



**THE CORPORATION OF THE  
TOWNSHIP OF MONTAGUE**

**February 1<sup>st</sup>, 2023**

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Reviewed By: Forbes Symon, Contract Planner**

**McConnell Consent Application – Lanark County File B22-144**

**1. LOCATION AND DESCRIPTION**

The subject property is located in Part of Lots 9 and 10, Concession 2, Township of Montague, and has frontage on McConnell Road and Burchill Road. The property totals approximately 39.59 hectares, from which a 2.28 hectare parcel of land 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 (B22-144):** The applicant is proposing to sever a 2.28 hectare parcel of land with 181m of frontage on McConnell Road and 180m on Burchill Road, both of which are Township maintained roads. This lot is vacant with plans for development with a dwelling serviced by private well and septic.
2. **Retained Lot:** This parcel is 39.59 hectares in size with 1100m of frontage on McConnell Road and 502m of frontage on Burchill Road, both of which are Township maintained roads. This lot is vacant with no current plans for development.

**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 private well and septic.

The retained parcel is currently vacant, with no current plans for development.

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 “Rural”.

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

The surrounding land uses consist of a mixed landscape of scattered residential development and farmland.

*2.22.1(4) The determination of site suitability for proposed sewage disposal systems and the environmental sustainability of development (i.e. long term protection of ground water) are important considerations in development. Servicing reports such as hydrogeological investigations, terrain analyses, impact assessments and servicing options reports shall be provided to the satisfaction of the approval authority, including the relevant approval authority for water supply and sewage disposal systems.*

Pursuant to the Township’s Screening Checklist, a Hydrogeological Assessment is not required for this development.

*2.17.1(2) ...The proponent of a mineral or mineral aggregate operation, or the proponent of a proposed encroaching incompatible land use, as applicable, shall be required to identify the potential impacts and to assess whether they can be mitigated to an appropriate level when measured against Provincial standards.*

The subject property is located wholly within a Bedrock designation, identified in Appendix “C” herein, triggering the requirement for an Aggregate Impact Assessment. The Applicant has submitted this documentation to the County as part of their Consent Application submission and said report will be reviewed by the County’s designated peer reviewer.

There is a Class “B” Pit (less than 20,000 tonnes per year) located to the West of the proposed severed parcel, identified as “EX” in Appendix “D” herein, outside of the identified minimum residential separation distance of 150m noted in the Township’s Zoning By-Law.

*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.*

The subject property is located wholly within a Significant Wildlife Habitat designation, as identified in Appendix “C” herein, triggering the requirement for an Environmental Impact Assessment. The Applicant has submitted this documentation to the County as part of their Consent Application submission and said report will be reviewed by the County’s designated peer reviewer.

*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....*

A large portion of the retained lands is located within a Significant Woodlands designation, as identified in Appendix “C” herein, although there are no plans for development at this time. Should these lands be proposed to be developed in future within this designation, or its associated setback, the owner will be required to comply with the provisions of the Township’s Zoning By-Law.

*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 1<sup>st</sup>, 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 “D” 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 Township's Chief Building Official has advised that he has no comments with respect to this application.

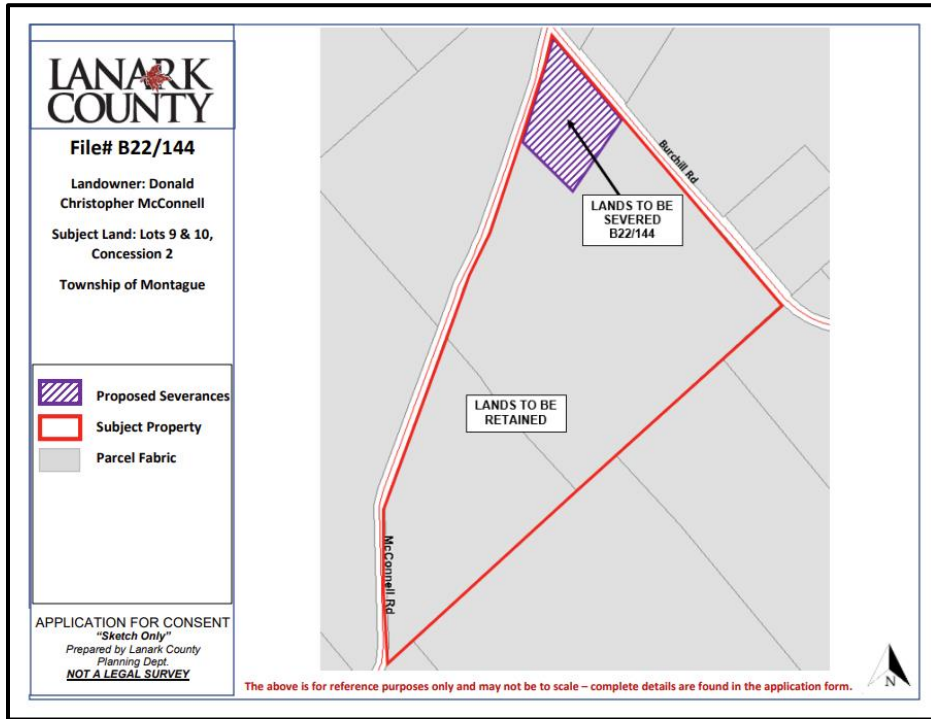
The Manager of Public Works has advised that the standard conditions relating to entrance approval, civic addressing, and road widening, if required, are sufficient for this application.

#### **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.

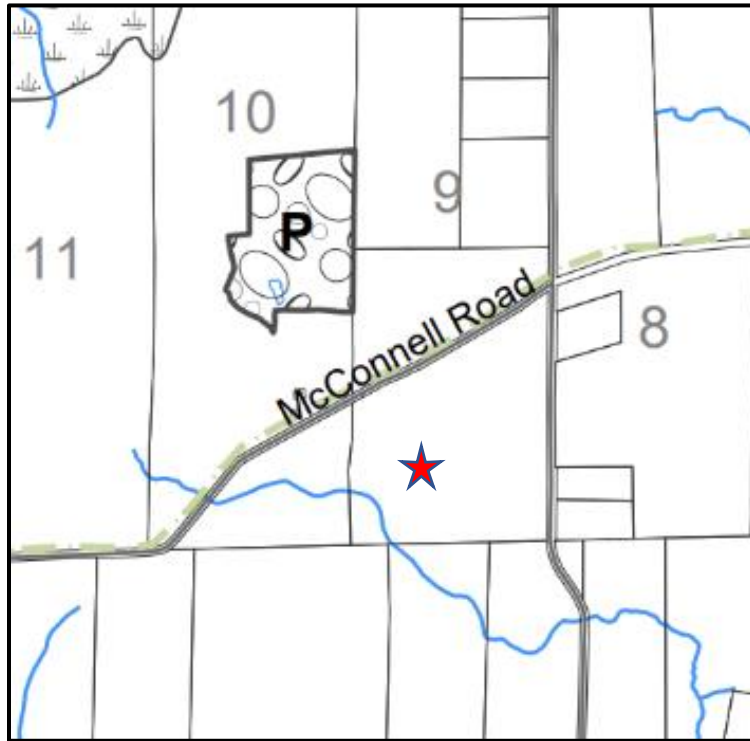
# APPENDIX "A"

## Key Map



**APPENDIX "B"**




**Official Plan – Schedule A**



★ Subject Land – Rural designation

# APPENDIX "C"

## Official Plan – Schedule B

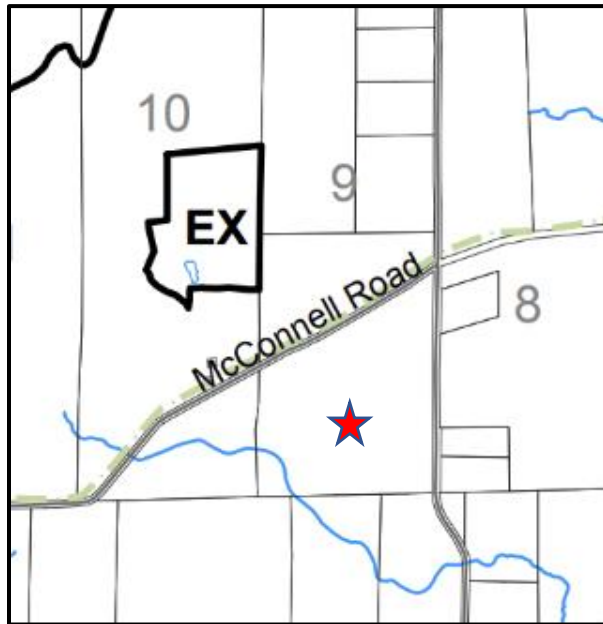
-  SIGNIFICANT WILDLIFE HABITAT
-  POTENTIAL BEDROCK SOURCES OF MINERAL AGGREGATE
-  SIGNIFICANT WOODLANDS



 Subject Land

**APPENDIX "D"**

**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 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 with a registered copy of all reference plans associated with this application. Surveys shall be provided in paper and digital format.*
- 4) *The Applicant shall obtain a Civic Address Number from the Township of Montague for the severed land. The Applicant shall consult directly with the Township in this regard.*
- 5) *The Applicant shall confirm that a residential entrance to the severed lot is viable. The Applicant shall consult directly with the Township of Montague in this regard.*
- 6) *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*
- 7) *The Applicant shall meet the Township's requirements regarding the dedication of parkland or cash-in-lieu thereof.*
- 8) *The Owner shall enter into a Development Agreement with the Township of Montague for the severed lands. The wording of the agreement shall be acceptable to the Municipality and the Conservation Authority and shall address the recommendations in:*
  - *the Land Use Compatibility and Aggregate Impact Assessment prepared by Jp2g Consultants Inc., dated November 28<sup>th</sup>, 2022; and*
  - *the Scoped Environmental Impact Study prepared by Jp2g Consultants Inc., dated November 21<sup>st</sup>, 2022.*
- 9) *The Applicant shall rezone the severed lands to Rural - Special Exception to establish an increased rear and interior side yard setback of 30m to provide for an appropriate buffer between the severed and retained lots, pursuant to the recommendation in the above Aggregate Impact Assessment.*