



THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

April 25th, 2023

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Reviewed By: Forbes Symon, RPP, MCIP, Senior Planner

Fletcher Consent Application – Lanark County File B23-045

1. LOCATION AND DESCRIPTION

The subject property is located in Part of Lots 4 and 5, Concession 5, Township of Montague, and is municipally known as 134 Fletcher Road. The property totals approximately 2.97 hectares. One (1) parcel of land, 1.03 hectares in size, is proposed to be severed. (See Appendix “A”)

2. PROPOSED CONSENT

The applicant proposes to sever one (1) new lot from the subject property with the following characteristics:

1. **Severed Lot (B23-045):** The applicant is proposing to sever a 1.03 hectare parcel of land with 46m of frontage on Fletcher Road, a Township maintained road. This lot is currently vacant with plans for development with a dwelling serviced by a private well and septic system.
2. **Retained Lot:** This parcel is 1.94 hectares in size with 106m of frontage on Fletcher Road, a Township maintained road. This lot contains a dwelling serviced by a private well and septic system, a garage, and a studio, with no plan for additional development at this time.

3. PLANNING ANALYSIS

2.1 Provincial Policy Statement (PPS) 2020

The Provincial Policy 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 within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas”.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

2.1.1 Natural features and areas shall be protected for the long term.

The lot to be severed is currently vacant with plans for development with a dwelling 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, a garage, and a studio, with no plan for additional development at this time.

Residential land uses are permitted in Rural Areas. Accordingly, the severed lot proposed in this application, and the resulting retained parcel, are considered to be compatible with the rural landscape.

2.2 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 and farmland.

2.19.2(1) ...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.

Organic soils are present on the subject lands, as illustrated in Appendix “C” herein, although there is sufficient buildable area outside of this constraint on the proposed severed parcel.

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.

The retained lands are located within the regulated 120m setback from a Provincially Significant Wetland, as illustrated in Appendix “D” herein. As the parcel proposed to be severed is located outside of this regulated setback, there is no development concern related to the severed lands in this regard.

2.22.1(4)(1) 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.

Pursuant to the Township's screening checklist, a Hydrogeological Assessment is 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, there have been no lots severed from this parcel since January 1st, 2001. Therefore, the proposed severance is in conformity with the Official Plan.

3.3 Zoning By-Law

Under the Township's Zoning By-Law 3478-2015, 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

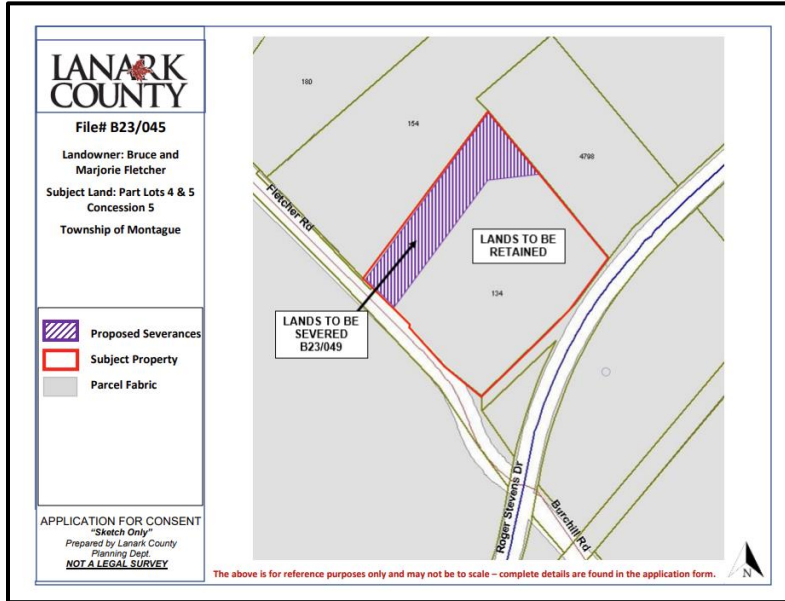
The Chief Building Official advised that he had no comments related to this application. No further comments have been received from Township staff resulting from the internal circulation of this application.

5. CONCLUSIONS

Based on the foregoing, the proposed consent application is consistent with the PPS, and conforms 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"



★ Subject Land – Rural designation

APPENDIX "C"

Official Plan – Constraints and Opportunities - Schedule "B"

 ORGANIC SOILS



 Subject Land

APPENDIX "D"

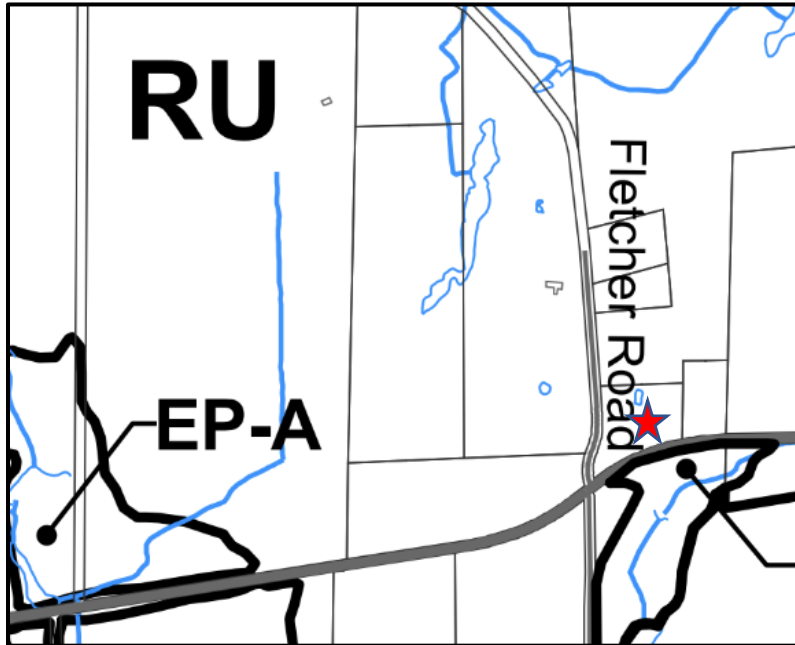
RVCA Mapping



★ Subject Land

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 Applicant 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 Applicant shall provide the Township of Montague with a digital and paper copy of all reference plans associated with this application.*
- 4) *The Applicant shall provide the Township of Montague with a copy of the deed/transfer for the property.*
- 5) *The Applicant shall obtain a Civic Address Number from the Township of Montague. The Applicant shall consult directly with the Township in this regard.*
- 6) *The Applicant shall confirm that a residential entrance to the subject lot is viable. The Applicant shall consult directly with the Township of Montague in this regard.*
- 7) *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.*
- 8) *Sufficient land for Road Widening purposes shall be deeded to the Township by registered deed, to meet the Township's road widening requirements, at no cost to the Township. Deeds are to be submitted to the Township for review accompanied by a solicitor's certificate indicating that the Township's title is free and clear of all encumbrances and the Township has good and marketable title. The Manager of Public Works shall be consulted prior to commencing a survey to determine the amount, if any, of road widening required.*