPHONE: (Home)** _____ **(Work)** _____

3. **LOCATION OF THE SUBJECT LAND:** **MUNICIPALITY** Augusta Township north
 Former Municipality: _____ Concession No. 80 Lot No. 13
 Registered Plan No.: _____ Lot(s) _____ Block(s) _____ Reference Plan No. _____
 Civic Address: 9537 Hull Rd (Civ)
 Are there any easements or restrictive covenants affecting the subject land? Yes No

4. **PURPOSE OF THIS APPLICATION:** (Check appropriate box)
 Creation of New Lot Addition to a Lot An easement/right-of-way
 Other - Correction of Title, Or Lease
 Name of person(s), if known, to who this land or interest in land is to be transferred, leased or charged _____

* If a lot addition, identify on the required sketch the lands to which the parcel will be added

5. **DESCRIPTION OF LAND INTENDED TO BE SEVERED:** 1969
 42.672 m Frontage 142 FT (metres) Depth 646.0 FT (metres) Area (hectares) 2 A / 0.809 H
 Existing Use Vacant Proposed Use Residential
 Number and use of buildings and structures:
 Existing 0 Proposed unknown

6. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:** 1969
 157.44 m Frontage 516.56 (metres) Depth 641.0 FT (metres) Area (hectares) 8 A / 3.237 H
 Existing Use _____ Proposed Use _____
 Number and use of buildings and structures: _____

7. **WHAT TYPE OF WATER SUPPLY IS PROPOSED?** (Check appropriate space)

Municipally owned and operated water supply	<input type="checkbox"/>	<input type="checkbox"/>	
Well (circle - dug or drilled)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Communal Well	<input type="checkbox"/>	<input type="checkbox"/>	
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>	
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>	

Effective date September 2021

AUGUSTA TOWNSHIP

8. WHAT TYPE OF SEWAGE DISPOSAL IS PROPOSED? (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Septic Tank	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

9. TYPE OF ACCESS: (Check appropriate space)

	Severed Lot	Retained Lot
Provincial Highway _____	<input type="checkbox"/>	<input type="checkbox"/>
County Road _____	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, maintained all year <u>Hall Rd.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Municipal road, seasonally maintained _____	<input type="checkbox"/>	<input type="checkbox"/>
Right-of-way owned by _____	<input type="checkbox"/>	<input type="checkbox"/>
Water Access (Specify docking and parking facilities and distance of these facilities from the subject land and the nearest public road.) _____	<input type="checkbox"/>	<input type="checkbox"/>

10. OTHER SERVICES: (Check if the service is Available)

	Severed Lot	Retained Lot
Electricity	<input type="checkbox"/>	<input type="checkbox"/>
School Bussing	<input type="checkbox"/>	<input type="checkbox"/>
Garbage Collection	<input type="checkbox"/>	<input type="checkbox"/>

11. LAND USE:

What is the existing UCLG Official Plan designation of the subject land? Rural

What is the existing Municipal Official Plan designation of the subject land? Rural

What is the Zoning of the subject land? Rural

12. Please check YES or NO to the following:

USE OR FEATURE	YES	NO
Is there an agricultural operation including livestock facility or stockyard located on or within 1500 metres of the severed or retained land? (if yes, MDS calculations will be required)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
** Are there any tile drains on the land to be severed; if present, show them on the application sketch.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a landfill within 500 metres of severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a Provincially Significant Wetland (Class 1, 2 or 3 Wetland) on the severed or retained lands or within 120 metres?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an industrial or commercial use, including propane distributors, located within 500 metres of the severed or retained land? (If yes, specify the use)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active railway line within 300 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Utility corridor(s) (i.e. towers, etc.) located on the severed or retained lands or within 500 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUGUSTA TOWNSHIP

Page 3

13. History of the Subject Land:

Has the subject land ever been the subject of an application for approval of consent or a plan of subdivision under the Planning Act? **No** **Yes** **Unknown** If yes and if known, provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use:

Has any land been severed from the parcel originally acquired by the owner of the subject land? **No** **Yes**
If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

14. Current Applications:

Is the subject land currently the subject of a proposed UCLG and/or Municipal Official Plan Amendment(s)?

No **Yes** **Unknown** If yes, and if known, specify the appropriate file number and status of application(s).

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?

No **Yes** **Unknown** If yes, and if known, specify the appropriate file number and status of application.

15. SKETCH: The application shall be accompanied by a sketch **no larger than 8.5" by 14"** showing the following:
Please refer to the sample sketch on page 6 of this form.

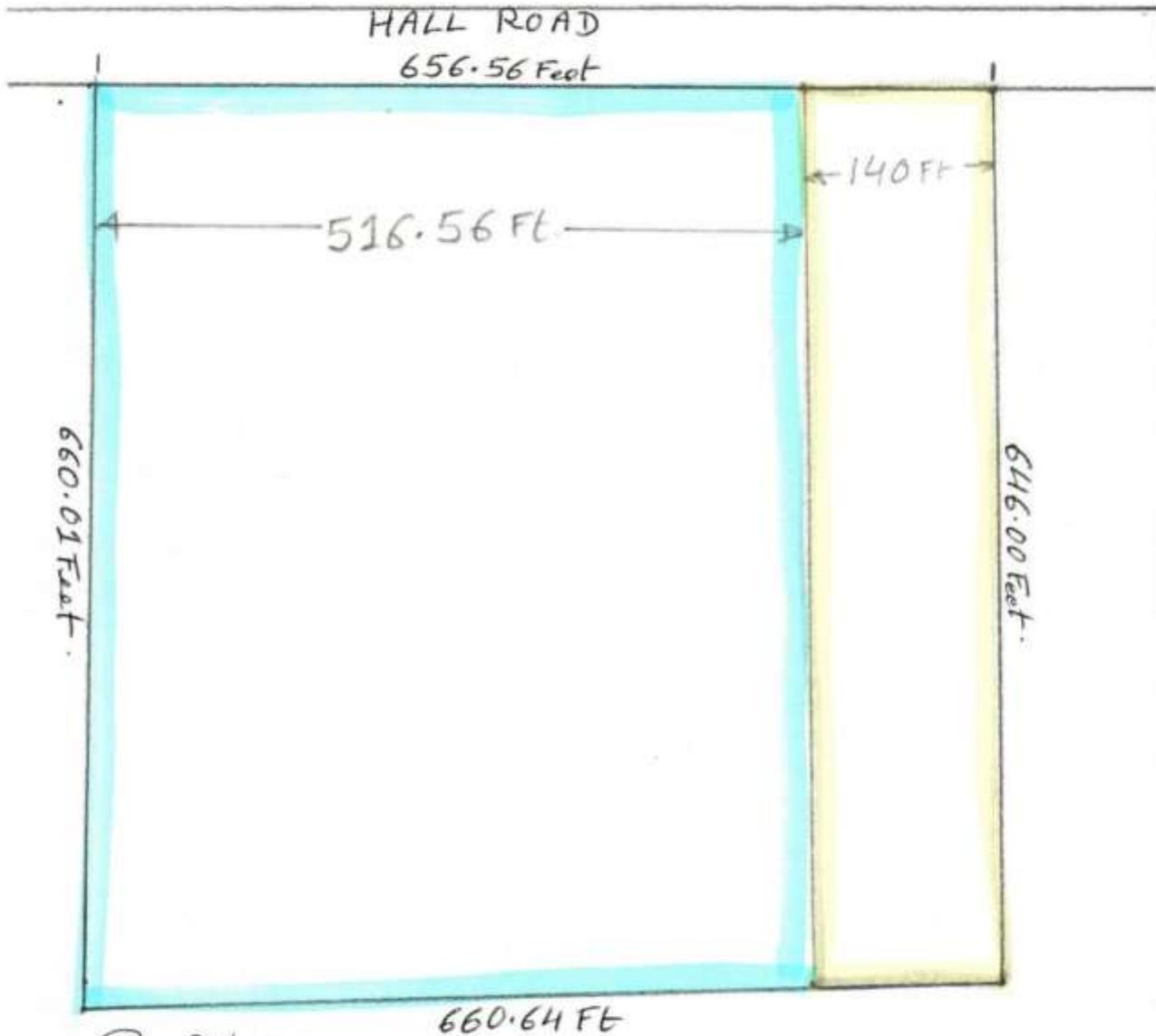
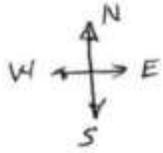
- The dimensions of the subject land, outline the part that is to be severed in yellow and the part that is to be retained in blue.
- The dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The existing use(s) on adjacent lands.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right-of-way.
- If access to the subject land is by water only, the location of the parking or boat docking facilities to be used.
- The location and nature of any easement affecting the subject land.

16. OTHER INFORMATION: Is there any other information that you think may be useful to the Consent Granting Authority or other agencies in reviewing this application? If so, explain below or attach a separate page.

Effective date September 2021

AUGUSTA TOWNSHIP

PIN 681740088.



B-124-22

-  Severed Lands (2 acres/0.809 Hectares)
-  Retained Lands (6 acres/2.42 Hectares)

AUGUSTA TOWNSHIP



APPLICATION FOR CONSENT
Under Section 53 of the Planning Act
UNITED COUNTIES OF LEEDS AND GRENVILLE

File No. B- 125 22

PLEASE NOTE: FEES ARE NON-REFUNDABLE ONCE APPLICATION HAS BEEN CIRCULATED

Roll Number 07060002506805 (Mandatory 15 digits)
 Date consulted with Municipality: July 2022 Date Accepted: August 24/22

1. **NAME OR OWNER(S):** MOHAMMED SERBOUTI
ADDRESS, CITY/TOWN: 204 Manorwood Cres, Ottawa, Ontario
POSTAL CODE: K1T0L5 **TELEPHONE: (Home)** _____ **(Work)** _____
EMAIL ADDRESS: _____

2. **AGENT/APPLICANT:** Name of the person who is to be contacted about the application, if different than owner. Please include your email address. (This may be a person or firm acting on behalf of the owner – An owner's authorization is required if the applicant is not the owner)
ADDRESS, CITY/TOWN: _____
POSTAL CODE: _____ **TELEPHONE: (Home)** _____ **(Work)** _____

3. **LOCATION OF THE SUBJECT LAND:** **MUNICIPALITY** Augusta Township north
 Former Municipality: _____ Concession No. 8 Lot No. 13
 Registered Plan No.: _____ Lot(s) _____ Block(s) _____ Reference Plan No. _____
 Civic Address: 9537 Hail Rd (on)
 Are there any easements or restrictive covenants affecting the subject land? Yes No

4. **PURPOSE OF THIS APPLICATION:** (Check appropriate box)
 Creation of New Lot Addition to a Lot An easement/right-of-way
 Other - Correction of Title, Or Lease
 Name of person(s), if known, to who this land or interest in land is to be transferred, leased or charged _____

* If a lot addition, identify on the required sketch the lands to which the parcel will be added

5. **DESCRIPTION OF LAND INTENDED TO BE SEVERED:**
 42.67 m Frontage 140 FT (metres) Depth 646 FT (metres) Area (hectares) 2 acres / 0.509 H
 Existing Use Vacant Proposed Use _____
 Number and use of buildings and structures:
 Existing 0 Proposed Unknown

6. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:**
 114.77 m Frontage 376.56' (metres) Depth 646' (metres) Area (hectares) 6 A / 2.42 H
 Existing Use Vacant Proposed Use Residential
 Number and use of buildings and structures: 0

7. **WHAT TYPE OF WATER SUPPLY IS PROPOSED?** (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Well (circle – dug or drilled)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal Well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

Effective date September 2021

AUGUSTA TOWNSHIP

- 8. WHAT TYPE OF SEWAGE DISPOSAL IS PROPOSED?** (Check appropriate space)
- | | Severed Lot | Retained Lot |
|--|-------------------------------------|-------------------------------------|
| Municipally owned and operated sanitary sewers | <input type="checkbox"/> | <input type="checkbox"/> |
| Septic Tank | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Communal septic system | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (Specify) _____ | <input type="checkbox"/> | <input type="checkbox"/> |
-
- 9. TYPE OF ACCESS:** (Check appropriate space)
- | | Severed Lot | Retained Lot |
|---|-------------------------------------|-------------------------------------|
| Provincial Highway _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| County Road _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Municipal road, maintained all year <u>Hall Rd.</u> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Municipal road, seasonally maintained _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Right-of-way owned by _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Water Access (Specify docking and parking facilities and distance of these facilities from the subject land and the nearest public road.) _____ | <input type="checkbox"/> | <input type="checkbox"/> |
-
- 10. OTHER SERVICES:** (Check if the service is Available)
- | | Severed Lot | Retained Lot |
|--------------------|-------------------------------------|-------------------------------------|
| Electricity | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| School Bussing | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Garbage Collection | <input type="checkbox"/> | <input type="checkbox"/> |
-
- 11. LAND USE:**
- What is the existing UCLG Official Plan designation of the subject land? Rural
- What is the existing Municipal Official Plan designation of the subject land? Rural
- What is the Zoning of the subject land? Rural

12. Please check YES or NO to the following:

USE OR FEATURE	YES	NO
Is there an agricultural operation including livestock facility or stockyard located on or within 1500 metres of the severed or retained land? (if yes, MDS calculations will be required)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
** Are there any tile drains on the land to be severed; if present, show them on the application sketch.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a landfill within 500 metres of severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a Provincially Significant Wetland (Class 1, 2 or 3 Wetland) on the severed or <u>retained lands</u> or within 120 metres?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an industrial or commercial use, including propane distributors, located within 500 metres of the severed or retained land? (If yes, specify the use)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active railway line within 300 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Utility corridor(s) (i.e. towers, etc.) located on the severed or retained lands or within 500 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUGUSTA TOWNSHIP

Page 3

13. History of the Subject Land:

Has the subject land ever been the subject of an application for approval of consent or a plan of subdivision under the Planning Act? **No** **Yes** **Unknown** If yes and if known, provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use:

Has any land been severed from the parcel originally acquired by the owner of the subject land? **No** **Yes**
If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

14. Current Applications:

Is the subject land currently the subject of a proposed UCLG and/or Municipal Official Plan Amendment(s)?

No **Yes** **Unknown** If yes, and if known, specify the appropriate file number and status of application(s).

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?

No **Yes** **Unknown** If yes, and if known, specify the appropriate file number and status of application.

15. SKETCH: The application shall be accompanied by a sketch **no larger than 8.5" by 14"** showing the following:
Please refer to the sample sketch on page 6 of this form.

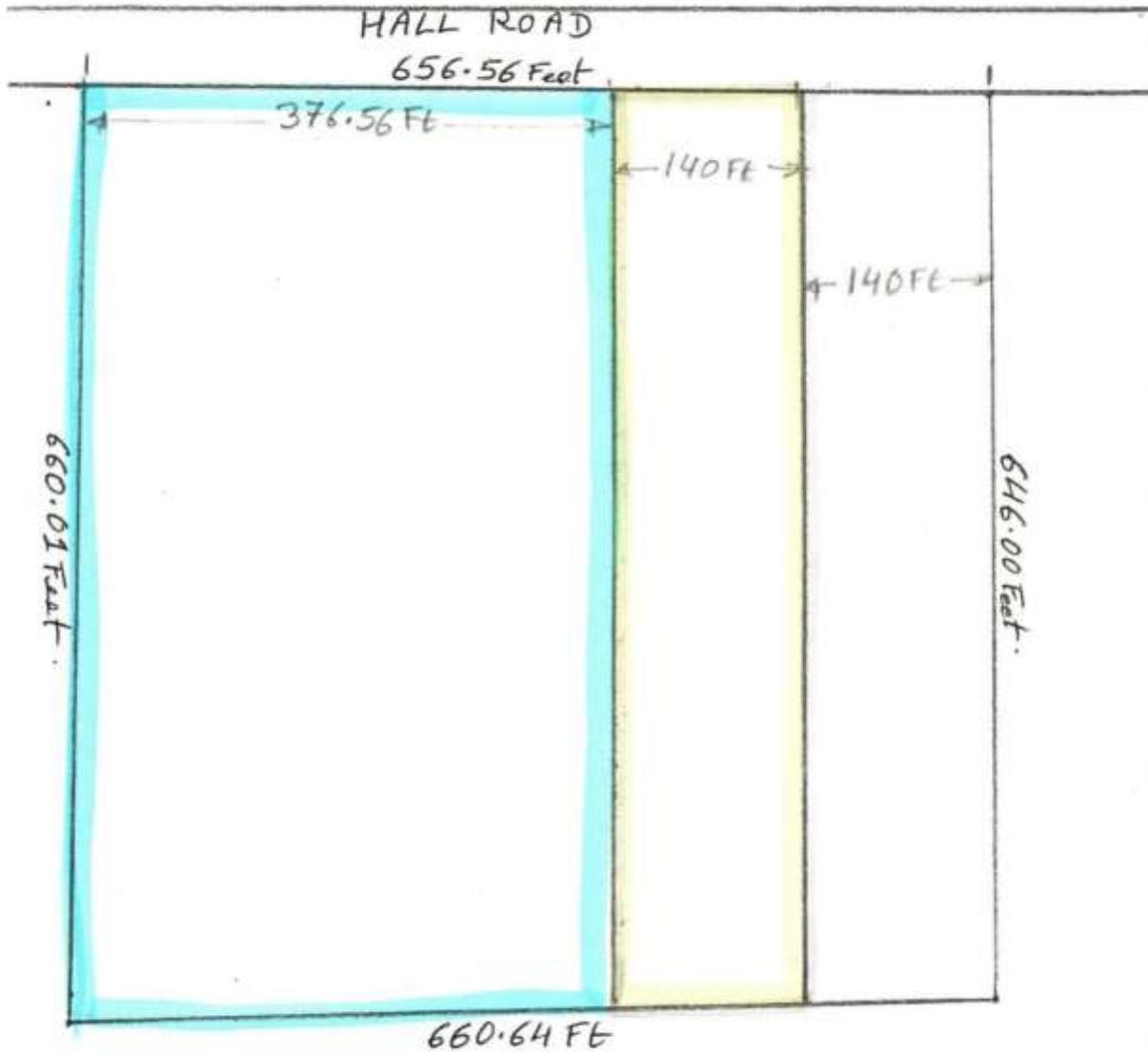
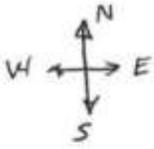
- The dimensions of the subject land, outline the part that is to be severed in yellow and the part that is to be retained in blue.
- The dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The existing use(s) on adjacent lands.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right-of-way.
- If access to the subject land is by water only, the location of the parking or boat docking facilities to be used.
- The location and nature of any easement affecting the subject land.

16. OTHER INFORMATION: Is there any other information that you think may be useful to the Consent Granting Authority or other agencies in reviewing this application? If so, explain below or attach a separate page.

Effective date September 2021

AUGUSTA TOWNSHIP

PIN 681740088.

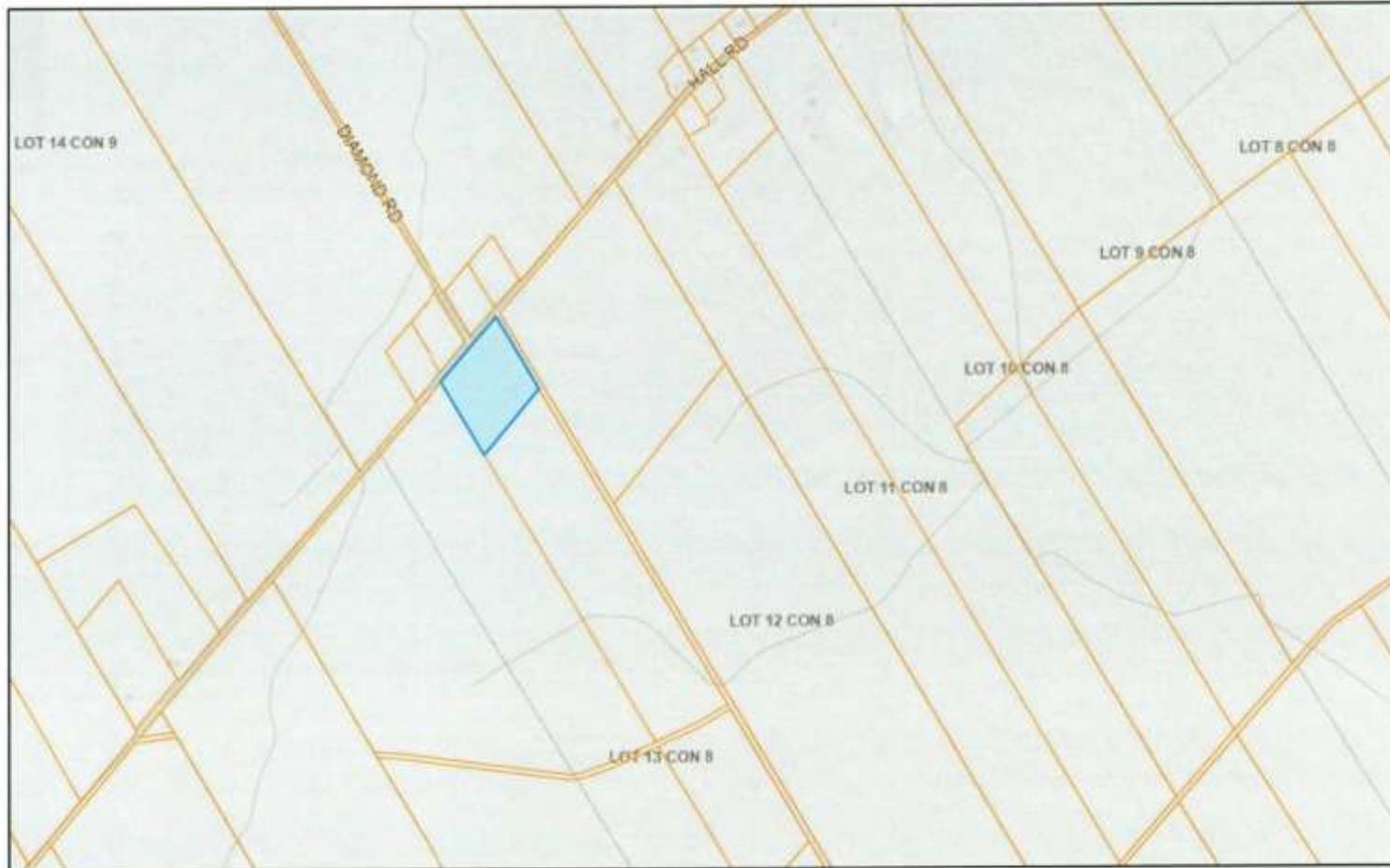


B-125-22

- Severed Lands (2 acres / 0.809 Hectares)
- Retained Lands (8 acres / 3.237 Hectares)

AUGUSTA TOWNSHIP

B-124-22 & B-125-22 Serbouti Severance



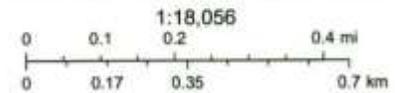
8/26/2022, 9:48:00 AM

 Subject Lands

 Parcels

Severance Activity Road Network

 Municipal Road



Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA,

Leeds Grenville GIS

Disclaimer: The data provided is for informational purposes only. UCLG is not liable for positioning inaccuracies, subsequent updates, errors or omissions of data.

AUGUSTA TOWNSHIP

TO: AGRICULTURE AND RURAL AFFAIRS COMMITTEE (ARAC)

DATE: September 7, 2022

RE: Severance Application B-126-22 (Pitts)
Con. 9, Pt. Lot 17; 9462 Hall Road
New Lot

AUTHOR: Melissa Banford, Planner

RECOMMENDATION:

THAT Augusta Council recommend to the United Counties of Leeds and Grenville Consent Granting Authority that consent application B-126-22 be approved, subject to the following eight (8) conditions of approval:

1. That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) (roll no. 0706 000 030 04201) shall be paid to Augusta Township.
2. That an acceptable reference plan, survey or legal description of the severed lands be submitted to Augusta Township.
3. That the road allowance of Hall Road be widened if required to provide for 10 metres from the centreline of the travelled road, across the frontage of the severed/new building lot and that a Transfer/Deed conveying the said land to Augusta Township be prepared and executed and such lands be confirmed free/clear of any encumbrances, in consideration of the payment of \$1.00. If such widening already exists, a surveyor shall confirm such with the Township.
4. That a cash-in-lieu of parkland levy of \$500.00 be paid to Augusta Township, as a new building lot is resulting.
5. That an Environmental Impact Study/statement (EIS), to the satisfaction of the Rideau Valley Conservation Authority (RVCA), be submitted for the severed lands regarding Significant Woodlands/120m adjacent lands. Should the EIS identify building envelopes or recommended mitigation measures, a suitable development agreement should be entered into with the Township. The extent/nature of any potential development agreement would be to the satisfaction of the Township. The Township would consult with the RVCA following the EIS submission to confirm if this is required.
6. That all costs associated with fulfilment of conditions are at the applicant's sole expense.
7. That favourable comments are received by the Consent Granting Authority from circulated commenting agencies to the satisfaction of the Consent Granting Authority.
8. That the following note be placed on the Decision, to read as follows: **Note: The Township of Augusta advises that it is the responsibility of the property owner to ensure an adequate supply and quality of potable water to service the severed lot (new building lot).**

AUGUSTA TOWNSHIP

PURPOSE:

The United Counties of Leeds and Grenville's Consent Granting Authority has received and circulated severance application, B-126-22 (Pitts), to prescribed/ required agencies, to area property owners within the prescribed distance and to the Township for comment. The application has been filed by the owners. Refer to the **attached application (excerpts) and site sketch.**

In brief:

- B-126-22 proposes to create one new 4.05 ha (10 ac.) +/- vacant building lot with 53.54 m (175 ft.) +/- of lot frontage on Hall Road and;
- The retained lands would have 20.7 ha (51.11 ac.) +/- with 144.78 m (475 ft.) +/- of frontage on Hall Road, which contains the existing dwelling and accessory buildings at 9462 Hall Road.

CONSULTATION:

As of the date of this report, Township planning staff have not received any comments from the United Counties' Consent Granting Authority, regarding their public consultation and circulation of the application to prescribed agencies and area property owners.

At the Township level, the proposed severance/site location was circulated internally by the Township's Planner to the Chief Building Official, Public Works Manager, Fire Chief and Treasurer. No concerns or foreseeable issues are anticipated, however the Planner will confirm if any comments otherwise are received at the September 7, 2022 ARAC meeting. The standard condition requiring payment of any outstanding taxes, as previously discussed with the Treasurer, should apply to all severance approvals.

BACKGROUND:

The existing property is a 24.73 ha (61.11 acre) +/- lot, which has an existing dwelling and accessory structures located at 9462 Hall Road. A 14.05 ha (10 ac.) +/- vacant lot is proposed to be created and the existing dwelling and structures are to be retained on a 20.7 ha (51.11 ac.) +/- lot.

ANALYSIS:

Under the Township's Official Plan, lot creation by severance from an original lot that existed as of July 26, 2004, may result in the creation of three (3) lots (including the retained lot), so in effect, two (2) new building lots subject to meeting other policies in the plan. The subject property appears to be eligible for severance consideration, as no

AUGUSTA TOWNSHIP

previous severances appear to have been taken off the original lot since the eligibility date. The severance must meet other policies in the Official Plan.

This property is designated Rural under Schedule A of the Official Plan and there is a small area of Significant Woodlands on the west side of the severed lands on Development Constraints Schedule B. The Significant Woodlands, and 120m adjacent lands, are identified on the attached GIS imagery. It is understood that the property owner has been in contact with Rideau Valley Conservation Authority (RVCA) in relation to the proposed severance. Staff have discussed the Significant Woodlands with RVCA and it does not appear there will be negative impacts on the Significant Woodlands. RVCA is working with the property owner to complete a scoped Environmental Impact Study (EIS). As the EIS was not available as of the date of this staff report, should the EIS contain recommended conditions with respect to building envelope, best practices or mitigation measures for the severed lot, this could be captured through an Agreement with the municipality. The Agreement would not necessarily need to be registered on title, but would be binding on the property owner to advise future property owners of the severed lands of the Agreement/EIS. This has been included as a recommended condition of approval on the severance.

Under the County Official Plan, the lands are designated Rural Lands.

The application appears to be in keeping with the Township Rural policies for low density residential development in the rural areas and the preservation of the identity and character of the rural area (Official Plan Section 3.1.1). While there is a concentrated area of development to the west of the severed lot on Hall Road, given the large lot area and frontages proposed for the severed and retained lots, the application does not appear to be creating or extending strip development.

Other rural policies to be regarded are ensuring that new lot development meets the Minimum Separation Distance (MDS) standards from any livestock barns in the area. During preconsultation with Township staff, two area livestock barns were identified in the area (9461 Branch Road and 9501 Kyle Road). MDS was confirmed with the farm owners and the severed lands will exceed the MDS setback to these livestock barns.

Development is proposed on private services (well/septic) to service the severed lot. The lot to be severed is located within a highly vulnerable aquifer. The need for any groundwater quality/quantity assessment is to be considered on a case-by-case basis, subject to criteria endorsed by Council (Resolution No. 6, March 28, 2022). The proposed new lot will be 10 ac. in size and exceeds the Township's minimum of 0.8 ha (2 acres) in the RU zone and Rural designation. As the severed lot will not result in being the 6th development within a 5 ha area, a hydrogeological assessment would not be required. It is recommended that a note be placed on the Decision to flag that the provision of an adequate supply and quality of water is the property owners' responsibility.

This severance application, subject to the recommended conditions of approval, appear to conform with the intent of the Provincial Policy Statement (2020), the United Counties of Leeds and Grenville Official Plan, the Augusta Official Plan and the Augusta Zoning

AUGUSTA TOWNSHIP

By-law. The recommended conditions capture policy considerations and current standard conditions of approval by the Township for severances.

POLICY IMPLICATIONS:

There are no implications for current policies, subject to recommended conditions of approval.

FINANCIAL CONSIDERATIONS:

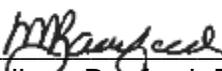
There are no budgetary requirements for the Township.

OPTIONS:

- 1. Support the severance application proceeding to the Counties Consent Granting Authority based on the planner's recommendation with conditions as written.
- 2. Support the severance application proceeding to the Counties Consent Granting Authority based on the planner's recommendation with revisions as may be deemed appropriate by the Agricultural and Rural Affairs Committee.

LINK TO MUNICIPAL PLANS:

The recommendations on Severance Application B-126-22, with stated conditions, appear to align with the rural severance policies of the Augusta's Official Plan and will meet/exceed the zone provisions of Augusta's Zoning By-law.



Melissa Banford, Planner



Steve McDonald, CAO

Attachments:

- Severance B-126-22 excerpts
- GIS imagery 120m Significant Woodlands

AUGUSTA TOWNSHIP



APPLICATION FOR CONSENT
Under Section 53 of the Planning Act
UNITED COUNTIES OF LEEDS AND GRENVILLE

File No. B- 126-22

PLEASE NOTE: FEES ARE NON-REFUNDABLE ONCE APPLICATION HAS BEEN CIRCULATED

Roll Number 0706 0000 3004 201 (Mandatory 15 digits)
 Date consulted with Municipality: July 2022 Date Accepted: August 26, 2022

1. **NAME OR OWNER(S):** Jacqueline & Ren Pitts
ADDRESS, CITY/TOWN: 9462 Hall Rd
POSTAL CODE: K0G 1R0 **TELEPHONE: (Home)** _____ **(Work)** _____
EMAIL ADDRESS: _____

2. **AGENT/APPLICANT:** Name of the person who is to be contacted about the application, if different than owner. Please include your email address. (This may be a person or firm acting on behalf of the owner – An owner's authorization is required if the applicant is not the owner)

ADDRESS, CITY/TOWN: _____
POSTAL CODE: _____ **TELEPHONE: (Home)** _____ **(Work)** _____

3. **LOCATION OF THE SUBJECT LAND:** **MUNICIPALITY** Augusta
 Former Municipality: _____ Concession No. 9 Lot No. 17
 Registered Plan No.: _____ Lot(s) _____ Block(s) _____ Reference Plan No. _____
 Civic Address: 9462 Hall Rd (r.m.)
 Are there any easements or restrictive covenants affecting the subject land? Yes No

4. **PURPOSE OF THIS APPLICATION:** (Check appropriate box)
 Creation of New Lot Addition to a Lot An easement/right-of-way
 Other - Correction of Title Or Lease
 Name of person(s), if known, to who this land or interest in land is to be transferred, leased or charged _____

* If a lot addition, identify on the required sketch the lands to which the parcel will be added

5. **DESCRIPTION OF LAND INTENDED TO BE SEVERED:**
 Frontage 71.53.34 m Depth 759 m Area (acres/hectares) 10 Acres / 4.04686 H
 Existing Use Vacant / Residential Proposed Use Residential
 Number and use of buildings and structures:
 Existing 0 Proposed Unknown

6. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:**
 Frontage 144.78 Depth 1335 Area (acres/hectares) 51.11 Acres / 20.683 H
 Existing Use Residential Proposed Use Same
 Number and use of buildings and structures: 2

7. **WHAT TYPE OF WATER SUPPLY IS PROPOSED?** (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Well (circle – dug or drilled)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal Well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify)	<input type="checkbox"/>	<input type="checkbox"/>

Effective date April 2021

AUGUSTA TOWNSHIP

8. WHAT TYPE OF SEWAGE DISPOSAL IS PROPOSED? (Check appropriate space)

	Severed Lot	Retained Lot
Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Septic Tank	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

9. TYPE OF ACCESS: (Check appropriate space)

	Severed Lot	Retained Lot
Provincial Highway _____	<input type="checkbox"/>	<input type="checkbox"/>
County Road _____	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, maintained all year _____	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, seasonally maintained _____	<input type="checkbox"/>	<input type="checkbox"/>
Right-of-way owned by _____	<input type="checkbox"/>	<input type="checkbox"/>
Water Access (Specify docking and parking facilities and distance of these facilities from the subject land and the nearest public road.) _____	<input type="checkbox"/>	<input type="checkbox"/>

10. OTHER SERVICES: (Check if the service is Available)

	Severed Lot	Retained Lot
Electricity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
School Bussing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Garbage Collection	<input type="checkbox"/>	<input type="checkbox"/>

11. LAND USE:

What is the existing UCLG Official Plan designation of the subject land? Rural Lands

What is the existing Municipal Official Plan designation of the subject land? Rural Lands

What is the Zoning of the subject land? Rural

12. Please check YES or NO to the following:

USE OR FEATURE	YES	NO
Is there an agricultural operation including livestock facility or stockyard located on or within 1500 metres of the severed or retained land? (if yes, MDS calculations will be required)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
** Are there any tile drains on the land to be severed; if present, show them on the application sketch.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a landfill within 500 metres of severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a Provincially Significant Wetland (Class 1, 2 or 3 Wetland) on the severed or retained lands or within 120 metres?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an industrial or commercial use, including propane distributors, located within 500 metres of the severed or retained land? (If yes, specify the use)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there an active railway line within 300 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Utility corridor(s) (i.e. towers, etc.) located on the severed or retained lands or within 500 metres?	<input type="checkbox"/>	<input type="checkbox"/>

AUGUSTA TOWNSHIP

13. History of the Subject Land:

Has the subject land ever been the subject of an application for approval of consent or a plan of subdivision under the Planning Act? **No** **Yes** **Unknown** If yes and if known, provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use:

Has any land been severed from the parcel originally acquired by the owner of the subject land? **No** **Yes**
If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

14. Current Applications:

Is the subject land currently the subject of a proposed UCLG and/or Municipal Official Plan Amendment(s)?

No **Yes** **Unknown** If yes, and if known, specify the appropriate file number and status of application(s).

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?

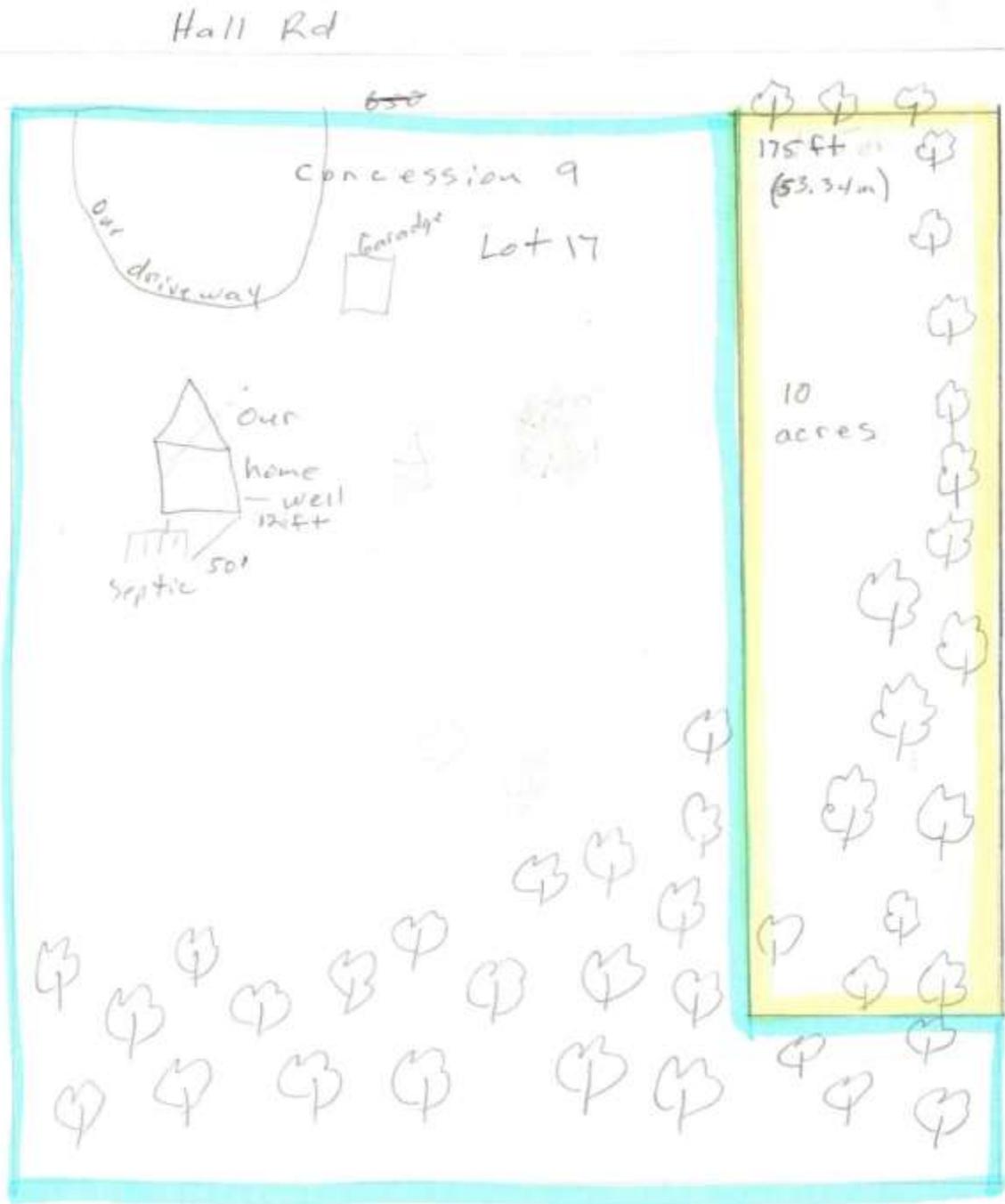
No **Yes** **Unknown** If yes, and if known, specify the appropriate file number and status of application.

15. SKETCH: The application shall be accompanied by a sketch **no larger than 8.5" by 14"** showing the following:
Please refer to the sample sketch on page 6 of this form.

- The dimensions of the subject land, outline the part that is to be severed in yellow and the part that is to be retained in blue.
- The dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest Township lot line or landmark, such as a railway crossing or bridge.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The existing use(s) on adjacent lands.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or right-of-way.
- If access to the subject land is by water only, the location of the parking or boat docking facilities to be used.
- The location and nature of any easement affecting the subject land.

16. OTHER INFORMATION: Is there any other information that you think may be useful to the Consent Granting Authority or other agencies in reviewing this application? If so, explain below or attach a separate page.

AUGUSTA TOWNSHIP



 Retained Lands

 Area to be Severed
(10 acres)

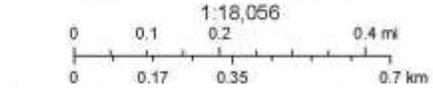
AUGUSTA TOWNSHIP

B-126-22 Location Map



2022-09-02, 11:39:15 a.m.

- Roll Number_Query result
- Parcel
- LG_RoadNetwork
- Municipal Road



Terriet, Inc., Municipal Property Assessment Corporation (MPAC), and Geographic Information System (GIS) the United Counties of Leeds and

Leeds Grenville GIS

Disclaimer: The data provided is for informational purposes only. UCLG is not liable for positioning inaccuracies, subsequent updates, errors or omissions of data.

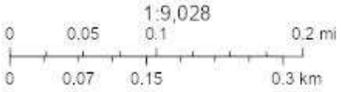
AUGUSTA TOWNSHIP

120m Significant Woodlands (Official Plan Schedule B)



2022-09-02, 11:49:53 a.m.

Roll Number _Query result	LG_RoadNetwork	OP B Designation	Significant Wildlife Habitat
Parcel	Municipal Road	Organic Soil	Significant Woodlands
	Publically Owned Lands	Boundary	



Termet Inc., Municipal Property Assessment Corporation (MPAC), and Geographic Information System (GIS) the United Counties of Leeds and

Leeds Grenville GIS
 Disclaimer: The data provided is for informational purposes only. UCLG is not liable for positioning inaccuracies, subsequent updates, errors or omissions of data.

THE TOWNSHIP OF AUGUSTA

TO: AGRICULTURE AND RURAL AFFAIRS COMMITTEE

DATE: September 7, 2022

RE: Backyard Chicken Fowl By-Law

AUTHOR: Robert Bowman, Fire Chief, Manager of Bylaw

RECOMMENDATION:

THAT ARAC review and provide comments to the attached Backyard Fowl By-Law.

PURPOSE:

To allow a fair method to allow residents to have backyard fowl to promote fresh, healthy, and cost-effective food products and provide Part 1 Provincial Offences Act fines for violations.

BACKGROUND:

At the June 30, 2022 Council Meeting, Council asked Staff to prepare a By-Law for the keeping of backyard fowl, as currently backyard fowl are not permitted on properties Zoned as "Residential Village" and are only permitted on properties Zoned "Rural" if the said lands are at least 4.94 acres. In consultation with The Ontario Ministry of Agriculture, Food and Rural Affairs and over a dozen municipalities including the three in Leeds and Grenville who have separate By-Laws for the keeping of backyard fowl, staff have prepared a By-Law for ARAC to review and provide comments.

Included in this By-Law is Part 1 fines to be approved by the Attorney General. Part 1 fines allows our By-Law Officer to write a ticket with a set fine for a By-Law infraction. If the resident would like to dispute the ticket, they may still appeal the ticket in court however that is rare with Part 1 fines and still saves time. Most municipalities have part 1 fines with their By-Laws to allow their By-Law Officer to do their job efficiently and effectively.

Currently our By-Laws do not have Part 1 fines, so we must complete Part 3 fines which causes a lot of work and time for our By-Law Officer. Part 3 fines require that for every occurrence that our By-Law Officer would like to charge a resident for a By-Law infraction, we must go to court which is time consuming and costly for both the resident and the Township.

THE TOWNSHIP OF AUGUSTA

ANALYSIS:

Currently Backyard Fowl are not permitted on properties Zoned as "Residential Village" and are only permitted on properties Zoned "Rural" if the said lands are at least 4.94 acres, which many properties Zoned Rural are not. As the Backyard Fowl By-Law is an individual By-Law, it allows staff to regulate backyard fowl outside of Augusta's Zoning By-Law. The Backyard Fowl By-Law allows more residents to have backyard fowl which will assist them in education for their families as well as providing a cost-effective way to help feed their family.

POLICY IMPLICATIONS:

Augusta Zoning By-Law.

FINANCIAL CONSIDERATIONS:

None currently.

OPTIONS:

CONSULTATION:



Robert Bowman, Fire Chief



Steve McDonald, CAO

THE TOWNSHIP OF AUGUSTA



THE CORPORATION OF THE TOWNSHIP OF AUGUSTA BY-LAW NUMBER xxxx-2022

A BY-LAW TO RESPECTING THE REGULATION AND CONTROL OF BACKYARD FOWL WITHIN THE TOWNSHIP OF AUGUSTA

WHEREAS Section 5(3) of the Municipal Act, 2001, S.O. 2002, c.25, as amended, provides that powers of every Council are to be exercised by By-Law unless specifically authorized to do otherwise;

AND WHEREAS Sections 11(1) and (2) of the Municipal Act, 2001, provides that a lower-tier municipality may provide any services or thing that the Municipality considers necessary or desirable for the public in respect to the economic, social and environmental well-being of the municipality and the health, safety and well-being of persons;

AND WHEREAS Section 11(3)9 of the Municipal Act, 2001, provides that a lower-tier municipality may pass By-Laws respecting matters within the following spheres of jurisdiction: animals;

AND WHEREAS section 425 of the Municipal Act, 2001, S.O. 2001, c.25, provides for a municipality to pass By-laws providing that a person who contravenes a By-law of the municipality passed under the Act is guilty of an offence;

AND WHEREAS section 426 of the Municipal Act, S.O. 2001, c.25 provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a By-law passed under this Act;

AND WHEREAS section 429 of the Municipal Act, S.O. 2001, c.25 provides for a municipality to establish a system of fines for offences under a By-law of the municipality passed under this Act;

AND WHEREAS Section 436 of the Municipal Act, 2001 provides for a municipality to pass by-laws that authorize the municipality to enter on land at any reasonable time for the purpose of carrying out an inspection to determine if a By-Law of the Municipality is being complied with, or to determine if an order or direction of the municipality made under the Act or made under the By-Law is complied with, and may require information, inspect documents and take samples.

AND WHEREAS section 444 of the Municipal Act, 2001, provides that a municipality may make an order to require a Person to discontinue contravening a by-law and to do the work required to correct the contravention;

AND WHEREAS Section 445 of the Municipal Act, 2001, provides that if a municipality is satisfied that a contravention of a bylaw of the municipality passed under the Municipal Act has occurred, the municipality may make an order requiring the person who contravened the bylaw or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention;

AND WHEREAS section 446 of the Municipal Act, 2001, provides that a municipality may proceed to do things at a Person's expense which that Person is otherwise required to do under a by-law but has failed to do and the costs incurred by a

THE TOWNSHIP OF AUGUSTA

municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

NOW THEREFORE the Council of the Corporation of the Township of Augusta enacts as follows:

1.0 DEFINITIONS

- 1.1. **“Backyard Coop”** means an enclosed weatherproof and ventilated building where fowl are kept.
- 1.2. **“Backyard Fowl”** means the accessory keeping of fowl and roosters for the purpose of companionship as a pet or providing eggs or meat for personal consumption by occupants of a dwelling on the same lot, and does not include accessory livestock, or agricultural uses otherwise defined by the Township of Augusta’s Zoning By-Law.
- 1.3. **“Backyard Run”** means an area enclosed by wire screen intended for permitting Fowl to be outdoors.
- 1.4. **“Clerk”** means the Clerk of the Corporation of the Township of Augusta or their designate.
- 1.5. **“Council”** means The Council of The Corporation of the Township of Augusta.
- 1.6. **“Dwelling”** means one or more rooms in a building, designed as, or intended as, or capable of being used or occupied as a single independent housekeeping unit and containing living, sleeping, sanitary and food preparation facilities or facilities for the installation of kitchen equipment and has an independent entrance. For the purpose of this By-Law, a dwelling unit does not include any commercial accommodation or a recreational trailer.
- 1.7. **“Fowl”** means all birds or fowl normally raised for food or egg production, and without limiting the generality of the foregoing, includes, Chickens, Turkeys, Geese, and Ducks.
- 1.8. **“MDS”** means Minimum Distance Separation guidelines from the Ministry of Agriculture, Food and Rural Affairs.
- 1.9. **“Officer”** shall mean the By-Law Enforcement Officer for the Township of Augusta as appointed by Council, Police Officer, any other person or company directed by the Clerk to enforce parts of this By-Law.
- 1.10. **“Owner”** means any person who possesses, harbours, or keeps fowl, and where the Owner is a minor, the person responsible for the custody of the minor, the word "Owns" has a corresponding meaning.
- 1.11. **“Property”** shall mean a parcel of land, vacant or occupied or to be occupied by one of more main buildings, structures, or uses, with any accessory buildings, including all yards, required by the Township of Augusta Zoning By-Law.
- 1.12. **“Property Owner”** means the registered Owner(s) of a property within the Township of Augusta.
- 1.13. **“Public Nuisance”** shall mean an act or process by backyard fowl, that interferes with a persons enjoyment of their property, and anything that disturbs the health and safety of the general public or keeps people from being comfortable and shall include excessive noise and smells.
- 1.14. **“Running at Large”** shall mean fowl being elsewhere than on the property of the Owner and not being under the immediate control of the Owner.
- 1.15. **“Rooster”** shall mean a male domestic chicken

THE TOWNSHIP OF AUGUSTA

- 1.16. **“Tenant”** means a person who rents or leases a dwelling/property from an Owner.
- 1.17. **“Township”** means the Corporation of the Township of Augusta.
- 1.18. **“Zoning By-Law”** means a By-Law passed under Section 34 of the Planning Act that restricts the use of land in the Township of Augusta.

2.0 ADMINISTRATION

- 2.1. The provisions of this By-Law shall apply to the keeping of Backyard Fowl in all Residential Village Zones and Rural Zones with less than 2 ha (4.94ac.) in accordance with the Zoning By-Law within the boundaries of the Township of Augusta.

3.0 BACKYARD FOWL REGULATIONS

- 3.1. Every tenant of a property who would like to have back yard fowl shall obtain the Property Owner’s written consent to keep backyard fowl on the Property and must provide a copy of such written consent to the Township if requested.
- 3.2. No Owner shall keep more than the following number of backyard fowl:

	Residential Village - RV		Rural - RU
Property Size	Up to 0.5ac (0.202ha) (2023sqm)	Over 0.5ac (0.202ha) (2023sqm)	Under 2 ha (4.94 ac.)
Maximum # of Fowl	5	10	25

- 3.3. Every Person who has backyard fowl shall allow, at any reasonable time, an Officer to inspect the Property, other than any room or place used as a Dwelling, to determine whether all requirements of this By-Law are being complied with.
- 3.4. No Owner shall have roosters.
- 3.5. The Owner shall ensure that all deceased backyard fowl are disposed of promptly, in a sanitary manner.
- 3.6. The Owner shall ensure that their backyard fowl do not run at large.
- 3.7. The Owner shall ensure that feed for their backyard fowl shall be stored in a container that is impermeable from mice, rats, and other vermin or animals.

4.0 BACKYARD FOWL COOP / RUN REGULATIONS

- 4.1. Every Owner shall ensure that Backyard fowl are provided with coops and runs.
- 4.2. Every Owner shall ensure that Backyard fowl coops or runs are not located in a front or side yard.
- 4.3. Every Owner shall ensure that backyard fowl coops (including manure storage area) and runs, meet all Zoning setbacks in the Township of Augusta Zoning Bylaw
- 4.4. Every Owner shall ensure that Backyard fowl coops (including manure storage area) and runs, that are structures larger than 10sqm. meet all MDS II Guidelines.
- 4.5. Every Owner shall ensure that backyard fowl coops and runs are:
 - a) maintained in good repair, in a clean, dry, odour free, and sanitary condition, free of vermin of any type, and;

THE TOWNSHIP OF AUGUSTA

b) constructed and maintained to prevent wildlife from harbouring underneath or within it or within its walls and to prevent entrance by any other animal.

5.0 GENERAL

5.1. Every Owner shall ensure that manure is stored and managed in a manner which will not cause an adverse effect, as defined by the *Environmental Protection Act(1990) in Subsection 14(1)* or any amendments hereto.

5.2. No Owner shall permit backyard fowl to be or cause a public nuisance.

6.0 PENALTY

6.1. Any person who contravenes any provision of this By-Law shall be guilty of an offence and upon conviction, shall be liable to a penalty as provided under the *Provincial Offences Act, R.S.O. 1990, c.P33*, as amended, as set out in Schedule “A” Set Fines.

7.0 OTHER

7.1. Where a provision of this By-Law conflicts with a provision of another By-Law enforced in the Township, the provisions that establish the higher standard shall prevail in order to protect the health, safety and welfare of the general public.

7.2. This By-Law shall come into force and take effect upon its passing.

8.0 SEVERABILITY

8.1. If any provision of this By-Law or application thereof to any person or circumstance is held invalid by any Court, other provisions or applications of the By-Law which can given effect without the invalid provision or application shall not be affected, and to this end the provisions of this By-Law are declared to be severable.

9.0 ENFORCEMENT

9.1. This By-Law may be enforced by all Officers.

9.2. No person shall provide false information or give a false statement to an Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.

9.3. No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.

9.4. Every person shall comply with any Order or Notice issued under the authority of this By-Law.

10.0 SHORT TITLE

10.1. This By-Law may be referred to as the “Backyard Chicken Bylaw”

READ a first and second time this XX day of May 2022

READ a third time and passed this XX day of May 2022

MAYOR

CLERK

THE TOWNSHIP OF AUGUSTA

**The Corporation of The Township of Augusta
Part 1 Provincial Offences Act By-law xxx-2022, A BY-LAW TO RESPECTING THE REGULATION AND CONTROL OF
BACKYARD FOWL WITHIN THE TOWNSHIP OF AUGUSTA
SCHEDULE "A" – SET FINES**

Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1.	Keep backyard fowl without obtaining consent from the property owner.	Section 3.1	\$200.00
2.	Keeping more fowl than what is permitted	Section 3.2	\$200.00
3.	Keeping of a rooster	Section 3.4	\$200.00
4.	Improperly disposing of deceased fowl	Section 3.5	\$200.00
5.	Fowl running at large	Section 3.6	\$200.00
6.	Fowl feed improperly stored	Section 3.7	\$200.00
7.	Fowl with no run or coop	Section 4.1	\$200.00
7.	Fowl coops or runs located in Front or side yard	Section 4.2	\$200.00
8.	Fowl coop or outdoor run not meeting setbacks	Section 4.3	\$200.00
9.	Improperly maintained fowl coop or outdoor run	Section 4.5a	\$200.00
10.	Improperly constructed fowl coop or outdoor run	Section 4.5b	\$200.00
11.	Backyard fowl being or causing a public nuisance	Section 5.2	\$200.00

Note: The general penalty provision for the offences listed above is section 6.1 of Bylaw XXX-2022, a certified copy of which has been filed.

THE TOWNSHIP OF AUGUSTA

TO: AGRICULTURE AND RURAL AFFAIRS COMMITTEE (ARAC)

DATE: September 7, 2022

RE: Proposed Zoning By-Law Amendments:
- Additional Residential Units (ARUs)
- Accessory Building Height Maximum in RU and A Zones

AUTHOR: Melissa Banford, Planner

RECOMMENDATION:

THAT Augusta Council proceed with a Public Meeting on the proposed amendments to Zoning By-law 2965, as amended, in relation to: (1) Additional Residential Units (ARUs); and (2) increasing the current Maximum Building Height permitted for “All Other Uses”, including residential accessory buildings, in the RU, Rural Zone and A, Agricultural Zone.

PURPOSE:

Staff are seeking consultation with ARAC on draft zone provisions in order to proceed with a Public Meeting/initiate the Zoning By-law Amendment process.

BACKGROUND:

At the August 8, 2022, Council directed staff to initiate the Zoning By-law Amendment process to consider amendments to Zoning By-Law 2965, as amended, to:

- 1) permit one (1) Additional Residential Unit from within the main dwelling and one (1) Additional Residential Unit from within a detached accessory structure; and
- 2) increase the current height maximum of 5m (16.4 ft.) permitted for residential accessory buildings in the RU, Rural Zone and A, Agricultural Zone.

Staff are proposing to “piggy-back” the ARU amendment and the residential accessory building height amendment to implement these changes in advance of the Township’s next comprehensive Zoning By-Law review.

Staff consulted with other municipalities in Leeds and Grenville and most are in various stages of implementing ARU zone provisions. Only North Grenville had ARU zone provisions in place and these were considered in staff’s assessment.

THE TOWNSHIP OF AUGUSTA

ANALYSIS:

Amendment (1)

Additional Residential Units (ARUs)

Council concurrence was received at the August 8, 2022 meeting for staff to commence the Zoning By-law Amendment process to update Zoning By-Law 2965 with respect to Secondary Suites/Additional Residential Units (ARUs). These changes are required to bring the Zoning By-law into conformance with Ontario Regulation 299/19 which requires municipalities to permit an Additional Residential Unit (ARU) from within the main dwelling and also from a detached accessory building.

Staff have reviewed the Township's current Official Plan policies with respect to Secondary Suites/ARUs. Staff are of the opinion that the current policy language is sufficiently broad that an Official Plan Amendment is not required to permit additional residential units on properties.

The Township's current Zoning By-law, Section 6.39 states that: one (1) ARU (termed as a "Secondary Suite" in the current zoning By-Law) from within the main dwelling or one (1) from a detached accessory building is permitted. The zoning does not permit both on the same property as currently required by Ontario Regulation 299/19.

As part of the proposed amendment to permit one (1) ARU from within the main dwelling and one (1) ARU from within a detached accessory structure, other provisions under Section 6.39 Secondary Suites which prescribes specific zoning requirements (maximum size, setbacks, parking, etc.) should be reviewed and considered as part of this process.

Table 1 (attached) details the current zone standards for ARUs under Section 6.39 of the Zoning By-law. Proposed draft amendments are highlighted for ARAC's consideration.

In brief, the changes proposed include:

- **Updating the terminology and definition for "Additional Residential Unit"**

The current Zoning By-law refers to ARUs as "Secondary Suites". The change to "Additional Residential Units" will align with current provincial and the United Counties of Leeds and Grenville terminology.

- **Maximum number/Minimum lot size**

Staff are proposing that a minimum of 0.4 ha. (1 ac.) be required where there are two (2) ARUs (one (1) from within the main residential dwelling unit and one (1) from an accessory building) on a property. A minimum lot size should be a requirement as this will result in three separate residential uses occurring on a single property that require site servicing. A minimum lot size is not being proposed where there would be only one (1) ARU on a lot (within main residential unit or detached) as currently required. A minimum lot size of 0.4 ha. (1 ac.) would be required only where two (2) ARUs will result.

THE TOWNSHIP OF AUGUSTA

- **Increasing the number of parking spaces**

Currently, one (1) additional parking space is to be provided for an ARU (from within the main residential unit or in an accessory building). An increase to two (2) parking spaces per ARU is proposed to accommodate a second vehicle for the unit itself or offer added parking for guests or required services.

- **Increasing the maximum size of an ARU from 45% of the main dwelling to 50%**

This minor increase is proposed by staff for ease and clarity in calculating the ARU maximum size.

- **ARU current entrance location specifications (within the main residential unit or in an accessory building)**

Staff are proposing that these requirements be removed. Minimum setback requirements should adequately address egress and visual impacts of ARUs.

- **ARU currently prohibited from within the main residential unit where there is a daycare, Bed & Breakfast or group home**

Staff are proposing the removal of this current requirement. Daycare use is not municipally regulated and it is the property owner's responsibility to adhere to provincial requirements. Bed & Breakfasts are generally encouraged by the municipality for economic development and tourism purposes. As such, it may not be beneficial to limit their uses on a property that also has an ARU. Finally, group homes (3-10 persons residing) are permitted in all residential dwellings, provided they are licensed by the province, so it is not deemed appropriate to restrict ARUs where there is a group home.

- **Requirement for ARU lots to be located on a maintained public road**

Staff are proposing to add a requirement that ARUs are to be only located on a lot that abuts a public road that is maintained year round. It is staff's opinion that it may not be appropriate to permit additional residential uses, with increased intensity of use and traffic impacts, on lots that are only accessed via a private right-of-way/shared private road maintenance.

- **Requirement for Shared Driveways**

Staff are proposing that it be an added requirement that ARUs share the same driveway/access to the public road as the main residential dwelling unit. A shared driveway access may limit the visual impact from the road for the added residential use(s) occurring on the property. Permitting additional driveways/accesses from one property may result in creating areas of strip development and may also have impacts on Township and County entrance access policies related to severances in the geographic area. Additionally, a shared entrance will support the "accessory" nature of ARUs by tying its access to the main residential dwelling unit as an affordable/attainable housing option for property owners.

THE TOWNSHIP OF AUGUSTA

Amendment (2)

RU, Rural Zone and A, Agricultural Zone

Residential Accessory Building Height Maximum

Council concurrence was received at the August 8, 2022 meeting for staff to also commence the Zoning By-law Amendment process to amend the current height maximum permitted for residential accessory buildings in effect applicable to “All Other Uses” in the RU, Rural Zone and A, Agricultural Zone. In the Zoning By-law, height is measured as the mean point between peak and eaves to finished grade.

In the RU zone, there is a height maximum of 15m (49.2 ft.) for Agricultural buildings and 11m (36 ft.) for Equestrian Use, Recreational Commercial Establishment, Kennel, Public Stable and Veterinary Establishment buildings.

For “All Other Uses” listed as permitted in the RU zone (as under Section 7.17.1, which includes a single detached dwelling), the Maximum Building Height for a Main Building is 11m (36 ft.) and for an Accessory Building 5m (16.4 ft.). Similar such height maximums exist in the A, Agricultural Zone, for specified uses detailed therein.

Section 6.18 permits some general height exceptions for certain uses such as towers, antennae, chimneys, silos, etc.

The height limitation for accessory buildings in the RU and A zones has resulted in three (3) recent Minor Variance applications (two (2) at the end of 2021 and one (1) in 2022). In these applications, relief from the height was required for residential accessory buildings located in the RU zone. It is planning staff’s opinion that the current height maximum of 5m (16.4 ft.) is somewhat restrictive in the rural areas and may hinder the ability for upper area storage areas, or the parking of larger recreational vehicles, which require a higher structure/clearance and increased garage door height. The Township’s Committee of Adjustment, which has approved the past height variances, expressed support for changes to the Township’s Zoning By-Law.

As a general planning principle, the height of an accessory building should be less than the height of the main building such that it continues to be accessory/subordinate to the main residential use on the property. In the RU and A zones, main dwellings are permitted to be a maximum height of 11m (36 ft.), as in the RV zone. It would appear that a modest increase in height for accessory buildings could be accommodated. This would provide increased flexibility to property owners, while still being under the height maximum of the main building. The RU and A zones also provide for larger minimum setbacks to side and rear property lines which reduce the potential for impact on abutting properties.

In the Residential Village (RV) zone, main buildings are limited to a height maximum of 11m (36 ft.) and accessory buildings to 6.5m (21.3 ft.). Planning staff are proposing that the RU and A zones accessory building height maximum is increased from 5m (16.4 ft.) to 6.5m (21.3 ft.). The Township’s Chief Building Official has been consulted and has confirmed that a height of 6.5m (21.3 ft.) would appear to be a sufficient height to reasonably accommodate

THE TOWNSHIP OF AUGUSTA

the parking of recreational vehicles, etc. The proposed increase in height for such accessory uses would also assist with ARU constructions.

DISCUSSION:

The proposed staff recommendations on draft zone provisions appear to conform with the intent of the Provincial Policy Statement (2020), the United Counties of Leeds and Grenville Official Plan and the Augusta Official Plan. Zoning amendments regarding ARUs will bring the Township's Zoning By-Law into conformance with Ontario Regulation 299/19.

POLICY IMPLICATIONS:

Proposed amendments to the Zoning By-Law will be required and will follow the process as set out in the *Planning Act*.

FINANCIAL CONSIDERATIONS:

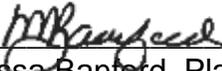
There will be budgetary requirements for the Township for the proposed amendments to the Zoning By-Law such as advertising costs for the required Public Meeting, staff time and planning document consolidation updates. Processing the two zoning amendments concurrently will result in some cost savings to the Township (versus pursuing each amendment separately).

OPTIONS:

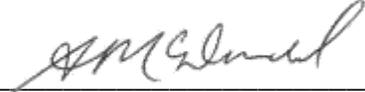
- 1. Support the proposed draft amendments, as presented, to proceed to a Public Meeting for public input before Council to initiate the Zoning By-law Amendment process.
- 2. Support the proposed draft amendments, with revisions as may be deemed appropriate by the Agricultural and Rural Affairs Committee, to proceed to a Public Meeting for public input before Council to initiate the Zoning By-law Amendment process.

LINK TO MUNICIPAL PLANS:

The recommendations align with the development objectives of Augusta's Official Plan.



Melissa Banford, Planner
Attachment – Table 1



Steve McDonald, CAO

THE TOWNSHIP OF AUGUSTA

TABLE 1:

Proposed Changes for Zoning By-law Amendment for Additional Residential Units (ARUs) Highlighted

	Current Zoning By-law	Proposed Amendments
Definition of Secondary Suite (Section 5.0)	Secondary Suite: Means a self-contained accessory unit having cooking and sanitary facilities which is located within a Single Detached, Semi-Detached, Townhouse dwelling unit or located in a separate individual dwelling unit on the same lot or located within an accessory building on the same lot as the main residential use. A secondary suite is a subordinate residential use to the existing primary dwelling unit.	Delete Secondary Suite Definition and replace with following: Additional Residential Unit (ARU): Means a self-contained accessory unit having cooking and sanitary facilities which is located within a Single Detached, Semi-Detached, Townhouse dwelling unit and/or located in a separate accessory building on the same lot as the main residential use. Additional Residential Units are subordinate residential uses to the existing primary dwelling unit.
Maximum Number of ARUs/Minimum Lot Size	One (1) accessory to a single detached, semi-detached or township on any lot (within main residential unit OR detached). A maximum of one (1) ARUs per lot.	One (1) ARU within main residential unit and one (1) detached ARU located in a separate accessory building on any lot, where the lot has a minimum lot size of 0.4 ha (1 ac.). One (1) ARU either within a main residential dwelling unit or from a separate detached building, where the lot size is less than 0.4 ha. (1 ac.). A maximum of two (2) ARUs per lot.
Ontario Building Code Requirements	ARUs in an accessory building or part of an accessory building (existing) must be in compliance with the Ontario Building Code.	ARUs in an accessory building or part of an accessory building (existing or new) must be in compliance with the Ontario Building Code .
Permitted in Floodplain?	No	No

THE TOWNSHIP OF AUGUSTA

	Current Zoning By-law	Proposed Amendments
Setbacks for ARU in a NEW detached structure	Must meet the same minimum setback requirements for the main residential building.	Must meet the same minimum setback requirements for the main residential building.
Setbacks for ARU in an EXISTING detached structure	Must meet the same minimum setback requirements for an accessory building provided all other regulatory requirements have been met.	Must meet the same minimum setback requirements for an accessory building provided all other regulatory requirements have been met.
Parking Requirements	ARUs from an accessory building shall provide one (1) parking space in addition to the number of spaces required for the main residential building.	Two (2) additional parking spaces to be provided for each ARU (within main residential unit or detached) in addition to the required number of spaces for the main residential building.
ARU Size Maximum	Forty-five (45%) of the gross floor area of the primary dwelling. (Note: Gross Floor Area is defined in Zoning By-law as: the total area of each floor measured between the exterior faces of the exterior wall of the building and where there are no walls the total area of the floor within the outer perimeter of the floor).	Fifty (50%) of the gross floor area of the primary dwelling. (Note: Gross Floor Area is defined in Zoning By-law as: the total area of each floor measured between the exterior faces of the exterior wall of the building and where there are no walls the total area of the floor within the outer perimeter of the floor).
ARU Entrance Location (within main residential unit)	New entrances for an ARU within an existing dwelling unit shall not be permitted on the front main wall of the main building facing a public road.	Remove
ARU Entrance Location (detached building)	New entrances for an ARU from an accessory building shall be accessible from the street by a walkway or driveway.	Remove

THE TOWNSHIP OF AUGUSTA

	Current Zoning By-law	Proposed Amendments
Prohibited where there is a daycare, Bed & Breakfast, Group Home	ARUs are not permitted in a dwelling unit where a private home day care, a bed and breakfast establishment or a group home exists.	Remove
Requirement to be on a public road (not on a private right-of-way)	N/A	ARUs shall be located on a lot that abuts a public road maintained year round.
Driveway	N/A	ARUs shall share the driveway entrance to the lot with the main residential unit.