



PUBLIC MEETING ZONING BY-LAW AMENDMENT

**IN PERSON AND LIVESTREAMED ELECTRONICALLY
TUESDAY, MAY 16TH, 2023, 6:00 P.M.
AGENDA**

1. OPENING OF MEETING

Land Acknowledgement

“The Council and staff of the Township of Montague acknowledge that this sacred land on which the Township of Montague is now located and this meeting is being held is the ancestral and unceded territory of the Algonquin Anishinaabe Nation.”

2. INTRODUCTION

- a) The purpose of this public meeting is to hear the following application for Zoning By-Law Amendment:
 - ZB23-002 – McConnell (Leach)
- b) The Planner will provide a brief overview of the file. The Applicant will be given an opportunity to explain the need for the Zoning By-Law Amendment. Then, any person or public body, in opposition and then in favour, to the application will be heard.
- c) If a person or public body does not make oral or written submissions at a public meeting, or does not make written submissions to the Township of Montague before the by-law is passed, the person or public body may not be added to the hearing of an appeal before the Ontario Land Tribunal (OLT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
- d) If you wish to be notified of the decision of Council with respect to the below listed application, you must submit a written request to the Clerk or you must sign the attendance list provided at tonight’s meeting. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing.
- e) The Clerk must provide notice of Council’s decision to all those who request a copy within 15 days after the day the by-law is passed.
- f) An appeal to the Tribunal may be filed with the Clerk of the Township of Montague, by any party entitled to do so, not later than 20 days after the day that the notice of decision was given. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection, accompanied by the required fee.

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

4. APPROVAL OF AGENDA

Suggested Motion:

“THAT, the agenda be adopted as presented.”

5. APPLICATIONS

5.1 ZB23-002 – McConnell (Leach)

- a) Planner Review & Proposed By-Law Amendment
- b) Applicant Comments
- c) Oral & Written Submissions

6. ADJOURNMENT

Suggested Motion:

“THAT, the Public Meeting adjourn at _____p.m.”



Public Meeting

May 16th, 2023

PREPARED BY: Kirsten Cote, Junior Planner
REVIEWED BY: Forbes Symon, RPP, MCIP, Senior Planner
DATE: May 8th, 2023
RE: McConnell (Leach) Zoning By-Law Amendment (File #ZB23-002)

1. BACKGROUND

The following report includes a summary of the development proposal, identifies relevant Official Plan policies and Zoning By-Law provisions, and summarizes comments received to date.

Following this Public Meeting, Staff will prepare a report for an upcoming Council Meeting, with recommendations.

The subject property is a vacant 39.6-hectare parcel of land located in Part of Lots 9 and 10, Concession 2, Township of Montague, with frontage on both Burchill Road and McConnell Road. (See Appendix A” herein)

The land that this Zoning By-Law amendment applies to is currently subject to an application for consent, as follows:

B22-144: *To create a 2.28-hectare lot for residential purposes with frontage on McConnell Road and Burchill Road and to retain a 37.31-hectare vacant landholding.*

A condition of the Notice of Decision for B22-144 requires the Applicant to re-zone the severed lands from Rural to Rural - Special Exception to establish an increased rear and interior side yard setback of 30m to provide for an appropriate buffer between the developable area on the severed lot from the retained lands, stemming from the recommendation of Jp2g Consultants Inc. in their Aggregate Impact Assessment, dated November 28th, 2022.

2. DISCUSSION

Official Plan

Schedule “A” of the Township’s Official Plan designates the subject lands as Rural. (See Appendix “B” herein)

Section 3.6.1 of the Official Plan states that “*land uses in the Rural area will generally relate to the management and use of resources, resource-based recreational activities, and commercial, industrial, and limited residential uses*”.

The proposed new lot is to be developed with a dwelling, serviced by a private well and septic system, which is compatible with the uses noted in Section 3.6.1 above.

The proposed Zoning Amendment will not change the Official Plan designation.

Section 2.17.1(3) of the Official Plan provides that development within areas of potential bedrock should only be undertaken *“if it can be demonstrated to the satisfaction of the approval authority that all issues relating to public health, public safety and environmental impacts can be addressed through setbacks or other mitigation measures without precluding or hindering the use of, or access to, the mineral resource”*.

The subject lands are contained wholly within a bedrock designation, identified in Appendix “C” herein. In support of the lot creation proposed under Consent File B22-144, the Applicant obtained a Land Use Compatibility and Aggregate Impact Assessment from Jp2g Consultants Inc. which concluded *“that the bedrock resource will have minimal impacts or disturbances on the proposed residential lot and no adverse impacts are anticipated on future extraction of the bedrock resource as a result of the creation of the proposed lot”*.

Zoning By-Law

Under the Township’s Zoning By-Law 3478-2015, the subject property is zoned Rural (RU). (See Appendix “D” herein)

This site-specific zoning amendment from the Rural (RU) Zone to Rural – Special Exception (RU-X) Zone is proposed on the severed lot to recognize the existence of the bedrock resource and the potential for future extraction activities on the retained lands and to accordingly establish an increased buffer between the buildable area on the severed parcel and the retained land, that would mitigate any potential impact associated with those potential extraction activities.

Section 3.18 (Residential Separation Distances from Other Land Uses) provides for the minimum distances between various categories of aggregate activities and residential uses on other lots, ranging from 150m (Class “B” pit with no excavation below the water table) to 500m (quarry).

The closest pit is approximately 340m from the subject lands and the closest quarry is in excess of 1km from the subject lands. Neither of these aggregate activities requires investigation as they are outside of the influence area.

The bedrock designation, however, could potentially result in future aggregate activity on the retained lands or in the vicinity, although the operation would be limited due to the existing residential uses in the vicinity, as well as the presence of natural heritage features. Any potential aggregate activity would require ARA licensing and technical studies that would include a Land Use Compatibility Assessment and Hydrogeological Assessment. Additional studies (ie. Noise/Vibration Study, Traffic Impact Assessment) could be required, depending on the scale of the proposed aggregate operation.

The Land Use Compatibility and Aggregate Impact Assessment prepared by Jp2g Consultants Inc. contains a recommendation that the rear and interior yard setbacks be increased from 7.5m and 6m respectively to 30m to provide for a larger development buffer to mitigate any adverse effects from potential aggregate activity on the retained lands.

All other provisions of the RU zone will continue to apply.

Comments from Notification/Circulation

The Application was circulated to Municipal Departments. No comments were received.

The Notice of Application was circulated as required by the Planning Act to all landowners within 120m of the subject lands. No comments were received as of the date of this report.

The Notice of Application and a copy of the Application were circulated as required by the Planning Act to external agencies. Enbridge Gas advised that they had no objections to the proposed application. No further comments were received as of the date of this report.

3. FINANCIAL IMPLICATIONS

All costs associated with this Application are borne by the Applicant.

4. RELEVANT LEGISLATION AND POLICIES

Planning Act, R.S.O. 1990, c. P.13
Provincial Policy Statement (2020)
Lanark County Sustainable Communities Official Plan
Township of Montague Official Plan
Township of Montague Zoning By-Law 3478-2015

5. OTHERS CONSULTED

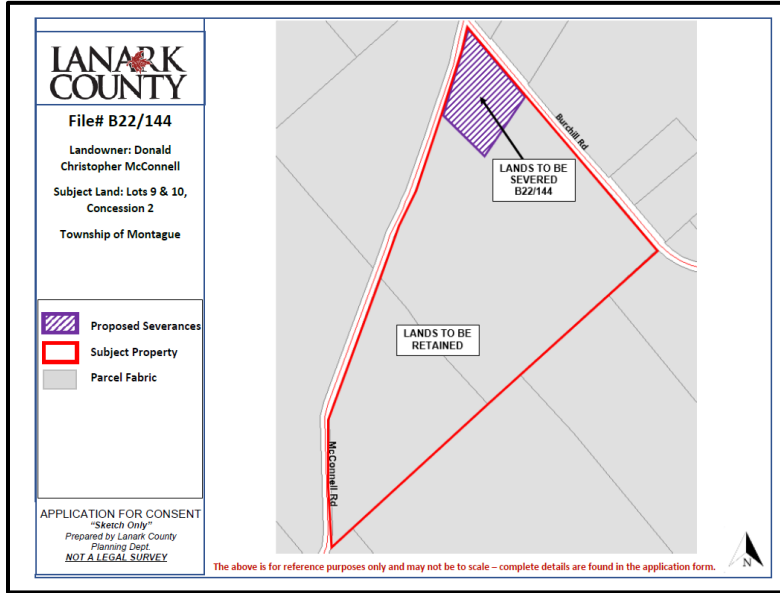
Forbes Symon, RPP, MCIP, Senior Planner

6. ATTACHMENTS

Appendix "A": Key Map
Appendix "B": Official Plan – Land Use - Schedule "A"
Appendix "C" Official Plan – Constraints and Opportunities - Schedule "B"
Appendix "D": Zoning Schedule

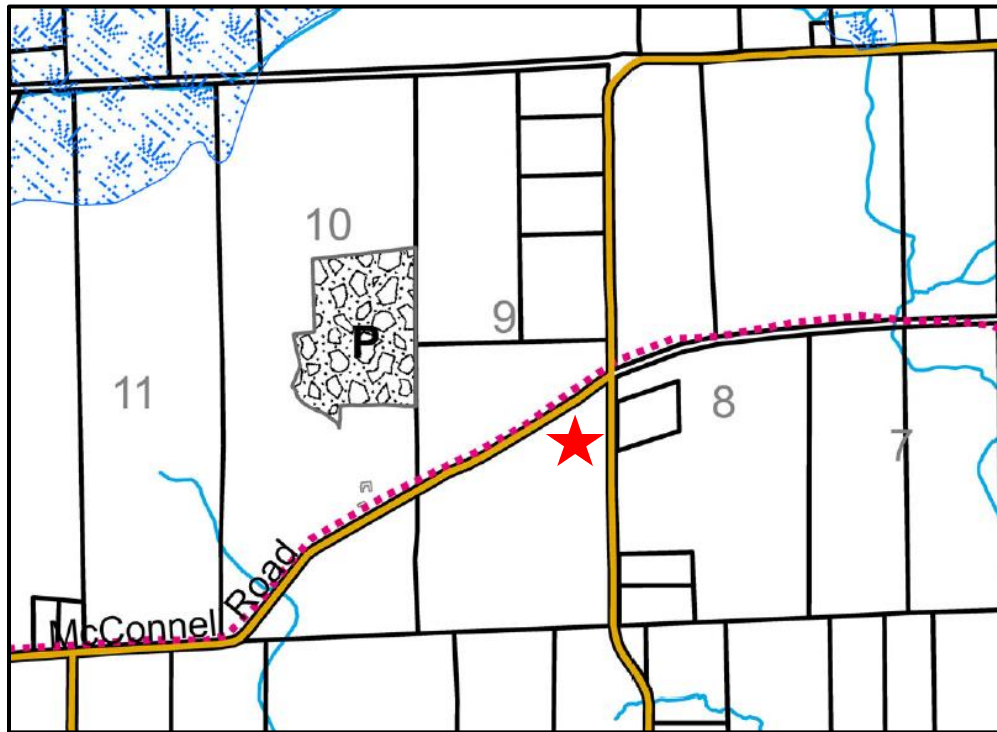
APPENDIX "A"

Key Map



APPENDIX "B"

Official Plan – Schedule "A"

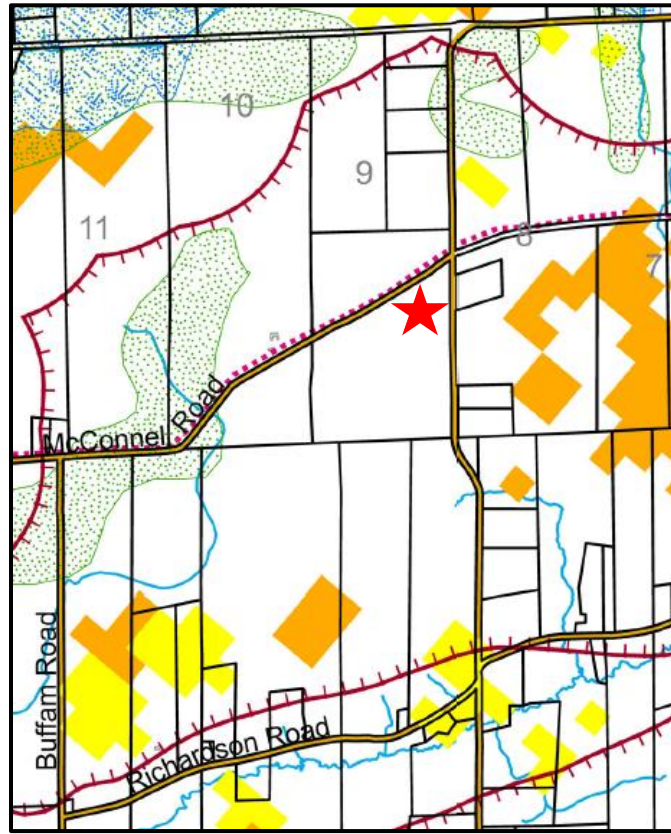


★ Subject lands – Rural designation

APPENDIX "C"

Official Plan – Constraints & Opportunities - Schedule "B"

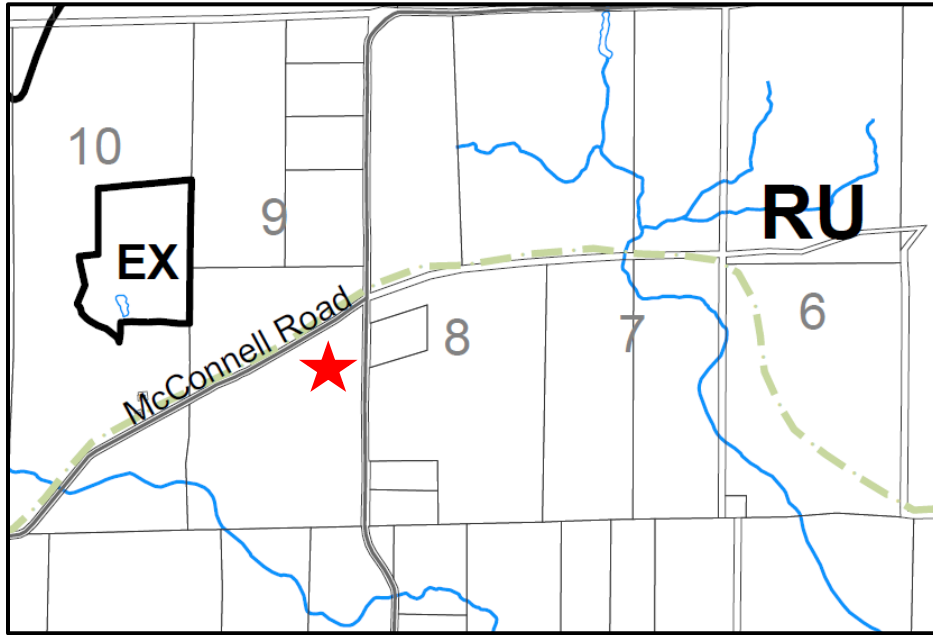
 POTENTIAL BEDROCK SOURCES OF MINERAL AGGREGATE



 Subject lands

APPENDIX "D"

Zoning



★ Subject lands – Rural