



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

March 21, 2024

## **PRELIMINARY REPORT**

### **File information**

**Owner:** Brian and Vicki Brough  
**Civic Address:** 687 Elzevir Road Concession  
**Legal Description:** 10, Pt Lots 17 & 18 Municipality  
**Municipality:** of Tweed (Elzevir)

<b>Severed Lot</b>	<b>Frontage:</b> 155 m (510 ft) Elzevir Road <b>Area:</b> 2.1 ha (5.4 ac)
<b>Retained Lot</b>	<b>Frontage:</b> 804 m (2,640 ft) Elzevir Road <b>Area:</b> 15.7 ha (39 ac)
<b>Official Plan Designation</b>	Rural/Waterfront and Environmental Protection
<b>Current Zoning</b>	Rural (RU) Zone, Mineral Extractive Reserve (MXR) Zone and Environmental Protection (EP) Zone
<b>Previous Consent</b>	None since 1998
<b>Type of Consent(s):</b>	New Lot (X) Lot Addition ( ) Other:

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 Elzevir Road, approximately 3 kilometers north of the intersection of Elzevir Road and Finton Road in the Municipality of Tweed. The lands are characterized as primarily a mix of open field areas with some wooded areas throughout. Low lying area considered as a localized drainage feature are located in the middle portion of the subject lands.

The applicant proposes the creation of a new lot having an area of approximately 2.1 ha (5.4 ac) with approximately 155 m (510 ft) frontage on the north side of Elzevir Road. The proposed retained lands will have a lot area of approximately 15.7 ha (39 ac) with 804 m (2,640 ft) frontage on the north side of Elzevir Road.

The proposed severed lands contain a 143 sq m (1,536 sq ft) drive shed and is intended to be developed with a single detached dwelling. The retained lands contain a dwelling, a detached garage, two out-buildings and a barn.

**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** and **Environmental Protection** in the County of Hastings Official Plan.

Lands designated **Environmental Protection** relate to the portions mentioned above of low lying lands attributing to the local drainage on located on the proposed retained lands. This area does not impact the proposed severed lot fronting on Elzevir Road.

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.

It has been identified there are 2 barns in the general are of the proposed severed lots, located at 698 Elzevir Road and on the subject lands known as 571 Elzevir 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:

698 Elzevir Road - 110 metres

571 Elzevir Road – 106 metres

It appears the MDS 1 setback from the barn located at 571 Elzevir Road has been met. It appears the MDS 1 setback from the barn located at 698 Elzevir Road do appear to impact the proposed lot.

MDS 1 setbacks are generally applied from the existing barn to the closest lot line of the proposed new lot. Guideline 41 of the MDS Guidelines identify for proposed lots without an existing dwelling that are greater than 1 ha in lot area, the MDS 1 setbacks are measured as the shortest distance between a 0.5 ha (1.24 ac) or larger building envelope to the barn.

As the proposed lot is greater than 1 ha (2.4 ac) in lot area, the results indicating the MDS 1 setback of 110 metres from the existing barn located at 698 Elzevir will need to

be identified on a detailed sketch that ensures a building envelope of at least 0.5 ha (1.24 ac) exists.

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

The severed and retained lands are currently zoned the **Rural (RU) Zone**, **Mineral Extractive Reserve (MXR)** and the **Environmental Protection (EP) Zone**.

The proposed severed lands will not meet the minimum lot area requirement of the **Rural (RU) Zone** and consequently will be required to rezone to a **Special Rural Residential-X (RR-X) Zone**. Further, as an existing machine shed will be located on the proposed severed lot, the **Special Rural Residential -X (RR-X) Zone** will include provisions permitting the accessory machine shed prior to a principle use being established.

Neighbouring lands to the north and the westerly edge of the subject lands 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. The appropriate setback reduction will be incorporated into the **Special Rural Residential -X (RR-X) Zone** noted above.

The proposed retained lands will continue to meet the minimum lot area and lot frontage requirements of the **Rural (RU) Zone** and therefore will not require rezoning, however it will be recommended the portion of the retained lands currently zoned the **Mineral Extractive Reserve (MXR) Zone** be rezoned to the **Rural (RU) Zone**. This will remove the **Mineral Extractive Reserve (MXR) Zone** from the retained lands.

The lands currently zoned the **Environmental Protection (EP) Zone** relate to the low lying lands, as previously noted, located on the retained lands and will remain zoned as such.

#### **Servicing/Roads/Other**

As the proposed severed lands exceed 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 Elzevir 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.

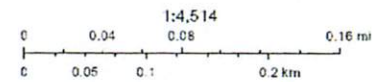
Gib Garrett  
Planner

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 Override 1
  Override 2
  Property Information

Lines
  Override 3

 Override 1



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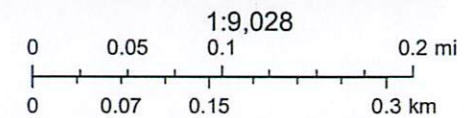
# County & Municipal Staff Planning Map



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Civic Addresses

Property Information



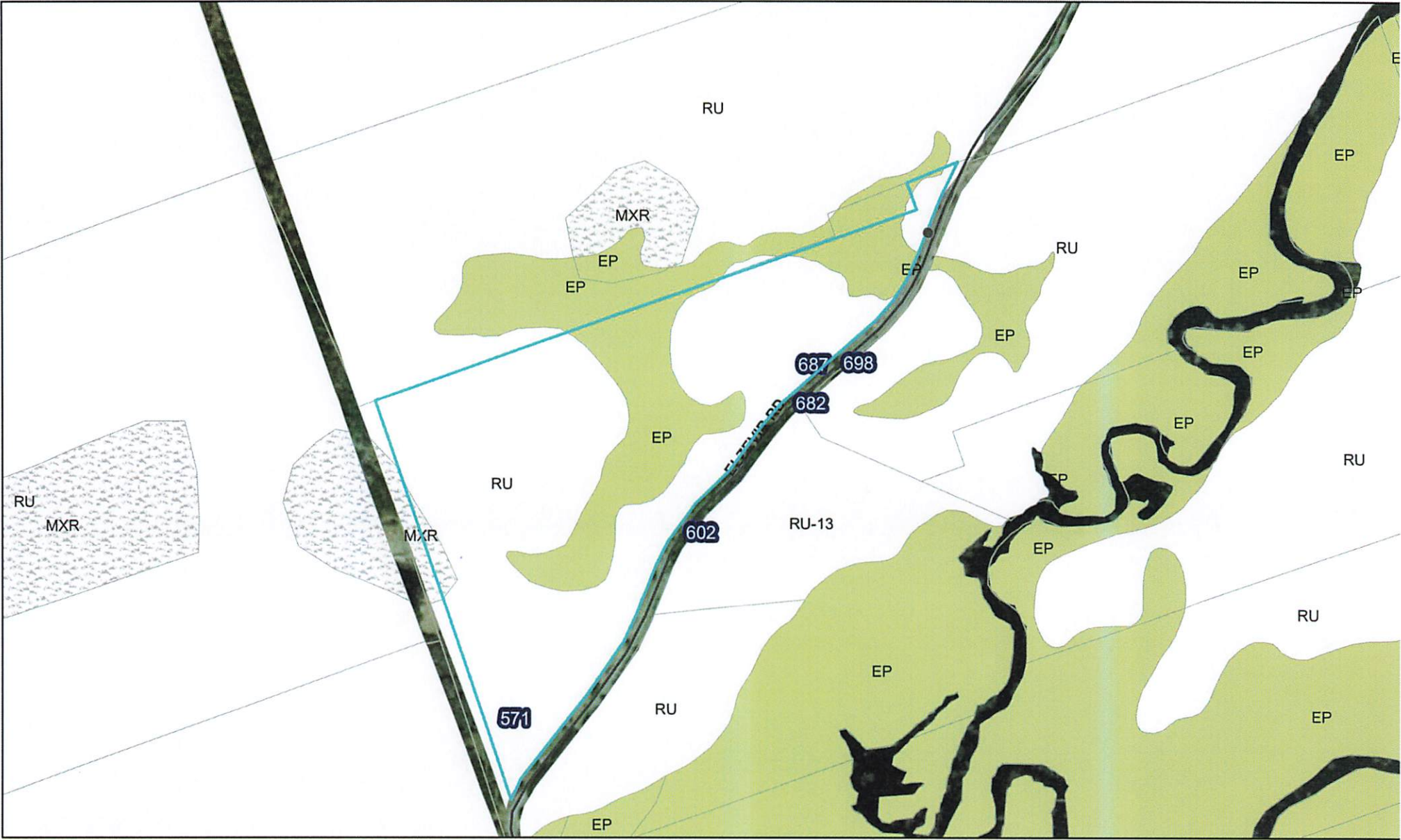
Hastings County, Province of Ontario, Ontario MNR, Esri Canada, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, U: NRCan

Hastings

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# County & Municipal Staff Planning Map





2024-04-11, 1:49:31 p.m.

- Civic Addresses

Tweed Zoning

 Rural (RU)
-  Environmental Protection (EP)

 Mineral Extractive Reserve (MXR)

 Property Information

