



THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

April 26th, 2023

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

Giff Consent Application – Lanark County File B21-206

1. LOCATION AND DESCRIPTION

The subject property is located in Part of Lot 20, Concession 3, Township of Montague, and is municipally known as 694 Rosedale Road South. The property totals approximately 6.86 hectares, from which one (1) parcel of land, 0.59 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 (B21-206):** The applicant is proposing to sever a 0.59 hectare parcel of land with 65m of frontage on Rosedale Road South, a County 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 6.27 hectares in size with 59m of frontage on Rosedale Road South, a County maintained road. This lot contains a dwelling serviced by a private well and septic system, a garage, and other outbuildings, with no plans 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 other outbuildings, with no plan for additional development at this time.

Residential land uses are permitted in Rural Areas. Accordingly, the severed lots 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 “Settlement Area”. See Appendix “B” herein.

3.7.2 Permitted uses within the Settlement Area designation shall include residential, commercial, tourist commercial, institutional, public uses, community facilities, parks, and recreation, limited light industrial, on-farm diversified uses and agricultural-related uses, and existing agricultural activities...

The surrounding land uses consist primarily of residential development with a scattering of farmland.

2.21.4(5) ...prior to permitting any 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 wildlife habitat or natural corridor area identified on Schedule B or adjacent lands, the approval authority shall require an environmental impact assessment demonstrating that no negative impacts on the natural features or their ecological functions...

A large area of Significant Wildlife designation is present on the subject lands, as identified in Appendix “C” herein. The Applicant has obtained an Environmental Impact Statement (EIS) and has submitted same to the County of Lanark as part of their complete application. The recommendations contained in the EIS will be required to be documented in a Development Agreement between the Owner and Township.

A Natural Corridor is present at the rear of the retained property, as identified in Appendix “C” herein, where no development is proposed.

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 required. The Applicant has obtained a Hydrogeological Assessment and Terrain Analysis and has submitted same to the County of Lanark as part of their complete application. The recommendations contained in this report will be required to be documented in a Development Agreement between the Owner and Township.

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. Within the Settlement Area designation, consents shall generally be limited to infill development, rounding out existing development and where the land has the potential for the creation of three or less lots.*

The proposed severance is in conformity with the above-referenced Official Plan provision.

3.3 Zoning By-Law

Under the Township's Zoning By-Law 3478-2015, the subject property is zoned Rural (RU) and Rural Residential (RR) – see Appendix "D" herein. The RU zone provides for a minimum lot size of 0.4 hectares and a minimum lot frontage of 46 meters. The RR zone provides for a minimum lot size of 0.4 hectares and a minimum lot frontage of 50 meters.

It is appropriate for the portion of the severed lands currently zoned RU (located at the rear of the proposed severed lot) to be re-zoned to RR, being the zoning designation along the frontage of the proposed severed lot, to create uniformity in the lot development standards and permitted uses.

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

4. INTERNAL COMMENTS

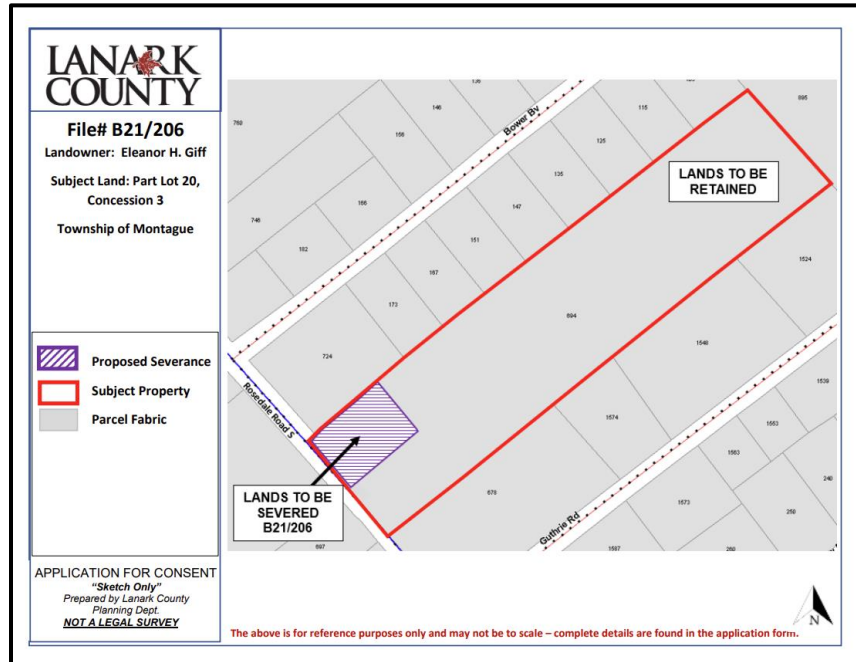
The Chief Building Official advised that he had no comments related to this application. No further comments have been received from Township staff resulting from the internal circulation of this application.

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 "E" are approved.

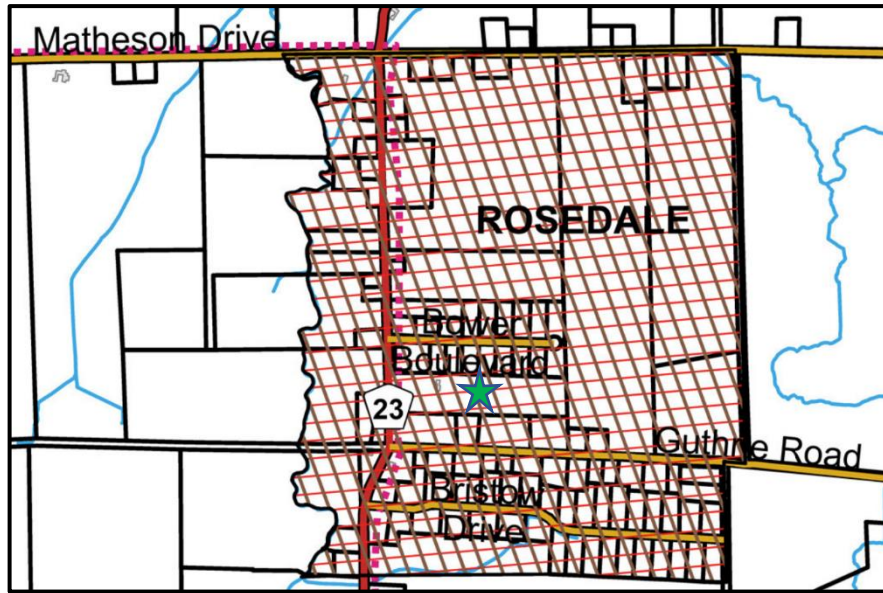
APPENDIX "A"

Key Map



APPENDIX "B"



Official Plan – Schedule "A"

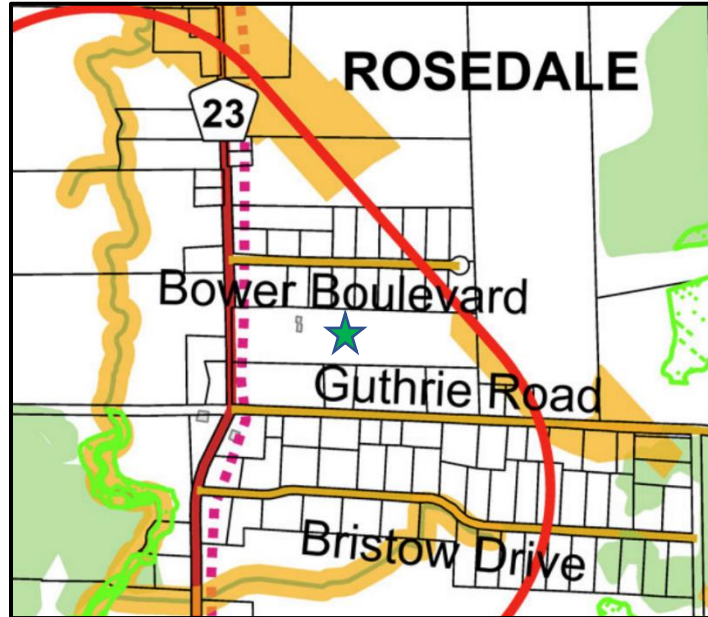


★ Subject Land – Settlement Area designation

APPENDIX "C"

Official Plan – Natural Heritage System - Schedule "C"

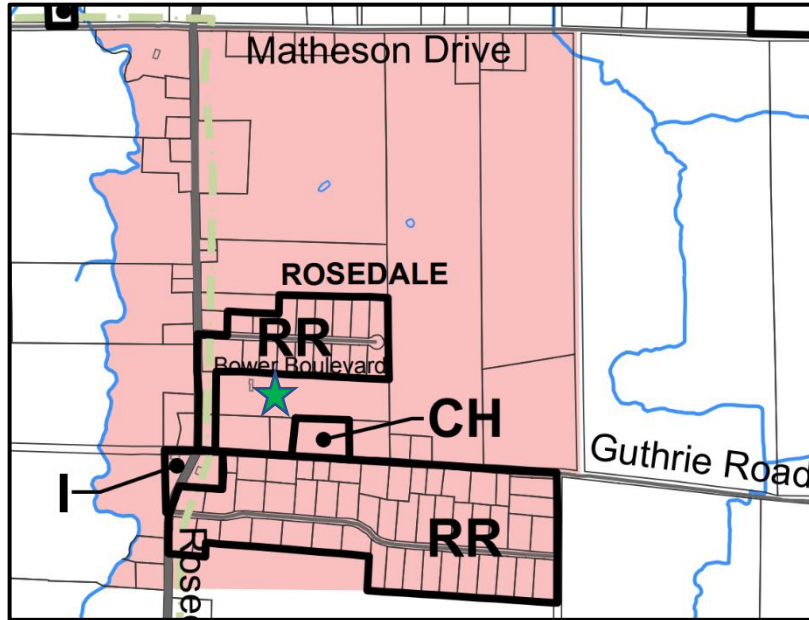
-  SIGNIFICANT WILDLIFE HABITAT
-  NATURAL CORRIDORS AND LINKAGES



 Subject Land

APPENDIX "D"

Zoning By-Law



★ Subject Land: Rural (RU) and Rural Residential (RR)

APPENDIX "E"

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 provide confirmation of the County's entrance approval to the Township of Montague.*
- 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) *The Owner/Applicant shall obtain a "Scoped Hydrogeological Evaluation Report" by a Professional Engineer, or Professional Geoscientist to demonstrate a favourable groundwater quantity assessment, groundwater quality assessment, terrain evaluation and water quality impact risk analysis in accordance with the "Scoped Hydrogeological Report Requirements" guidelines dated July 2, 2015.*
- 9) *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.*
- 10) *The portion of the lot to be severed that is currently zoned Rural (RU) shall be re-zoned as Rural Residential (RR) to create uniformity in the lot development standards and permitted uses.*
- 11) *The Applicant 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 the recommendations in:*
 - *the Environmental Impact Statement prepared by LRL Associates Ltd., dated July 8th, 2021; and*
 - *the Hydrogeological Assessment prepared by McIntosh Perry, dated November 2nd, 2021 and subsequent Memorandum dated May 12th, 2022.*