



THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

May 26th, 2025

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Short Consent Application
Lanark County File B25-027

1. LOCATION AND DESCRIPTION

The subject property is in Part of Lot 11, Concession 9, Township of Montague and has frontage on Pinery Road, a Township Road maintained by the Township of Montague. The property totals approximately 22.96 hectares. One (1) parcel of land is proposed to be severed. (See Appendix "A")

2. PROPOSED CONSENT

The Applicants propose to sever one (1) new lot from the subject property with the following characteristics:

1. **Severed Lot (B25-027):** The Applicants are proposing to sever a 1.016 hectare parcel of land with approximately 80m of frontage on Pinery Road, a Township Road maintained by the Township of Montague. This proposed severed lot is currently vacant with plans to construct a dwelling serviced by a private well and septic system.
2. **Retained Lot:** This proposed parcel is 21.94 hectares in size with approximately 118m of frontage on Pinery Road, a Township Road maintained by the Township of Montague. This proposed retained lot is currently vacant with no plans for development at this time.

3. PLANNING ANALYSIS

3.1 Provincial Planning Statement (PPS) 2024

The Provincial Planning 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 that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas”.

2.6.1(c) On rural lands located in municipalities, permitted uses are: ... c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services.

2.6.2 Development that can be sustained by rural service levels should be promoted.

2.6.5 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

4.1(1) Natural features and areas shall be protected for the long term.

The lot proposed to be severed is vacant and is intended to be developed with a dwelling that will be serviced by a private well and septic system. Additionally, the proposed retained parcel is vacant with no future development proposed at this time.

Residential uses are permitted in Rural Areas. Accordingly, the severed lot proposed in this application, and the resulting retained parcel, are compatible with the rural policies.

3.2 Official Plan

Schedule “A” of the Township’s Official Plan designates the subject property as “Rural” and “Natural Heritage A (PSW)”. 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...

3.3.3(1) Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site shall be prohibited within the Natural Heritage A designation.

The surrounding land uses consist of a mixed landscape of residential development, farmland, wetland and forested areas.

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.

As no livestock were identified within 750m of the proposed severed parcel, the Applicant was not required to provide the Township with completed MDS forms.

2.21.1(2) Development and site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site on lands adjacent to the Natural Heritage A designation shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the wetland’s natural features or ecological functions. An environmental impact assessment will be required in accordance with the requirements of the Environmental Impact Assessments section of this Plan.

There is an area of Provincially Significant Wetland (PSW) located at the rear of the subject property and on the adjacent property, as illustrated in Appendix “D” herein. As the proposed severed parcel is outside the 120m setback from the PSW designation, an Environmental Impact Study was not required in support of the consent application.

3.4.3(2) Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site may be permitted on lands adjacent to the Natural Heritage B designation, subject to the provisions of the Natural Heritage Features and Environmental Impact Assessments sections of this Plan. Adjacent lands means those lands within 120 metres of the Natural Heritage B designation, except for a provincially significant Area of Natural and Scientific Interest – Earth Science, for which adjacent lands means those lands within 50 metres.

There is a small area of the retained lot that is impacted by Significant Woodlands (a Natural Heritage B designation) and Unevaluated Wetlands (a Natural Heritage B designation), as illustrated in Appendix “D” herein. As the proposed severed parcel is outside the 120m setback from the Significant Woodlands and Unevaluated Wetlands designation, an Environmental Impact Study was not required.

2.19.2(1) Lands with the potential for organic soils include those lands identified as possessing organic soils from the Canada Land Inventory for Agricultural Capability and are shown on Schedule B to the Plan. Where lands that are the subject of development proposals have been identified as potentially possessing organic soils, development will be encouraged to locate outside of areas identified with organic soils, where feasible. 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.

There is an area of organic soils on the proposed retained lot, as illustrated in Appendix “C” herein. However, as the proposed severed lot does not contain an area of organic soils, a Geotechnical Report is not required.

2.19.5 Proponents submitting a planning application for lands that contain forested areas may be required to undertake a site review to assess for the risk of high to extreme wildland fire behaviour on the subject lands and adjacent lands (to the extent possible). A general indication of hazardous forest types for Wildland Fire are identified on Schedule B – Constraints and Opportunities, to this Plan. If development is proceeding where high to extreme or pine (needs assessment) risks for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.

There is an area of high Wildland Fire Risk on the proposed retained lots, as illustrated in Appendix “C” herein. However, as the proposed severed lot does not contain an area of high Wildland Fire Risk, a mitigation plan is not required.

2.22.1(4) 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.*
- 2. The development is taking place in an area of potential or known hydrologic sensitivity.*
- 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.

4. The development is located within a 150m circumference (i.e. circle) of seven (7) other existing developments serviced with private well and septic systems. The measurement of the circle will be from the midpoint of the proposed severed lot.

Pursuant to the Township's screening checklist, due to the size of the proposed severed lot, a Hydrogeological Assessment was not required.

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, no lots have been severed from this parcel since January 1st, 2001. Therefore, the proposed severance is in conformity with the Official Plan.

3.3 Zoning By-Law

Under the Township's Zoning By-Law 4070-2024, the subject property is zoned Rural (RU) and Environmental Protection A (EP-A) – see Appendix "E" herein. The retained lot is zoned RU and EP-A, while the severed lot is zoned as RU only. The RU zone provides for a minimum lot size of 0.4 hectares and a minimum lot frontage of 46 metres.

The permitted uses under the RU zone include dwellings and accessory structures. Development is not permitted within an EP-A designation.

Both the severed and retained parcel will comply with the zoning provisions in both the RU and EP-A zones.

4. INTERNAL COMMENTS

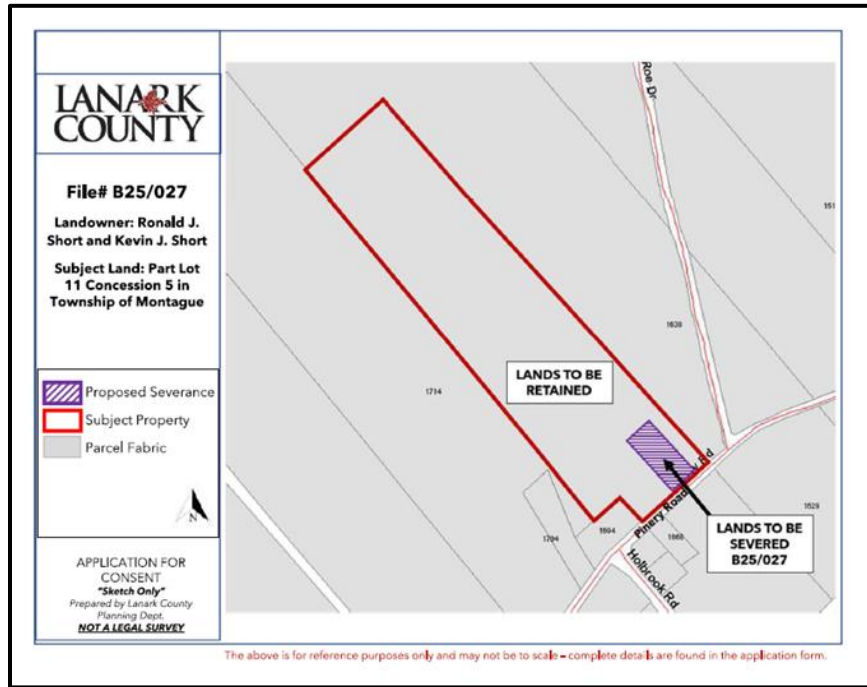
The Building Department will provide septic comments under a separate report. The Public Works Manager has advised that he has no concerns at this time and looks forward to receipt of the draft survey, once prepared.

5. CONCLUSIONS

Based on the foregoing, the proposed consent application is consistent with the PPS and conform with the provisions of the Township's Official Plan and Zoning By-Law, provided that the recommended conditions in Appendix "F" are approved.

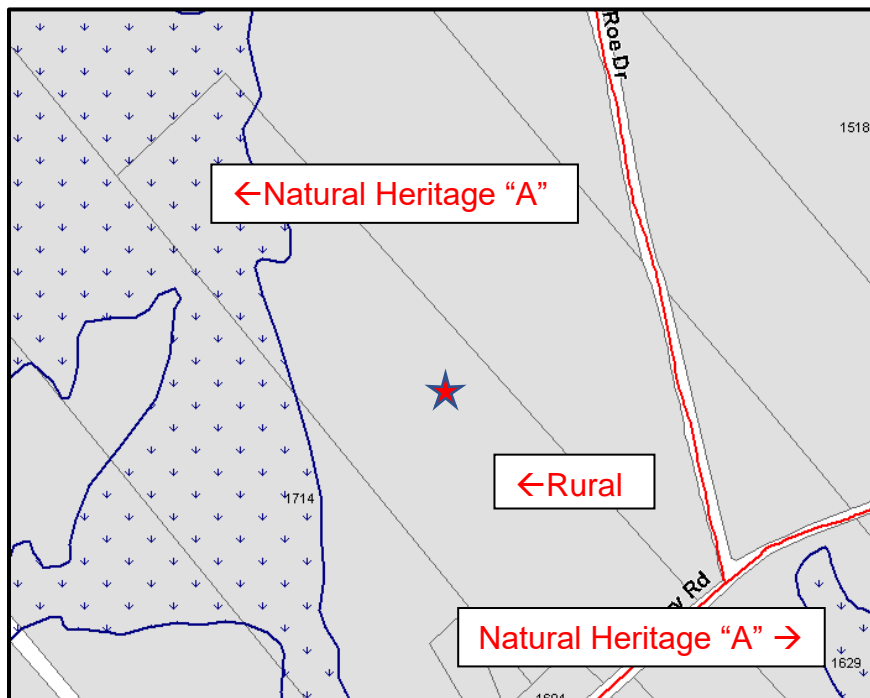
APPENDIX "A"

Key Map



APPENDIX "B"

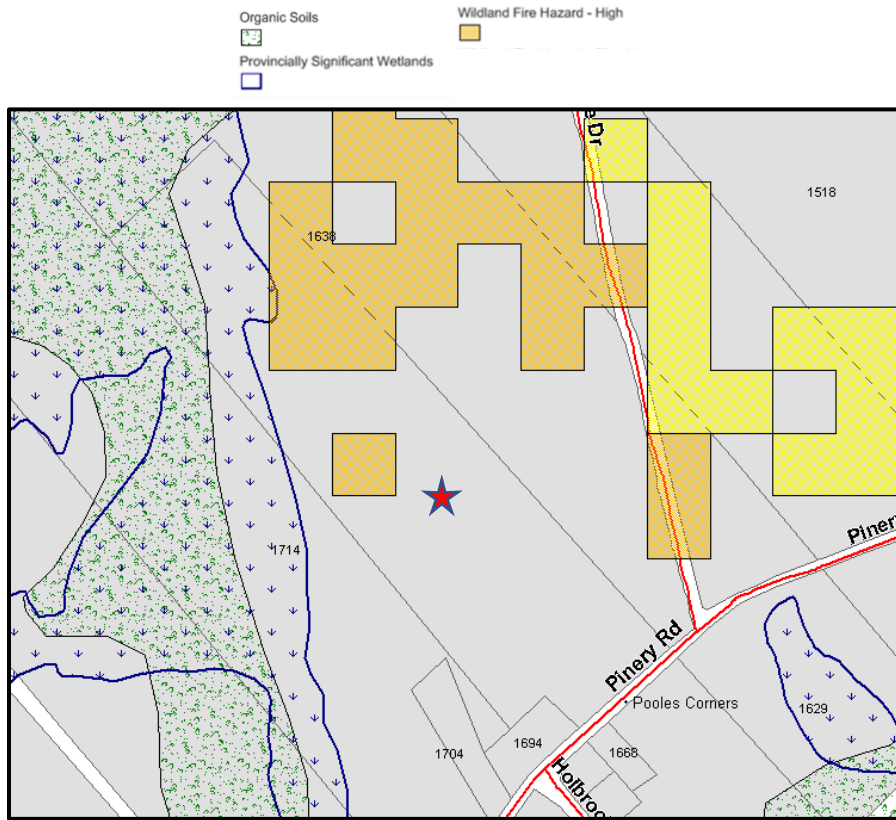
Official Plan - Schedule "A"- Land Use



★ Subject Land – Rural & Natural Heritage "A" (PSW)

APPENDIX "C"

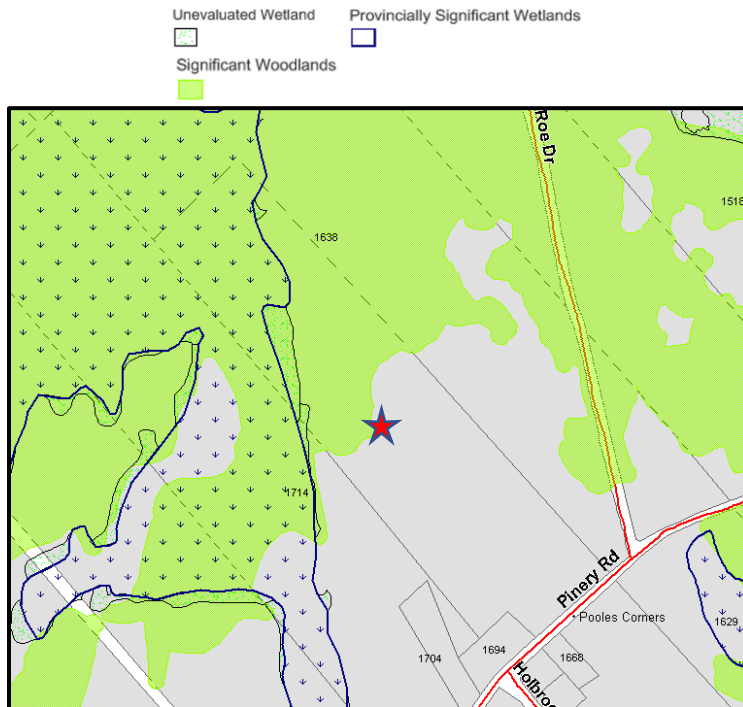
Official Plan - Schedule "B" - Constraints and Opportunities



★ Subject Land

APPENDIX "D"

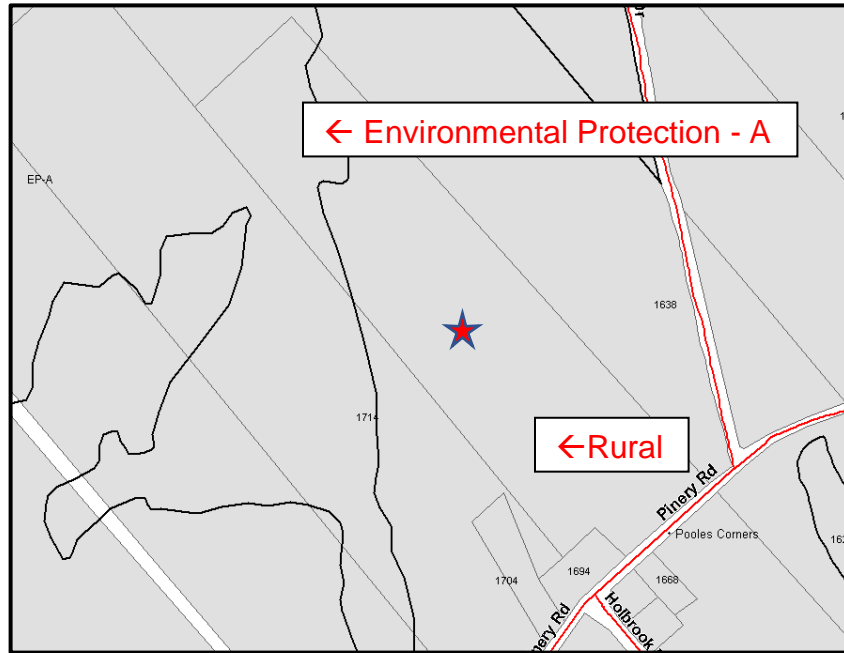
Official Plan - Schedule "C"- Natural Heritage System



★ Subject Land

APPENDIX "E"

Zoning By-Law



★ Subject Land: Rural (RU) and Environmental Protection - A (EP-A)

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 a Civic Address Number from the Township of Montague for proposed severed lot B25-027. The Applicant shall consult directly with the Township in this regard.*
- 6) *The Applicant shall consult directly with the Township of Montague to confirm that a residential entrance to the proposed severed lot B25-027 is viable. Additionally, the Applicant shall apply for and install the approved entrances.*
- 7) *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 Public Works Manager shall be consulted prior to commencing a survey to determine the amount, if any, of road widening required.*
- 8) *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.*