



Postal Bag 4400  
235 Pinnacle Street  
Belleville, ON  
K8N 3A9

March 21, 2024

## **PRELIMINARY REPORT**

### **File information**

**Owner:** Edward Cassidy  
**Agent:** PA Miller Surveying Ltd.  
**Civic Address:** 1520 Old Hungerford Road  
**Legal Description:** Concession 6, Pt Lots 13 & 14, RP 21R 10009, Pt Part 2  
**Municipality:** Municipality of Tweed (Hungerford)

<b>Severed Lot 1</b>	<b>Frontage:</b> 46 m (151 ft) Old Hungerford Road <b>Area:</b> 0.42 ha (1 ac)
<b>Severed Lot 2</b>	<b>Frontage:</b> 46 m (151 ft) Old Hungerford Road <b>Area:</b> 0.42 ha (1 ac)
<b>Retained Lot</b>	<b>Frontage:</b> 785 m (2,575 ft) Old Hungerford Road <b>Frontage:</b> 442 m (1,450 ft) Windmill Road <b>Area:</b> 34 ha (84 ac)
<b>Official Plan Designation</b>	Rural/Waterfront and Environmental Protection
<b>Current Zoning</b>	Rural (RU) Zone and Environmental Protection (EP) Zone
<b>Previous Consent</b>	B93/18 & B94/18 (both new lots)
<b>Type of Consent(s):</b>	New Lots (X) Lot Addition ( ) Other:

The County of Hastings has received the above mentioned applications for severance. Further review and site inspection will be undertaken which may result in additional comments and conditions being incorporated into the final recommendations. Should you have any questions or require additional information regarding this preliminary report please contact me at this office. After a preliminary review we offer the following comments:

### **Description of Proposal**

The subject lands are located at the north east intersection of Old Hungerford Road and Windmill Road in the Municipality of Tweed (Hungerford). The lands are characterized as open field areas with some low lying wet areas located in the south west corner of the subject lands near the intersection of Old Hungerford Road and Windmill Road. There are also treed, low lying lands in the central eastern portion of the subject lands.

The applicant proposes to create 2 new residential lots, both to have approximately 46 metres (151 ft) frontage on Old Hungerford Road with 0.4 ha (1 ac) in lot area. The proposed retained lands will have approximately 34 ha (84 ac) of lot area with 785 metres (2,575 ft) frontage on Old Hungerford Road and 442 metres (1,450 ft) frontage on Windmill Road.

The proposed severed lands are vacant and intended to be developed with a single detached dwelling on each lot. The retained lands, known municipally as 1520 Old Hungerford Road, contains a single detached dwelling, a garage, a drive shed and a barn

#### **Planning Act**

The subject applications appears to be complete. Said application appears to satisfy the requirements of Section 53 of the Planning Act.

#### **Provincial Policy Statement**

It appears, based on a preliminary review, that this application is consistent with the Provincial Policy Statement. However, further review will be undertaken before this can be confirmed.

#### **Official Plan**

The subject lands are designated **Rural-Waterfront and Environmental Protection** in the County of Hastings Official Plan.

The lands designated **Environmental Protection** relate to the low lying lands noted above and are not in the area of the proposed severed lots.

The consent policies under the **Rural** designation permit a maximum of two severances from a parcel that existed as of December 31, 1998; once those two created lots have been built out, there is potential for additional severances to be considered. There have been historical consent applications being Consent File Nos. B93/18 and B94/18 which created lots that have been developed with habitable dwellings known municipally as 1658 and 1664 Old Hungerford Road. These current applications appear to conform to with **Section 6.3.1.4** of the Official Plan in regards to the maximum number of severances from an original land holding. If approved, these applications will exhaust the maximum number of consents permitted and no further lots will be permitted.

The south east corner of the subject lands are identified as being an area of Potential Karst topography. Where development is deemed to have the potential to be located within or adjacent to known karst topography, **Section 4.4.3.2** reads the owner may be required to retain a qualified person to undertake a geotechnical report and/or a site evaluation report to ensure the site is safe and if future site alternation would increase the hazard. Any report(s) may be peer reviewed, and any recommendations of an approved report shall be implemented as appropriate by rezoning bylaws, development agreements, site plan agreements and/or conditions of approvals. As the proposed severed lands are far removed from the identified

Karst feature, no further assessment appears necessary. Quinte Conservation Authority will be circulated for review comments.

It has been identified there are 2 barns in the general area of the proposed severed lots, located at 1724 Old Hungerford Road and on the subject lands known as 1520 Old Hungerford Road. Based on the data available, the Minimum Distance Separation (MDS 1) calculation was prepared for these barns to establish the minimum setback requirement from the barns to the new lots. MDS setbacks are required as follows:

Barn located at:

1520 Old Hungerford Road - 154 metres

1724 Old Hungerford Road – 192 metres

It appears the proposed lots are located over 300 metres from the existing barns, however it will be recommended the application submit a detailed sketch which identifies the actual setback from the barns to the closest lot line of the proposed new lots. Based on a preliminary assessment, it appears the new residential lots may comply with the required MDS 1 setbacks.

The subject lands are identified on Official Plan Schedule B as being part of the **Moria River Significant Valleylands**. **Section 4.3.5.5** states any development proposed within 120m (394ft) of a significant woodland or valleyland is not permitted, unless it has been determined through an approved Environmental Impact Statement (EIS) pursuant to **Section 7.8.6** of the Official Plan that ensures there will be no negative impacts on the natural features or associated ecological functions. **Section 7.8.6.5** addresses the terms of reference of the EIS with consultation with the local Conservation Authority. The scope of the study, including the need for the study shall be assessed dependent on the degree of sensitivity of the natural heritage feature or system and the scale and nature of the proposed development.

Given the small scale of proposed development, the close proximity to the road and the physical separation the road creates between the natural feature and the proposed lot, it is deemed an EIS is not necessary for this development proposal, subject to completing a site visit.

A large section of the subject lands, including the area of the proposed severed lots, appear as a Significant Groundwater Recharge Area (SGRA) in the Official Plan. Surface and groundwater quality and quantity have been studied by the conservation authorities, source protection committees and member municipalities and have identified four types of vulnerable drinking water areas, which includes the Significant Groundwater Recharge Areas.

**Section 4.2.3.17** states "Significant Groundwater Recharge Areas (SGRAs) are areas where the quantity of drinking water sources is vulnerable to depletion by various land uses or activities. Known or possible SGRAs in the County are shown on Map A-4.2. Development requiring a planning approval within or adjacent to a

significant groundwater recharge area should be circulated by the County and/or Member Municipality to the appropriate conservation authority and/or agency to determine if the proposed use poses a potential drinking water threat. A hydrogeological or water quality assessment may be required to determine the degree of threat that the proposed use poses and whether it can be managed with recommended mitigative measures and/or best management practices. Results or requirements of any study can be implemented as per special zone provisions, site plan control approval and/or the use of a holding symbol. If it is determined through a hydrogeological or water quality assessment that the risk cannot be managed, the County and/or Member Municipality should not approve the planning application.

Due to this feature being identified in on Map A-4.2 of the Official Plan, it is recommended consulting with Quinte Conservation Authority to review the impact the SGRA may have on the consent application.

#### **Zoning By-law**

The subject lands are currently zoned the **Rural (RU) Zone** and **Environmental Protection (EP) Zone** in the Municipality of Tweed comprehensive Zoning Bylaw.

The portion of the subject lands zoned the **Environmental Protection (EP) Zone** relate to the existing low lying area noted above and are not located near the proposed severed lots. The lands zoned **Environmental Protection (EP) Zone** will remain zoned as such.

The proposed lots created by consent application no. 1 and consent application no. 2 will not comply with the minimum lot area requirements of the **Rural (RU) Zone** and therefore both proposed lots will be required to rezone to the **Rural Residential (RR) Zone**. The minimum lot area in the **Rural Residential (RR) Zone** is 0.4 ha (1 ac). Any slight change in the lot width or lot depth may impact the proposed lot area, therefore it will be necessary to ensure the final configuration of the proposed severed lots will be no less than the required 0.4 ha (1 ac) lot area.

The retained lands lot will continue to meet the minimum lot area and minimum lot frontage requirements of the **Rural (RU) Zone** and therefore will not require rezoning.

Neighbouring lands to the east are currently zoned the **Mineral Extractive Reserve (MXR) Zone** in the Municipality of Tweed Zoning Bylaw. Section 5.33 of the Zoning Bylaw requires a minimum setback of 300 metres from any new residential dwelling to lands zoned **Mineral Extractive Reserve (MXR)**. The entire proposed severed lot would be within 300 metres from the lands zoned **Mineral Extraction Reserve (MXR)** zoned lands. It appears the lands zoned **Mineral Extractive Reserve (MXR)** are not used for aggregate extraction, are not licenced by the Ministry of Northern Development, Mines and Natural Resources and Forestry and do not appear in the Official Plan as being designated Extractive Reserve.

Therefore, as a condition of consent approval, an appropriate reduction from the 300 metres setback from the neighbouring lands zoned **Mineral Extractive Reserve (MXR)** to the new residential dwelling on the proposed severed lands will be required.

**Servicing/Roads/Other**

As the proposed severed lands created by consent application no. 1 & 2 will be less than 5 acres in area, the typical conditions to provide proof of adequate water quality and quantity will be required.

The Municipality is encouraged to review the width of Old Hungerford Road and Windmill Road to consider requiring the applicant convey lands for the purpose of road widening across the road frontages of both severed and retained lands, as necessary.

The Municipality may also wish to review existing entrances and proposed entrances for the severed and retained lots to ensure safe site entrances and 9-1-1 addressing requirements.

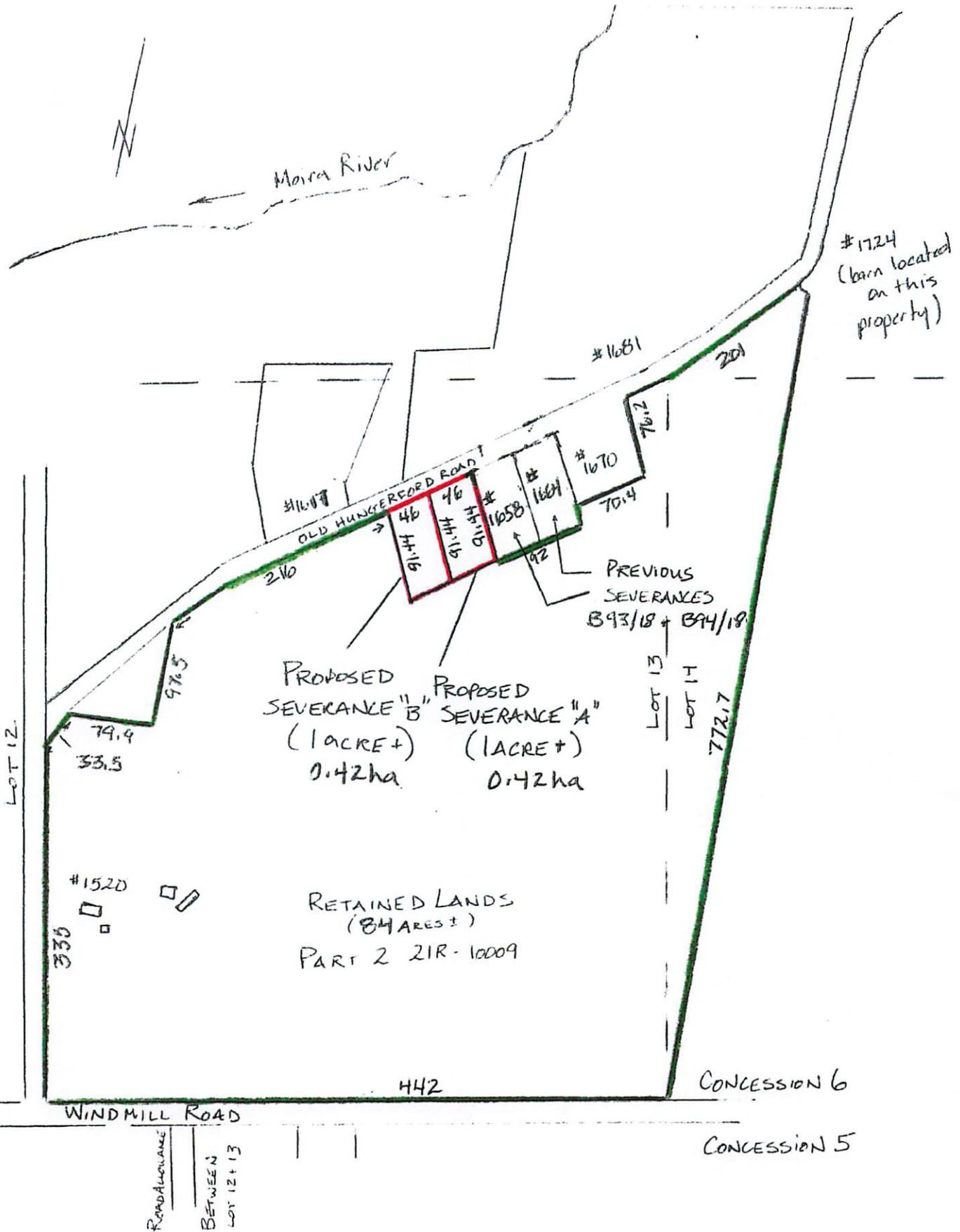
Should you have any questions or require additional information please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Gib Garrett", with a stylized flourish at the end.

Gib Garrett  
Planner

TOWNSHIP of HUNGERFORD





Cassidy - Old Hungerford 2 lot

General information

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<b>Application date</b> Mar 21, 2024	<b>Municipal file number</b>	<b>Proposed application</b> Lot creation for a maximum of three non-agricultural use lots
<b>Applicant contact information</b> Edward Cassidy 20 Old Troy Road RR 3 Tweed, ON K0K 3J0	<b>Location of subject lands</b> County of Hastings Municipality of Tweed HUNGERFORD Concession 6 , Lot 13 Roll number: 123132803004000	



## Calculations

## Cassidy Barn

## Farm contact information

Edward Cassidy  
20 Old Troy Road  
RR 3  
Tweed, ON  
K0K 3J0

## Location of existing livestock facility or anaerobic digester

County of Hastings  
Municipality of Tweed  
HUNGERFORD  
Concession 6, Lot 13  
Roll number: 123132803004000

## Total lot size

86 ac

## Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Backgrounders (7 - 12.5 months), Yard/Barn	67	22.3 NU	2680 ft²



## Confirm Livestock/Manure Information (Cassidy Barn)

The livestock/manure information has not been confirmed with the property owner and/or farm operator.

## Setback summary

Existing manure storage	V4. Solid, outside, no cover, 18-30% DM, with covered liquid runoff storage			
Design capacity	22.3 NU			
Potential design capacity	44.7 NU			
Factor A (odour potential)	0.8	Factor B (design capacity)	249.32	
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1	

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn)

154 m (505 ft)

Actual distance from livestock barn

NA

Storage base distance 'S'  
(minimum distance from manure storage)

154 m (505 ft)

Actual distance from manure storage

NA



## Baldwin Barn

Farm contact information  
Robert Baldwin  
1724 Old Hungerford Road  
Tweed, ON  
K0K 3J0

Location of existing livestock facility or  
anaerobic digester  
County of Hastings  
Municipality of Tweed  
HUNGERFORD  
Concession 6, Lot 13  
Roll number: 123132803004200

Total lot size  
49 ac

## Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Backgrounders (7 - 12.5 months), Yard/Barn	142	47.3 NU	5680 ft <sup>2</sup>



## Confirm Livestock/Manure Information (Baldwin Barn)

The livestock/manure information has not been confirmed with the property owner and/or farm operator.

## Setback summary

Existing manure storage	V4. Solid, outside, no cover, 18-30% DM, with covered liquid runoff storage			
Design capacity	47.3 NU			
Potential design capacity	94.7 NU			
Factor A (odour potential)	0.8	Factor B (design capacity)	310.98	
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1	

Building base distance 'F' (A x B x D x E)  
(minimum distance from livestock barn)

192 m (630 ft)

Actual distance from livestock barn

NA

Storage base distance 'S'  
(minimum distance from manure storage)

192 m (630 ft)

Actual distance from manure storage

NA

## Preparer signoff &amp; disclaimer

Preparer contact information  
Gib Garrett  
Hastings County  
235 Pinnacle Street  
Belleville, ON  
K8N 3A9  
613-966-6712  
garrettg@hastingscounty.com

Signature of preparer

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Gib Garrett , Planner

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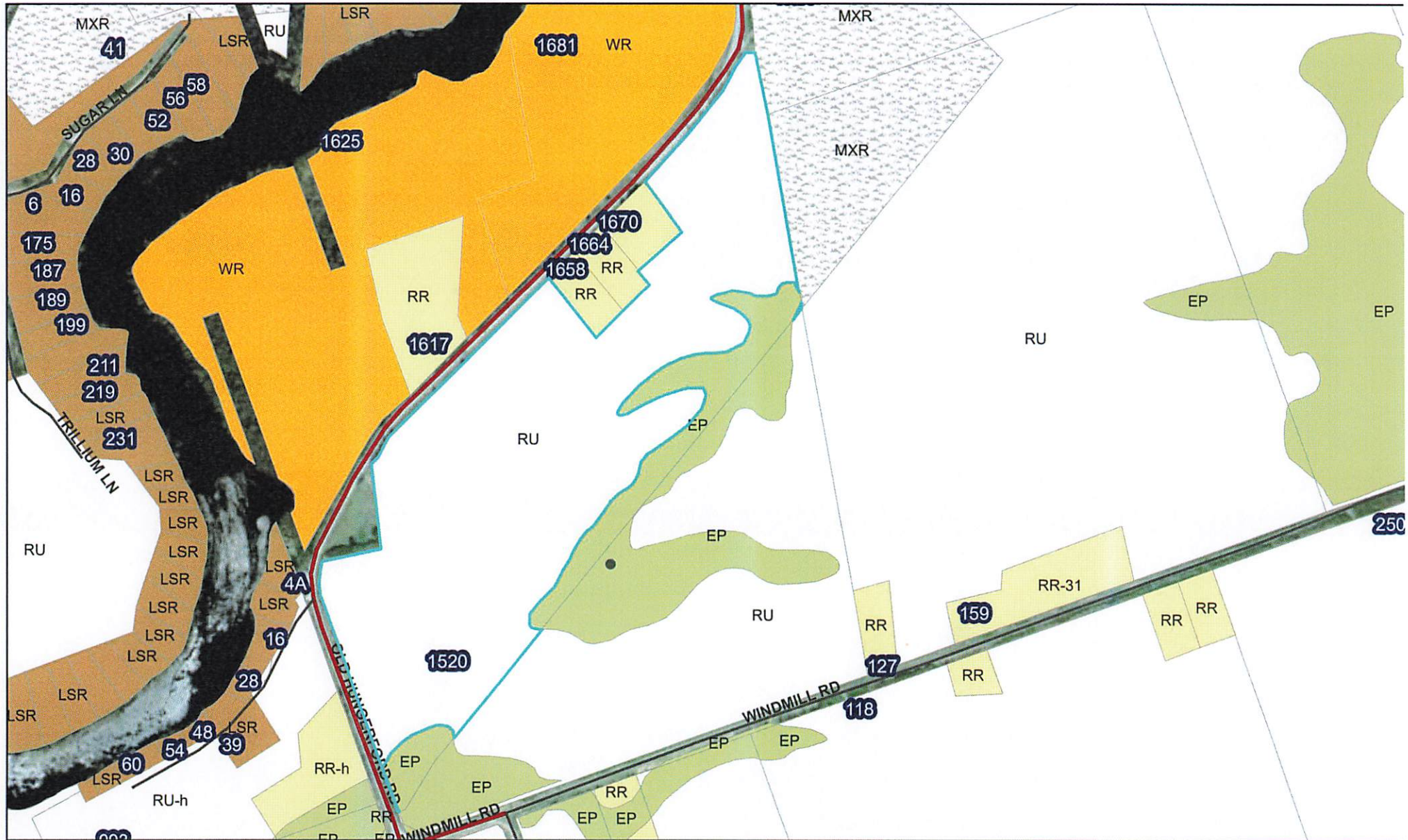
Date (mmm-dd-yyyy)**Note to the user**

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

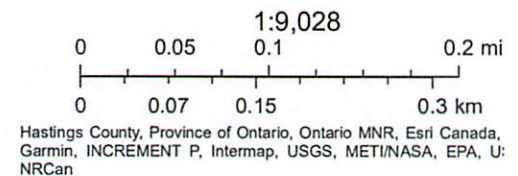
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# County & Municipal Staff Planning Map



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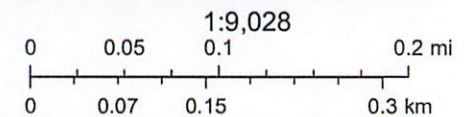
# County & Municipal Staff Planning Map



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Civic Addresses

Property Information



Hastings County, Province of Ontario, Ontario MNR, Esri Canada, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, U: NRCan