



THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

January 31st, 2025

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15221315 Canada Inc. Consent Applications
Lanark County Files B25-001/002/003

1. LOCATION AND DESCRIPTION

The subject property is in Part of Lot 5, Concession 5, Township of Montague, with frontage on Fletcher Road, a Township Road maintained by the Township of Montague, and Roger Stevens Drive, a County Road maintained by the County of Lanark. The property totals approximately 20.08 hectares. Three (3) parcels of land are proposed to be severed. (See Appendix "A")

2. PROPOSED CONSENT

The Applicants propose to sever three (3) new lots from the subject property with the following characteristics:

1. **Severed Lot (B25-001):** The Applicants are proposing to sever a 1.004 hectare parcel of land with approximately 124m of frontage on Fletcher Road, a Township Road maintained by the Township of Montague. This proposed severed lot is currently vacant with plans to construct a dwelling and will be serviced by a private well and septic system.
2. **Severed Lot (B25-002):** The Applicants are proposing to sever a 1.008 hectare parcel of land with approximately 70m of frontage on Roger Stevens Drive, a County Road maintained by the County of Lanark. This proposed severed lot is currently vacant with plans to construct a dwelling and will be serviced by a private well and septic system.
3. **Severed Lot (B25-003):** The Applicants are proposing to sever a 1.008 hectare parcel of land with approximately 70m of frontage on Roger Stevens Drive, a County Road maintained by the County of Lanark. This proposed severed lot is currently vacant with plans to construct a dwelling and will be serviced by a private well and septic system.
4. **Retained Lot:** This proposed parcel is 17.02 hectares in size with approximately 75m of frontage on Roger Stevens Drive, a County Road maintained by the County of Lanark, and 346m on Fletcher Road, a Township Road maintained by the Township of Montague. This proposed retained lot is currently occupied by a dwelling serviced by a private well and septic system, as well as a carport, storage building and large barn.

3. PLANNING ANALYSIS

3.1 Provincial Planning Statement (PPS) 2024

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning, providing for appropriate development, while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. Section 3(5)(a) of the Planning Act, R.S.O. 1990, provides that all planning decisions must be consistent with the PPS.

The subject property is located within a Rural Area, defined under the PPS as “a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas”.

2.6.1(c) On rural lands located in municipalities, permitted uses are: ... c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services.

2.6.2 Development that can be sustained by rural service levels should be promoted.

2.6.5 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

4.1(1) Natural features and areas shall be protected for the long term.

4.1.5(b)(d) Development and site alteration shall not be permitted in: ... b) significant woodlands in Ecoregions 6E and 7E...unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

4.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

4.6(2) Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

5.2.2(c) Development shall generally be directed to areas outside of: ...c) hazardous sites.

The lots to be severed are vacant and each is proposed to be developed with a dwelling that will be serviced by a private well and septic system.

The retained parcel is currently occupied by a dwelling serviced by a private well and septic system, as well as a carport, storage building and large barn. No future development is proposed at this time on the retained parcel.

Residential uses are permitted in Rural Areas. Accordingly, the severed lots proposed in this application, and the resulting retained parcel, are compatible with the rural policies.

3.2 Official Plan

Schedule "A" of the Township's Official Plan designates the subject property as "Rural". See Appendix "B" herein.

3.6.2 Within the Rural area, a variety of land uses shall be permitted including agriculture, forestry, management or use of resources, conservation, various outdoor recreational uses, and commercial, industrial, and limited residential uses...

The surrounding land uses consist of a mixed landscape of residential development, farmland, and forested areas.

2.17.2 It is a policy of this Plan to address land use compatibility issues related to non-agricultural and agricultural uses through the application of the Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II) formulae, as may be amended from time to time, to new non-agricultural uses and new or expanding agricultural uses, respectively.

The Applicants have submitted a completed Minimum Distance Separation Data Sheet due to a livestock facility being located within 750m of the proposed severed parcels. The calculated building base distance does not impact the proposed severed parcels.

2.18.2(1) ... Archaeological assessments shall normally be required for site alteration and new development involving planning applications for an Official Plan or zoning by-law amendment, plan of subdivision, condominium, or consent...when the subject lands contain or are located within at least one of the following:...4) 200 metres of a secondary water source such as a wetland, marsh, small creek, spring, etc.;

It will be a condition of consent that the Applicants will be required to obtain an Archaeological Assessment to evaluate the archaeological potential of the proposed severed parcels.

2.19.2(1) ...Where lands that are the subject of development proposals have been identified as potentially possessing organic soils, development will be encouraged to locate outside of areas identified with organic soils, where feasible. Where development is proposed in areas containing organic soils, the approval authority may request sufficient soils and geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.

There is an area of organic soils on the subject property, as illustrated in Appendix "C" herein. There is sufficient buildable area outside of this designation but, should the Applicants proceed with development within this natural hazard, engineering review may be required.

2.19.5 ...Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire. However, development may be permitted in lands with hazardous forest types where the risk is mitigated in accordance with the Wildland Fire Risk Assessment and Mitigation Reference Manual prepared by the Ontario Ministry of Natural Resources and Forestry, 2017 or such updated manual or checklist prepared by the Township which shall be consistent with the PPS (2020).

There are areas of Wildland Fire Hazard – High at the Northwest end of the retained lands, as illustrated in Appendix "C" herein, outside of the area proposed to be developed. No action is required by the Applicants.

2.21.1(2) Development and site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site on lands adjacent to the Natural Heritage A designation shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the wetland's natural features or ecological functions. An environmental impact assessment will be required in accordance with the requirements of the Environmental Impact Assessments section of this Plan.

There is a Provincially Significant Wetland on the opposite side of Roger Stevens Drive, East of the subject property, as illustrated in Appendix "D" herein.

2.21.6(4) Prior to permitting development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site within a significant woodland area identified on Schedule B or adjacent lands, the approval authority shall require an environmental impact assessment demonstrating that there will be no negative impacts on the natural features or their ecological functions. The assessment required pursuant to this policy will be completed in accordance with the requirements of the Environmental Impact Assessments section of this Plan.

There are areas of significant woodlands on the proposed severed and retained lots, as illustrated in Appendix "D" herein.

3.4.3(2) Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site may be permitted on lands adjacent to the Natural Heritage B designation, subject to the provisions of the Natural Heritage Features and Environmental Impact Assessments sections of this Plan. Adjacent lands means those lands within 120 metres of the Natural Heritage B designation, except for a provincially significant Area of Natural and Scientific Interest – Earth Science, for which adjacent lands means those lands within 50 metres.

There is an area of the retained parcel containing unevaluated wetlands (a Natural Heritage B designation), as illustrated in Appendix "D" herein.

The Applicants obtained an Environmental Impact Study from Muncaster Environmental Planning Inc. and submitted same to the County of Lanark as part of their complete application. The recommendations and mitigation measures contained in that report, and any associated peer reviews, will be captured in a Development Agreement between the Owners and the Township of Montague.

2.22.1(4) A Hydrogeological and Terrain Assessment is required when any of the following apply:

- 1. The development involves the creation of a lot less than 1 ha in size to be serviced with a private septic system, and a private well for drinking water purposes.*
- 2. The development is taking place in an area of potential or known hydrologic sensitivity.*
- 3. The development involves the creation of more than one building lot. A building lot is defined as a parcel of land suitable for residential development with a lot size less than or equal to 1 hectare. For the purpose of clarity, where a development proposal involves the creation of more than one lot, and one or both of the lots is greater than one hectare, a hydrogeological assessment will not be required unless triggered by other criteria of this Section.*
- 4. The development is located within a 150m circumference (i.e. circle) of seven (7) other existing developments serviced with private well and septic systems. The measurement of the circle will be from the midpoint of the proposed severed lot.*

Pursuant to the Township's screening checklist, a Hydrogeological Assessment was not required.

5.2.3(1) A maximum of three new lots (excluding the retained lot) may be created from a land holding as it existed on January 1, 2001. Where a landholding is situated partly or wholly in the Settlement Area designation, this maximum shall not apply, provided that such new lot is situated wholly within the Settlement Area designation.

According to our records, no lots have been severed from this parcel since January 1st, 2001. Therefore, the proposed severances are in conformity with the Official Plan.

3.3 Zoning By-Law

Under the Township's Zoning By-Law 4070-2024, the subject property is zoned Rural (RU) – see Appendix "E" herein. The RU zone provides for a minimum lot size of 0.4 hectares and a minimum lot frontage of 46 meters.

The permitted uses under the RU zone include dwellings and accessory structures.

Both the severed and retained parcels will comply with the zoning provisions in the RU zone.

4. INTERNAL COMMENTS

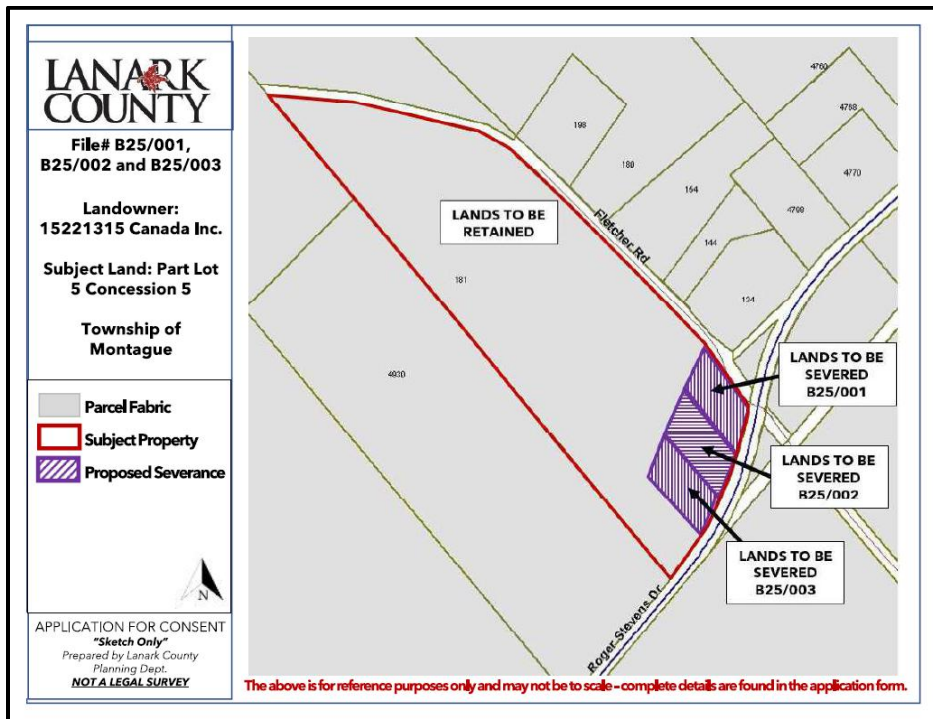
The Building Department will provide septic comments under a separate report. No additional comments have been received from Township staff resulting from the internal circulation of this application.

5. CONCLUSIONS

Based on the foregoing, the proposed consent applications are consistent with the PPS and conform with the provisions of the Township's Official Plan and Zoning By-Law, provided that the recommended conditions in Appendix "F" are approved.

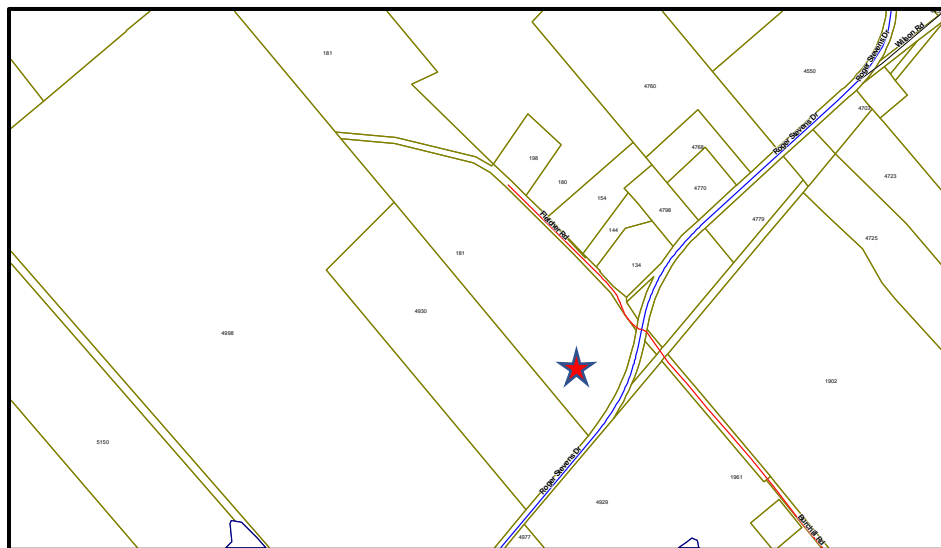
APPENDIX "A"


Key Map



APPENDIX "B"

Official Plan - Schedule "A"- Land Use



 Subject Land – Rural

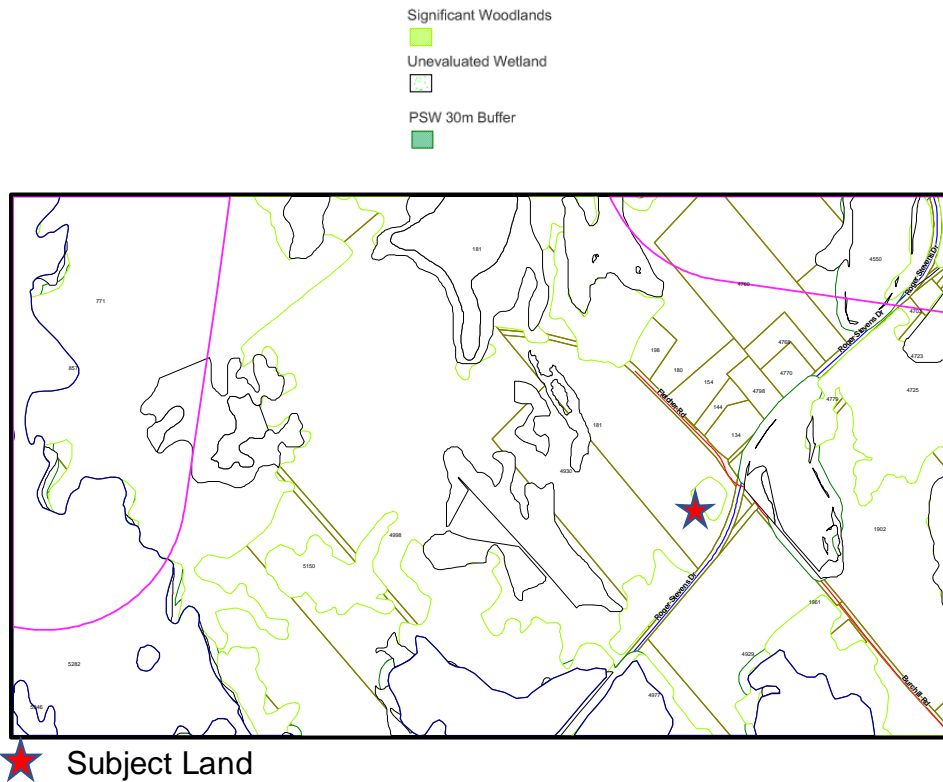
APPENDIX "C"

Official Plan - Schedule "B" - Constraints and Opportunities



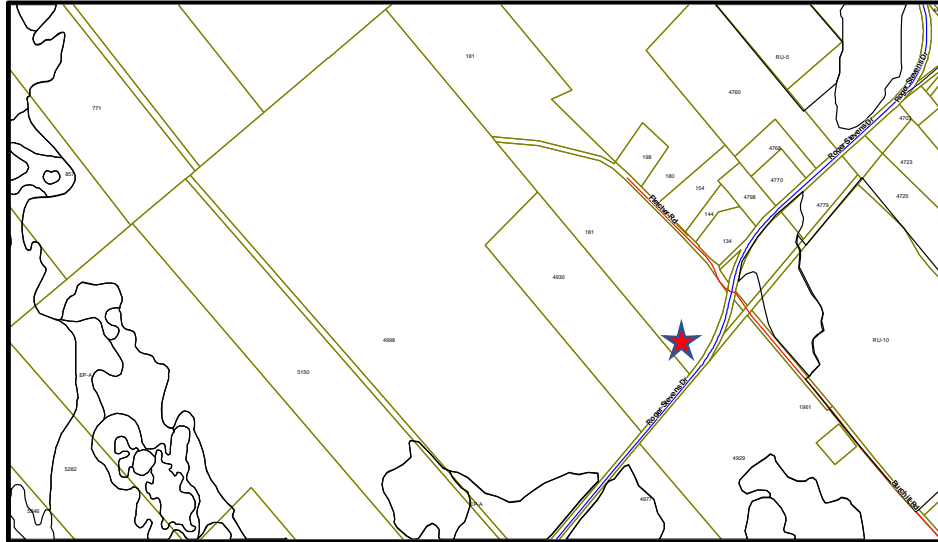
APPENDIX "D"

Official Plan - Schedule "C" - Natural Heritage System



APPENDIX "E"

Zoning By-Law



★ Subject Land: Rural (RU)

APPENDIX "F"

Conditions of Consent

- 1) *The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township of Montague.*
- 2) *The Applicants shall satisfy all the requirements of the Township of Montague, financial and otherwise, that may be required under established by-laws for consent applications.*
- 3) *The Applicants shall provide the Township of Montague with a digital and paper copy of all reference plans associated with this application.*
- 4) *The Applicants shall provide the Township of Montague with a copy of the deed/transfer for the property.*
- 5) *The Applicants shall obtain a Civic Address Number from the Township of Montague for the severed parcels. The Applicants shall consult directly with the Township in this regard.*
- 6) *The Applicants shall consult directly with the County of Lanark to confirm that residential entrances to the proposed severed lots B25-002 and B25-003 are viable and provide confirmation of same to the Township of Montague.*
- 7) *The Applicants shall consult directly with the Township of Montague to confirm that a residential entrance to proposed severed lot B25-001 is viable. Additionally, the Applicants shall apply for and install the approved entrance.*
- 8) *The Applicants shall obtain an Archaeological Assessment and submit a copy of same to the Township of Montague.*
- 9) *Payment shall be made to the Township of Montague representing the amount satisfactory to the Township in accordance with their Cash-in-Lieu of Parklands By-Law, pursuant to Section 42 of the Planning Act.*
- 10) *Sufficient land for Road Widening purposes shall be conveyed as required to the Township of Montague by registered deed, to meet the road widening requirements of the Township. Deeds are to be submitted to the Municipality for review accompanied by a solicitor's certificate indicating that the Municipality's title is free and clear of all encumbrances and the Municipality has a good and marketable title for assumption. The Manager of Public Works shall be consulted prior to commencing a survey to determine the amount, if any, of road widening required.*

- 11) *The Owners shall enter into a Development Agreement with the Township of Montague. The wording of the Agreement shall be acceptable to the Municipality and shall address:
 - a) the recommendations and mitigation measures noted in the Environmental Impact Study prepared by Muncaster Environmental Planning Inc., dated November 29th, 2024, and any associated peer reviews; and
 - b) any recommendations and mitigation measured noted in the required Archaeological Assessment.*