



THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

April 25th, 2023

Prepared By: **Kirsten Cote, Junior Planner**

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

Martens Consent Applications – Lanark County Files B23-026 and B23-027

1. LOCATION AND DESCRIPTION

The subject property is located in Part of Lot 24, Concession 9, Township of Montague, and is municipally known as 420 Ford Road. The property totals approximately 14.56 hectares, from which two (2) parcels of land, each of which is 0.607 hectares in size, are proposed to be severed. (See Appendix “A”)

2. PROPOSED CONSENT

The applicant proposes to sever two (2) new lots from the subject property with the following characteristics:

1. **Severed Lot (B23-026):** The applicant is proposing to sever a 0.607 hectare parcel of land with 53m of frontage on Ford 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. **Severed Lot (B23-027):** The applicant is proposing to sever a 0.607 hectare parcel of land with 53m of frontage on Ford 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.
3. **Retained Lot:** This parcel is 13.35 hectares in size with 458m of frontage on Ford Road, a Township maintained road. This lot contains a dwelling serviced by a private well and septic system, and a barn, with no plans for additional development at this time.

3. PLANNING ANALYSIS

3.1 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 lots to be severed are currently vacant with plans for development with dwellings serviced by private wells and septic systems.

The retained parcel is currently occupied by a dwelling serviced by a private well and septic system, and a barn that is not capable of housing livestock, 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.

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 and farmland and the Ottawa Valley Recreational Trail (OVRT) is located to the West of the subject lands.

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 property, as identified in Appendix “C” herein, however, there is sufficient buildable area outside of this designation.

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 Natural Corridor is present on the subject lands and the proposed severed lots are contained within this designation, as identified in Appendix "D" herein. The Applicant has obtained an Environmental Impact Study and has submitted same to the County of Lanark as part of their complete application. The mitigation measures contained in the EIS will be required to be documented in a Development Agreement between the Owner and Township.

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....

There is a small area of Significant Woodlands designation located on the retained lands, as identified in Appendix "D" herein, however, no development is being proposed on the retained lands at this time.

2.22.1(4)(3) A Hydrogeological and Terrain Assessment is required when any of the following apply:

...

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.

Pursuant to the Township's screening checklist, a Hydrogeological Assessment is required. It will be necessary for the Applicant to obtain and submit this documentation to the County of Lanark as a condition of consent.

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 severances are 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

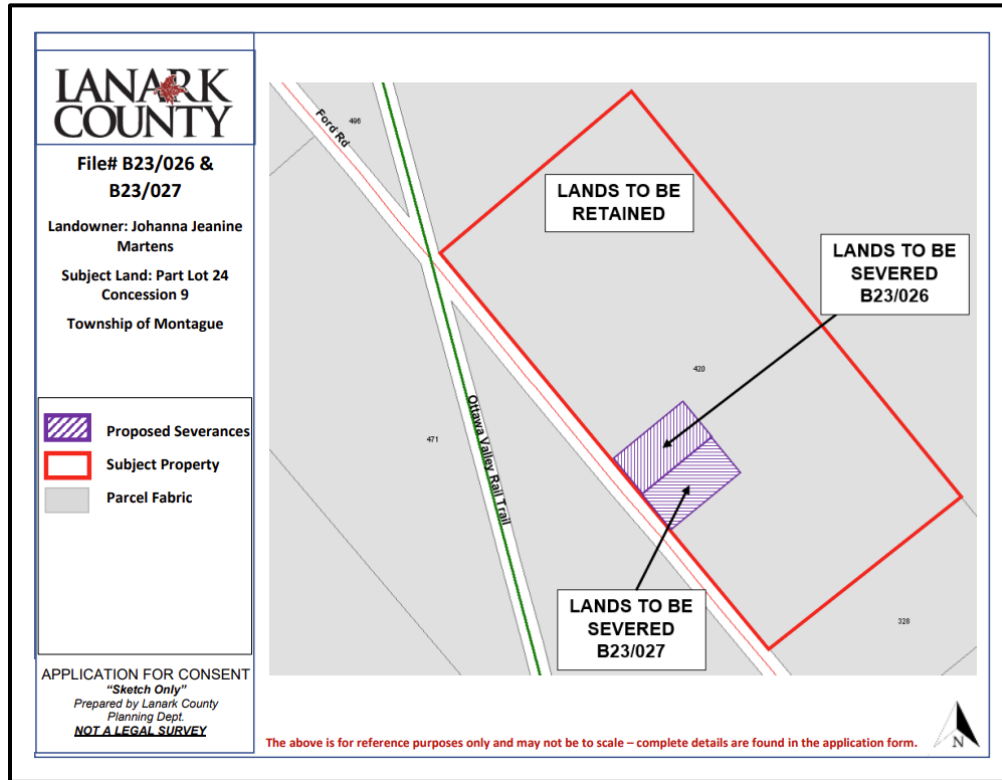
No comments have been received from Township staff resulting from the internal circulation of this application.

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.

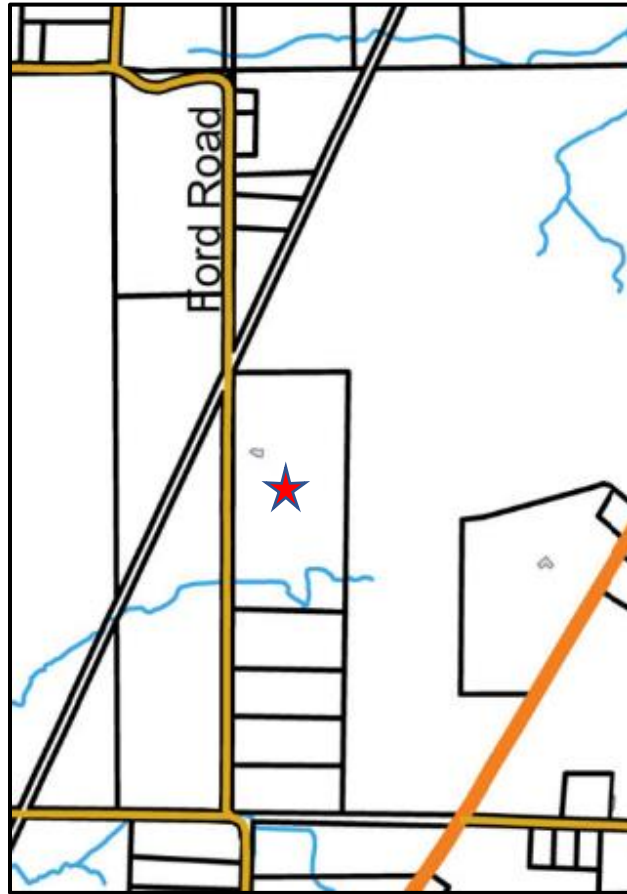
APPENDIX "A"

Key Map



APPENDIX "B"

Official Plan – Schedule "A"

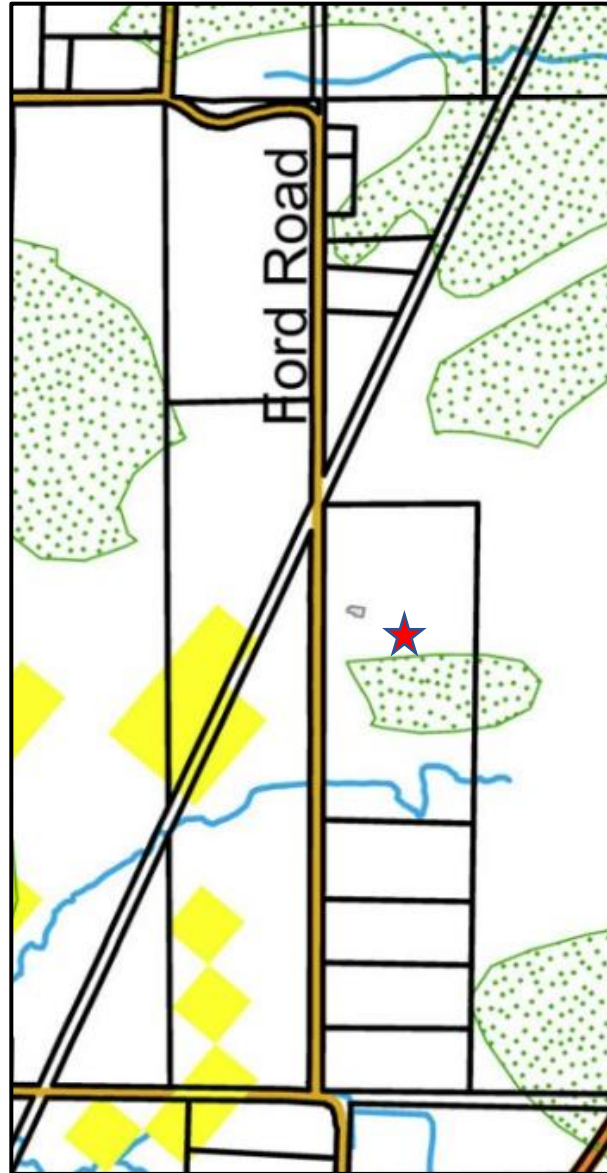


★ Subject Land – Rural designation

APPENDIX "C"

Official Plan – Schedule "B"

 ORGANIC SOILS



 Subject Land

APPENDIX "D"

Official Plan – Schedule "C"

- NATURAL CORRIDORS AND LINKAGES
- SIGNIFICANT WOODLANDS
- ▬ UNEVALUATED WETLAND



★ 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 Civic Address Numbers from the Township of Montague. The Applicant shall consult directly with the Township in this regard.*
- 6) *The Applicant shall confirm that residential entrances to the subject lots are 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) *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 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 Study prepared by Shade Group Inc., dated November 18th, 2022; and*
 - *the Hydrogeological Assessment required as a condition of consent.*