



**THE CORPORATION OF THE  
TOWNSHIP OF MONTAGUE**

**September 20<sup>th</sup>, 2022**

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Reviewed By: Forbes Symon, Contract Planner**

**Mugford Consent Application – Lanark County File B22-073**

**1. LOCATION AND DESCRIPTION**

The subject property is located in Part of Lots 19 and 20, Concession 4, Township of Montague, and is municipally known as 1213 Rosedale Road. The property totals approximately 13.14 hectares, from which a 0.886 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 (B22-073):** The applicant is proposing to sever a 0.886 hectare parcel of land with 84.9m of frontage on Rosedale Road, a County maintained road. This lot is currently occupied by a dwelling serviced by private well and septic.
2. **Retained Lot:** This parcel is 12.253 hectares in size with 172.8 meters of frontage on Rosedale Road, a County maintained road. This lot is currently occupied by a barn and there are future plans for a dwelling serviced by private well and septic.

**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 lot to be severed is currently occupied by a dwelling serviced by private well and septic. The retained parcel is currently occupied by a barn, with plans to construct a dwelling in future that will be serviced by private well and septic.

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.

### **3.2 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.

*2.17.2 It is a policy of this Plan to address land use compatibility issues related to non-agricultural and agricultural uses through the application of the Minimum Distance Separation I (MDS I) and Minimum Distance Separation II (MDS II) formulae, as may be amended from time to time, to new non-agricultural uses and new or expanding agricultural uses, respectively. The implementing Zoning By-law may include provisions exempting properties from the application of MDS I and MDS II, as applicable. Exemptions may include situations such as when rebuilding after non-voluntary building destruction, development within settlement areas, and development on existing lots of record. The Municipality may require that restrictive covenants and/or notices be registered on title as a condition of an approval of a planning application, where deemed appropriate.*

The Applicant has provided the required MDS1 Calculations demonstrating the existence of a livestock facility within the resulting Building Base Distance. Accordingly, the Applicant will be required, as a condition of consent, to either remove the barn or apply for a site specific zoning amendment to prohibit livestock facilities on the retained parcel of land to ensure the severed lot complies with MDS.

*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 was required due to the severed lot being less than 1 hectare in size. The applicant has obtained this documentation, which has been provided to the County of Lanark as part of their application package.

Rosedale Creek crosses the Northeast side of both the severed and retained parcels, as identified in Appendix "C" herein, triggering the requirement for an Environmental Impact Study. The applicant has obtained this documentation, which has been provided to the County of Lanark as part of their application package.

A large area of Natural Corridor exists on the Northeast side of the subject lands, as identified in Appendix "C" herein, triggering the need for an Environmental Impact Study. The applicant has obtained this documentation, which has been provided to the County of Lanark as part of their application package.

There is a small portion of Significant Woodlands located on the Northwest corner of the retained parcel where no development is proposed.

*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, 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). 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 agricultural uses.

Both the severed and retained parcels will comply with the zoning provisions in the RU zone.

## **4. INTERNAL COMMENTS**

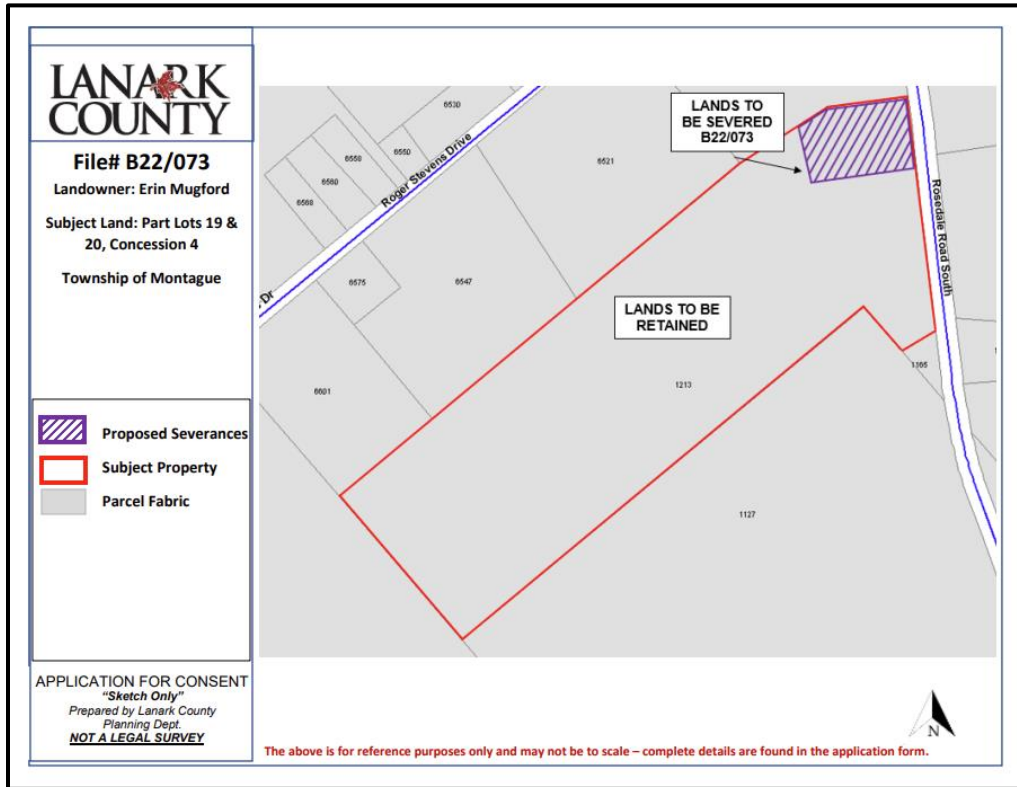
No additional comments were received from internal staff.

## **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**

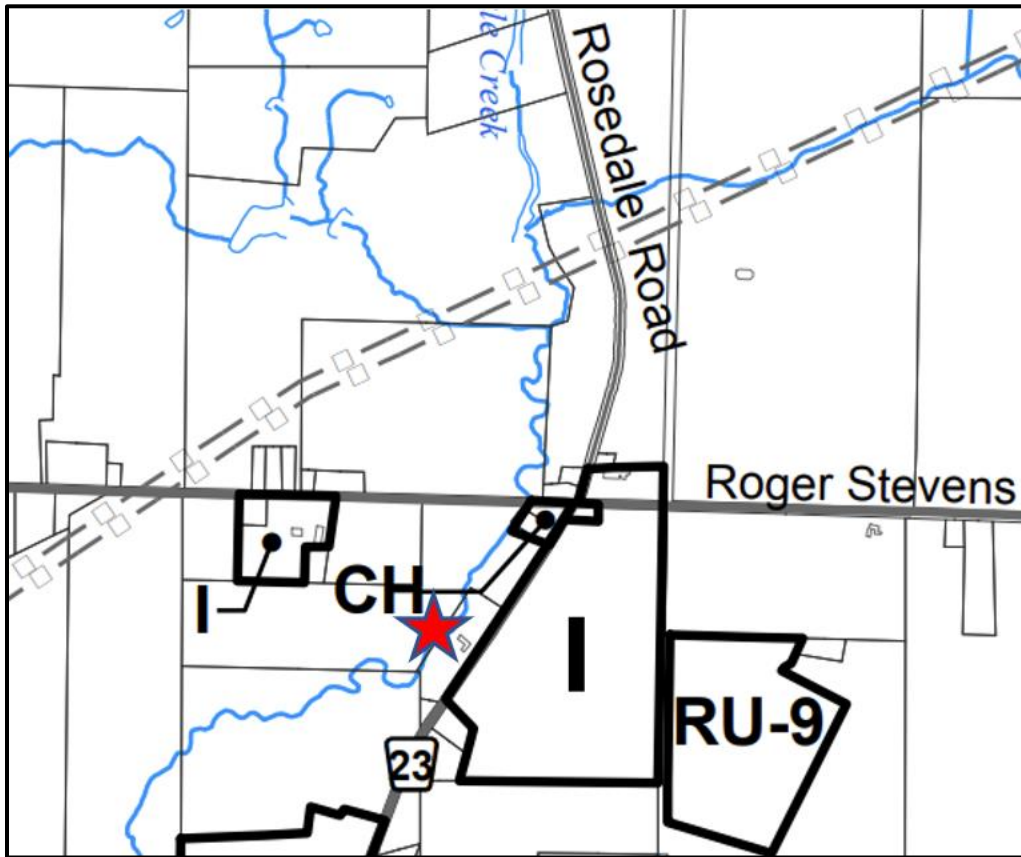
-  SIGNIFICANT WOODLANDS
-  NATURAL CORRIDORS



 Subject Land

APPENDIX "D"

Zoning By-Law



★ Subject Land: Rural (RU)

## 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 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 retained lands. The applicant shall consult directly with the Township in this regard.*
- 5) *That the applicant shall confirm that a residential entrance to the retained lot is viable and obtain any necessary entrance permit from the County of Lanark, a copy of which is to be provided to the Township.*
- 6) *Due to the presence of a livestock facility within the calculated Building Base Distance, the Applicant will be required to either remove the barn or apply for a site specific zoning amendment to prohibit livestock facilities on the retained parcel of land to ensure the lot complies with MDS.*
- 7) *The Applicant shall meet the Township's requirements regarding the dedication of parkland or cash-in-lieu thereof.*
- 8) *The applicant shall enter into a Development Agreement with the Township of Montague for the severed and retained lands. The wording of the agreement shall be acceptable to the Municipality and the Conservation Authority and shall address the recommendations in the Scoped Hydrogeological Report prepared by Morrison Hershfield, dated May 18<sup>th</sup>, 2022, and the Environmental Impact Study prepared by BCH Environmental Consulting Inc., dated March 2022.*