



Postal Bag 4400  
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Belleville, ON  
K8N 3A9

March 18, 2024

## **PRELIMINARY REPORT**

### **File information**

**Owner:** Mary McCann  
**Civic Address:** 2571 Rapids Road  
**Legal Description:** Concession 13, Pt Lot 4, RP 21R 14975,  
Parts 3 & 4  
**Municipality:** Municipality of Tweed (Hungerford)

<b>Severed Lot</b>	<b>Frontage:</b> 208 m (681 ft) Rapids Road <b>Area:</b> 3.9 ha (9.8 ac)
<b>Retained Lot</b>	<b>Frontage:</b> 145 m (475 ft) Rapids Road <b>Area:</b> 2.6 ha (6.4 ac)
<b>Official Plan Designation</b>	Rural/Waterfront
<b>Current Zoning</b>	Special Rural Residential - 8 (RR-8) Zone
<b>Previous Consent</b>	None since 1998
<b>Type of Consent(s):</b>	New Lot (X) Lot Addition ( ) Other: Partial Discharge (X)

The County of Hastings has received the above mentioned application 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 on the west side of Rapids Road, approximately 800 metres north of the intersection of Rapids Road and French Settlement Road/Brinson Road in the Municipality of Tweed. The lands are characterized as primarily a mix of wooded areas and sparsely open areas surrounding an existing dwelling in the southern portion of the subject lands. The topography rises from a lower elevation along the road frontage to the higher elevation on the westerly (rear) portion of the lands.

The applicant proposes the creation of a new lot having an area of approximately 3.9 ha (9.8 ac) with approximately 208 m (681ft) frontage on the west side of Rapids Road. The proposed retained lands will have a lot area of approximately 2.6 ha (6.4 ac) with 145 m (475 ft) frontage on the west side of Rapids Road.

The proposed severed lands are vacant and there are no current plans for development. The retained lands are developed with existing 138 square metres (1,485 sq ft) single detached dwelling.

In addition to the application for consent to create a new lot, the applicant has also requested under subsection 53(42) of the Planning Act, consent for a partial discharge of a Charge (Mortgage) registered on title to the subject property. Formal Planning Act consent is a necessary administrative requirement when a Charge is considered to encumber more than one property. This would be the case when a severance of a parcel of land is completed. Subsections 50(16) and (17) of the Planning Act apply with respect to the prohibition against retaining abutting land, which includes a mortgage over both the severed and retained lots, and the exceptions. As a condition of consent, the lawyer for the applicant would be required to provide the required documents to the Land Division Secretary for issuance of the Certificate of Official for the partial discharge of Charge.

#### **Planning Act**

The subject application 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** in the County of Hastings Official Plan.

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 no previous consent applications to create a new lot from the original land holding as it existed in 1998. The consent application conforms with **Section 6.3.1.4** of the Official Plan.

The subject lands are identified as being an area of Potential and Inferred 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. Quinte Conservation Authority will be circulated for review comments.

As there are no livestock facilities in the immediate vicinity of the proposed new lot, an assessment of the Minimum Distance Separation I formula (MDS I) is not required.

**Zoning By-law**

The severed and retained lands are currently zoned the **Special Rural Residential - 8 (RR-8) Zone**.

The lands were subject to consent File No. B782/90 & B783/90 to create the subject lands. As a condition of consent approval, the lands were required to be rezoned to the Special Rural Residential 8 (RR-) Zone which permits the uses within the Rural Residential (RR) Zone with *"the addition of keeping a maximum of two animals and associated farm practices and facilities."*

The proposed severed and retained lands will meet the minimum lot area requirement of the **Rural Residential (RR) Zone**, however upon review of the current minimum lot area requirement for the housing of livestock being 6 ha (14.8 ac), the proposed severed and retained lots will be reduced lots that are not adequate for the keeping of livestock. It will be recommended the severed and retained lands be rezoned to the **Rural Residential (RR) Zone**. The effect of this rezoning will remove the permit use of housing 2 animals and associated farm practices and facilities.

**Servicing/Roads/Other**

As the proposed retained lands are developed with existing well and sanitary services and the severed lot exceeds 5 ac in area, the typical condition requiring that the applicant provide proof of adequate groundwater quality and quantity will not be required.

The Municipality is encouraged to review the width of Rapids 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,

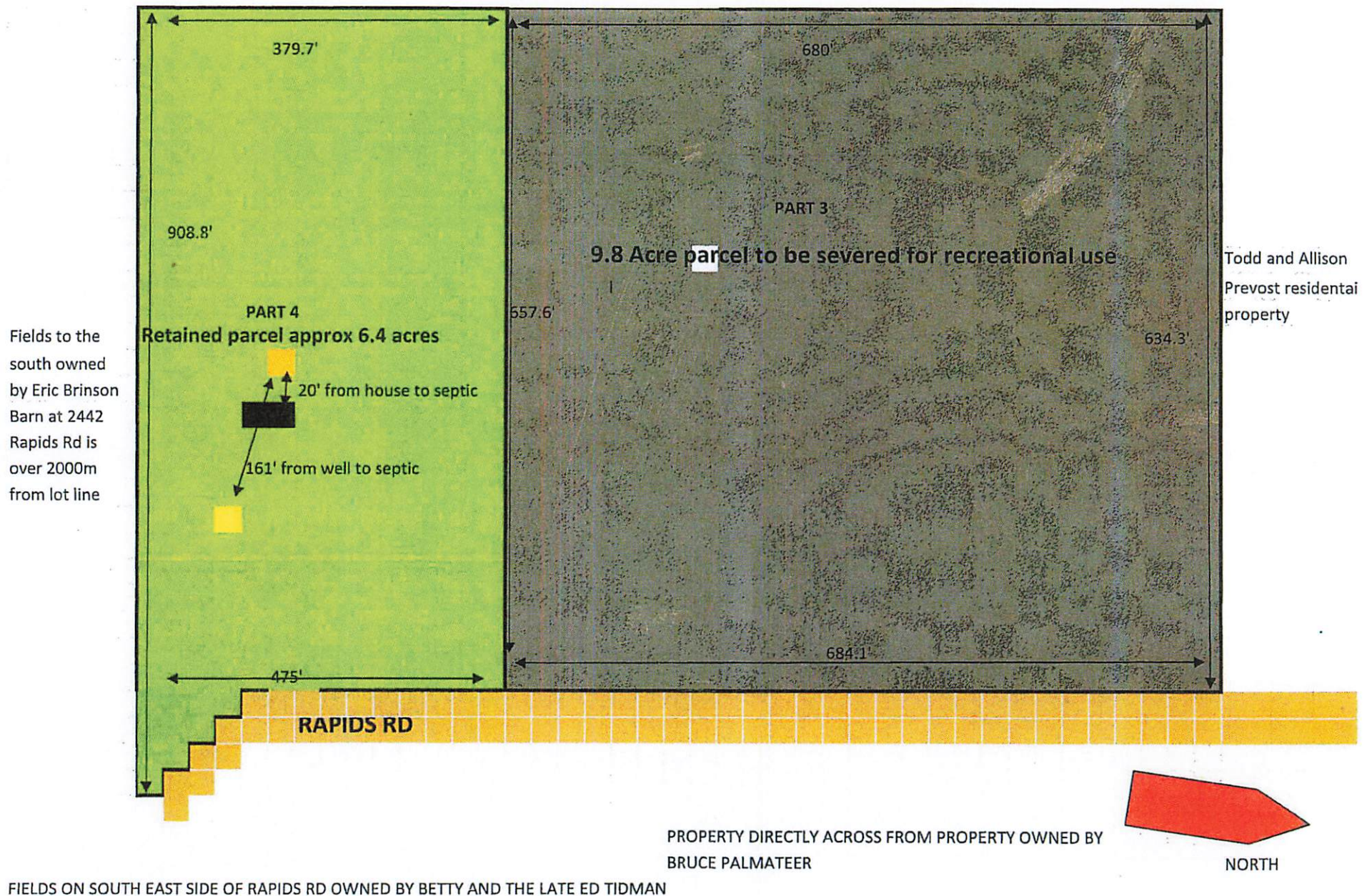
A handwritten signature in black ink, appearing to read "Gib Garrett".

Gib Garrett  
Planner











# County & Municipal Staff Planning Map

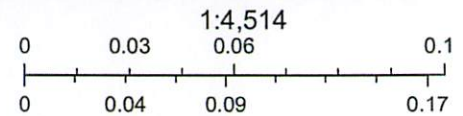


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Civic Addresses



Property Information



Hastings County, Province of Ontario, Ontario MNR, Esri Canada, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCan

Hastings

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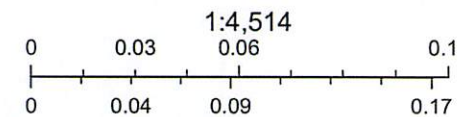


# County & Municipal Staff Planning Map



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- Civic Addresses
- Tweed Zoning
- Rural (RU)
- Rural Residential (RR)
- Property Information



Hastings County, Province of Ontario, Ontario MNR, Esri Canada, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCan