

Type of Decision									
Meeting Date	Thursday, February 21, 2019				Report Date	Tuesday, February 12, 2019			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed
<h2>Boudreau Severance - Development Agreement Report #21/02/19/1102 - amended</h2>									

SUBJECT: Boudreau Severance – Development Agreement

RECOMMENDATION:

That council adopt by-law 2019-05 and approve the Development Agreement provided to meet the conditions of severances B03/18(1), B04/18(2) and B05/18(3).

BACKGROUND/EXECUTIVE SUMMARY:

On June 12th, 2018 Council approved a request from the County of Renfrew for severance B03/18(1), B04/18(2) and B05/18(3) for the estate of Edmond Boudreau. Conditions of the approved severance required that the property owner provided a development agreement for each new parcel of land.

The solicitor for the Estate of Edmond Boudreau, Mr. George LeConte, has provided a draft by-law and a draft Development Agreement in order to meet the conditions of the severance.

This is a time sensitive matter, and is a requirement to meet the conditions of the severances.

All concerns expressed regarding the severances have been addressed, including road construction standards as outlined in Section 2 of the Development Agreement (attached).

**I spoke with County representatives regarding the treatability limit clause. This clause must be included in the agreement to meet stipulations set out in a Justification Report that was required to meet the conditions of the severance. Seven lots have previously been severed from its original holding. According to Section 14.3 (5) of the County of Renfrew’s Official Plan:

Where consents have been granted in accordance with Subsections 14.3 (4) above and while creating more than five (5) lots per holding is generally discouraged, additional consents may be considered, provided the approval authority and local Council are satisfied that a plan of subdivision is not required for the orderly development of the lands and the applicant submits a study addressing the following to the satisfaction of the local Council:

- (a) justification of the proposed water supply and sewage disposal services in consideration of the provincial servicing policies of Subsection 2.2 (12);
- (b) why a plan of subdivision is not necessary for the proper and orderly development of the lands;

- (c) the need for a hydrogeology study (including a nitrate impact assessment) to ensure that the quality and quantity of potable water meets provincial standards;
- (d) the need for a lot grading and drainage plan; and
- (e) the impact of the proposed development on the financial resources of the municipality.

As per the conditions above, a Planning Justification Report was created and a hydrological report was included. I have not located a copy of the hydrological report itself, but taken from the Development and Property Department Consent Planning Report from the County of Renfrew: “The justification report included a Hydrogeological Evaluation. The results of the evaluation concluded that the water supply meets the Ontario Drinking Water Standards for health and aesthetic parameters in all cases, except for colour. The level of colour of 6 TCU measured for the water sample is marginally above the ODWS of 5 TCU but is within the treatability limit for treatment using a carbon filter treatment system...”

According to the planning department at the County the reason for the treatability limit is to let future owners know that the water is not potable and it is within a treatability limit – as in it must be treated and that Council is not being asked to guarantee anything.

Financial Considerations/Budget Impact:

None – as stated in the agreement; “The Municipality is not responsible for any expenses required by the Developer to satisfy the requirements of this Development Agreement.”

It is the developer’s responsibility to provide these documents, in order to meet the conditions of the severance.

Others Consulted:

Approved and Recommended by the Clerk

Crystal Fischer,
Interim Clerk