



THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

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Sidhu Consent Applications
Lanark County Files B25-013 and 014

1. LOCATION AND DESCRIPTION

The subject property is in Part of Lots 29 and 30, Concession 5, Township of Montague and is municipally known as 491 Sturgess Road. The subject land has frontage on Sturgess Road, a Township Road maintained by the Township of Montague. The property totals approximately 19.68 hectares. Two (2) parcels of land are proposed to be severed. (See Appendix "A")

2. PROPOSED CONSENT

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

1. **Severed Lot (B25-013):** The Applicants are proposing to sever a 1.11 hectare parcel of land with approximately 98m of frontage on Sturgess Road, a Township Road maintained by the Township of Montague. This proposed severed lot is currently developed with a dwelling serviced by a private well and septic system.
2. **Severed Lot (B25-014):** The Applicants are proposing to sever a 1.62 hectare parcel of land with approximately 70m of frontage on Sturgess Road, a Township Road maintained by the Township of Montague. This proposed severed lot is currently vacant with plans to construct a dwelling and will be serviced by a private well and septic system.
3. **Retained Lot:** This proposed parcel is 16.95 hectares in size with approximately 226m of frontage on Sturgess Road, a Township Road maintained by the Township of Montague. This proposed retained lot is currently vacant with plans to construct a dwelling and will be serviced by a private well and septic system.

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.

4.6(2) Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

One of the lots 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 and is also intended to be developed with a dwelling that will be serviced by a private well and septic system.

The second lot proposed to be severed is currently occupied by a dwelling serviced by a private well and septic system. No future development is proposed at this time.

Residential uses are permitted in Rural Areas. Accordingly, the severed lots 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.

The Applicant has provided an Agrisuite Report demonstrating that the proposed lots would not be located with the building base distance of any nearby livestock facilities.

2.18.2(1) ... Archaeological assessments shall normally be required for site alteration and new development involving planning applications for an Official Plan or zoning by-law amendment, plan of subdivision, condominium, or consent...when the subject lands contain or are located within at least one of the following:...4) 200 metres of a secondary water source such as a wetland, marsh, small creek, spring, etc.;

Due to the presence of a Provincially Significant Wetland (PSW) on and around the subject lands, the Applicant obtained a Stage 1 and 2 Archaeological Assessment from Abacus Archaeological Services and submitted same to the County of Lanark as part of their complete application. The recommendations contained within that report will be included in a Development Agreement between the Owner and the Township.

Should any development of the retained land be proposed in future between the 30m and 120m setback from the Provincially Significant Wetland, a Stage 2 Archaeological Assessment will be required for the development area to examine its archaeological potential, as recommended in the above-referenced Archaeological Assessment.

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 a large area of Provincially Significant Wetland (PSW) located on the subject property and adjacent property, as illustrated in Appendix "D" herein. As the Applicant has submitted a severance sketch that identifies sufficient buildable area outside of the 120m setback from the PSW designation, an Environmental Impact Study was not required in support of the consent applications.

A copy of the Severance Sketch will be attached to the Development Agreement between the Owner and the Township, illustrating the building envelopes for the proposed severed and retained lots.

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 proposed lot B25-013 that is impacted by Natural Corridors and Linkages (a Natural Heritage B designation), as illustrated in Appendix "D" herein. As this proposed lot is already developed, with no plans for further development, an Environmental Impact Study was 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 lots, 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 severances are 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 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. Development is not permitted within an EP-A designation.

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

4. INTERNAL COMMENTS

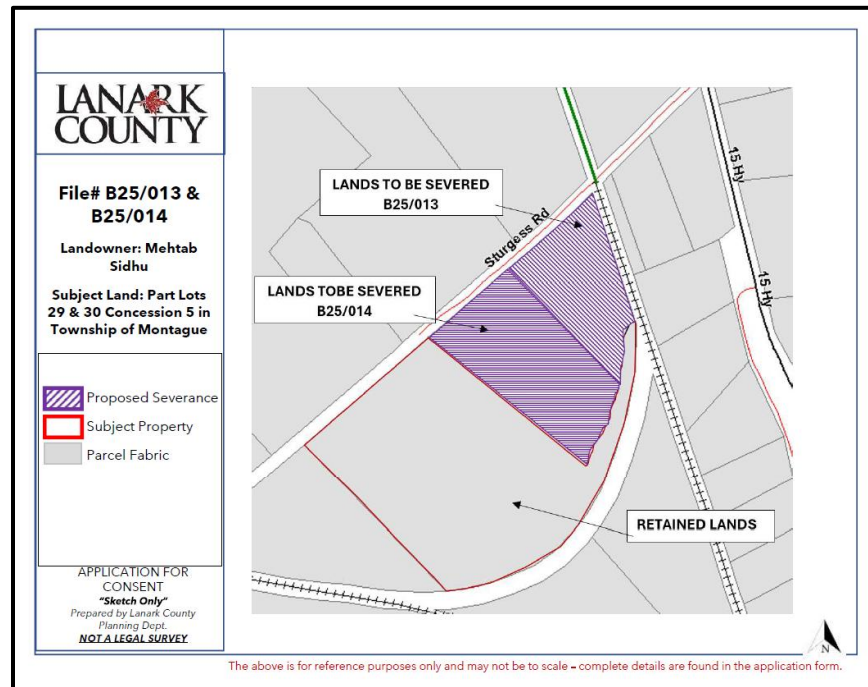
The Building Department will provide septic comments under a separate report. No additional comments have been received from Township staff resulting from the internal circulation of this application.

5. CONCLUSIONS

Based on the foregoing, the proposed consent applications are 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.

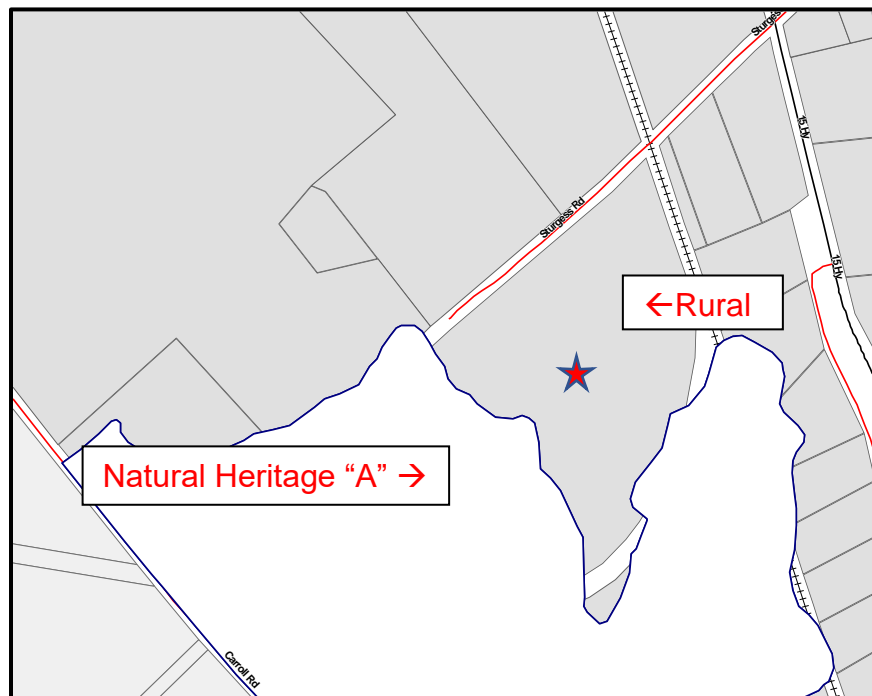
APPENDIX “A”

Key Map



APPENDIX “B”

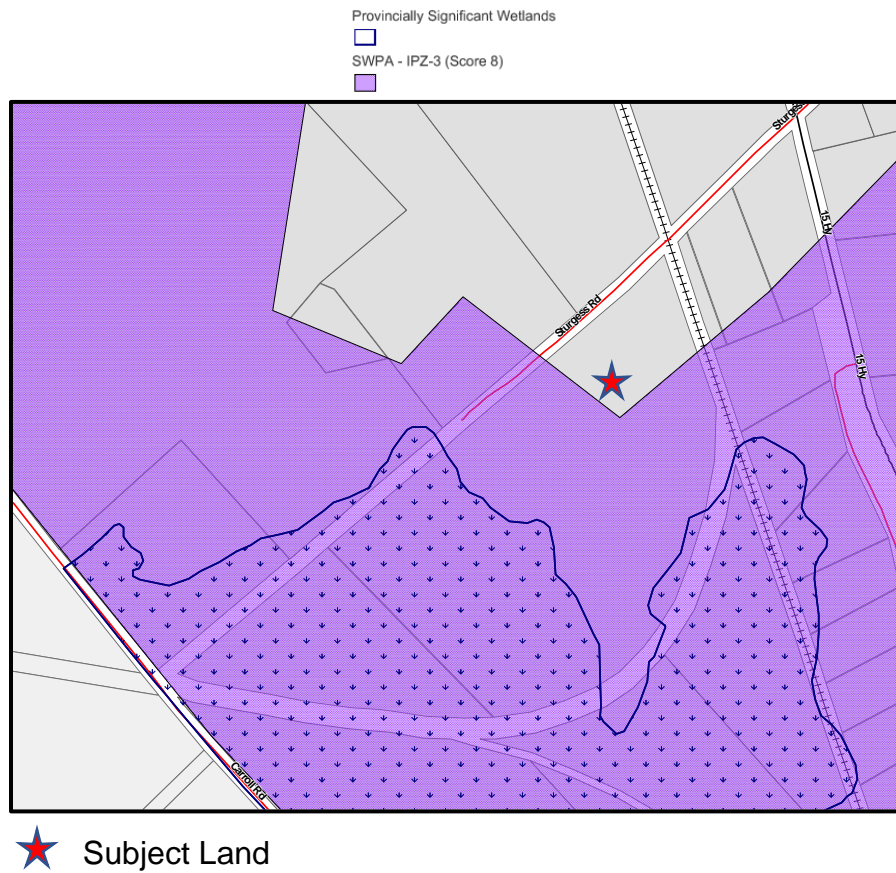
Official Plan - Schedule “A”- Land Use



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

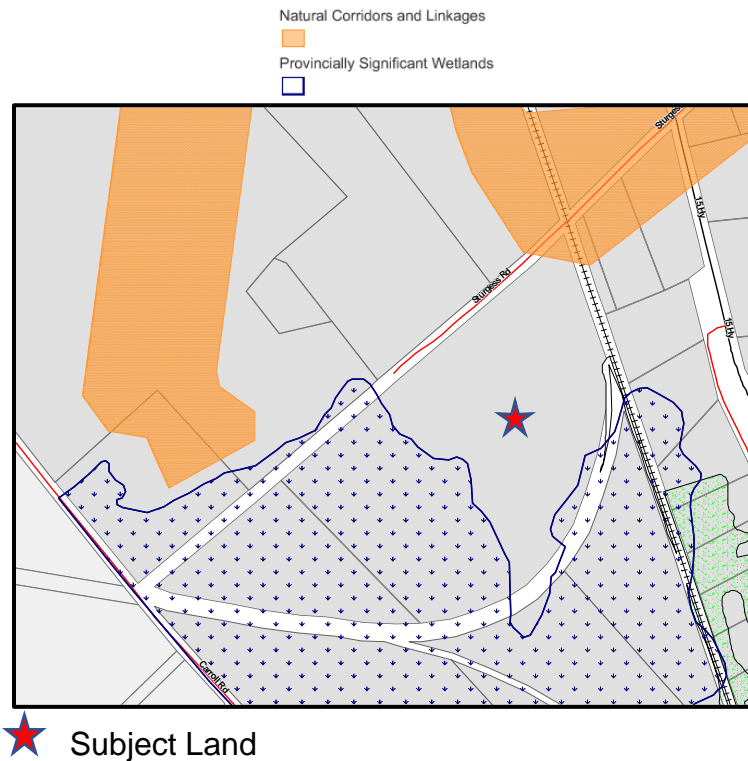
APPENDIX “C”

Official Plan - Schedule “B” - Constraints and Opportunities



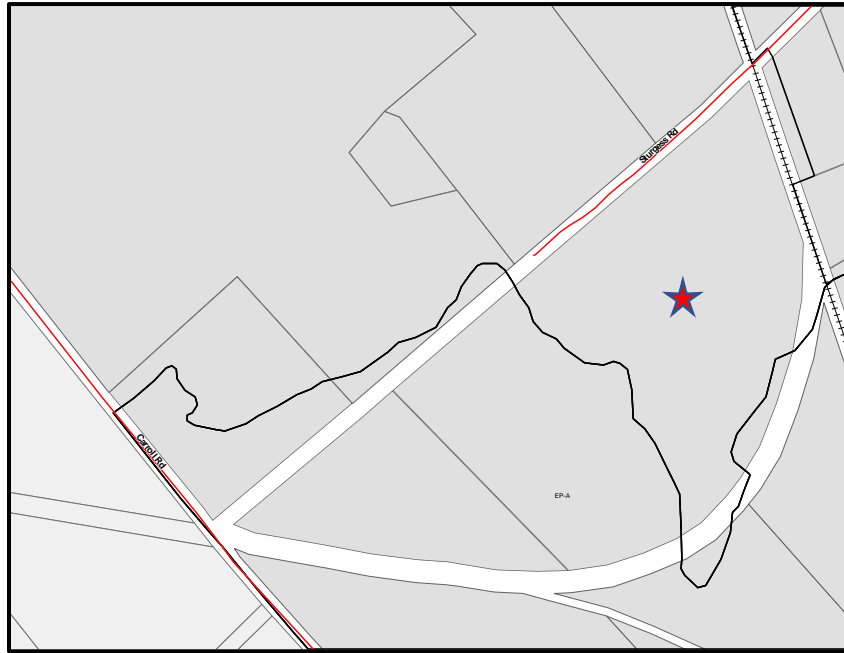
APPENDIX “D”

Official Plan - Schedule “C”- Natural Heritage System



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 B25-014 and the retained land. 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 residential entrances to proposed severed lot B25-014 and the retained parcel are 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.*
- 9) *The Owner 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:*
 - a) *The recommendations contained in the Archaeological Assessment prepared by Abacus Archaeological Services dated January 13th, 2025;**The Development Agreement shall also include the Severance Sketch prepared by iN Engineering & Planning, dated November 18th, 2024, illustrating the buildable areas on each lot and acknowledging that development is not permitted within 120m of an EP-A designation.*