



THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

February 24th, 2025

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Taylor Consent Application - Lanark County File #B24/078

1. LOCATION AND DESCRIPTION

The subject property is municipally known as 378 Heritage Drive and has frontage on a County Road maintained by the County of Lanark. The property totals approximately 2.23 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 (B24/078):** The Applicants are proposing to sever a 0.67 hectare parcel of land with approximately 46m of frontage on Heritage Drive, a County 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.
2. **Retained Lot:** This proposed parcel is 1.56 hectares in size with approximately 107m of frontage on Heritage Drive, a County Road maintained by the County of Lanark. This proposed retained lot is currently occupied by two dwellings on private services, as well as a shed.

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 to be severed is vacant and is proposed to be developed with a dwelling that will be serviced by a private well and septic system.

The retained parcel is currently occupied by two dwellings on private services, and a shed, serviced by a private well and septic system, as well as a shed. No future development is proposed at this time on the retained parcel.

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

3.2 Official Plan

Schedule "A" of the Township's Official Plan designates the subject property as "Settlement Area". See Appendix "B" herein.

3.7.2 Permitted uses within the Settlement Area designation shall include residential, commercial, tourist commercial, institutional, public uses, community facilities, parks, and recreation, limited light industrial, on-farm diversified uses and agricultural-related uses, and existing agricultural activities....

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

Pursuant to Guideline 36 of the Minimum Distance Separation (MDS) Document, MDS I calculations are not required for consents within a Settlement Area.

2.21.4(5) The Township seeks to preserve the function of significant wildlife habitat without unduly restricting development. Accordingly, 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 assessment required pursuant to this policy will be completed in accordance with the requirements of the Environmental Impact Assessments section of this Plan.

There is a significant wildlife habitat designation adjacent to the subject lands, as illustrated in Appendix “C” herein.

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. The assessment required pursuant to this policy will be completed in accordance with the requirements of the Environmental Impact Assessments section of this Plan.

There is a significant woodlands designation along the rear of the subject lands, as illustrated in Appendix “C” herein.

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 are unevaluated wetlands (a Natural Heritage B designation) within the rear portion of the subject lands, as illustrated in Appendix “C” herein.

The Applicants obtained an Environmental Impact Statement from GEMTEC Consulting Engineers and Scientists Limited and submitted same to the County of Lanark as part of their complete application. The recommended avoidance and mitigation measures contained in that report, and any associated peer reviews, will be captured in a Development Agreement between the Owners and the Township of Montague.

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, a Hydrogeological Assessment was required due to the size of the proposed severed lot.

The Applicants obtained a Hydrogeological Study from Geofirma Engineering Ltd. and submitted same to the County of Lanark as part of their complete application. The conclusions and recommendations contained in that report, and any associated peer reviews, will be captured in a Development Agreement between the Owners and the Township of Montague.

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.

There have been no severances since the Township's Lot of record date of January 1st, 2001. Additionally, the subject lands are located within a Settlement Area, where the maximum number of severances is not restricted.

3.3 Zoning By-Law

Under the Township's Zoning By-Law 4070-2024, 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

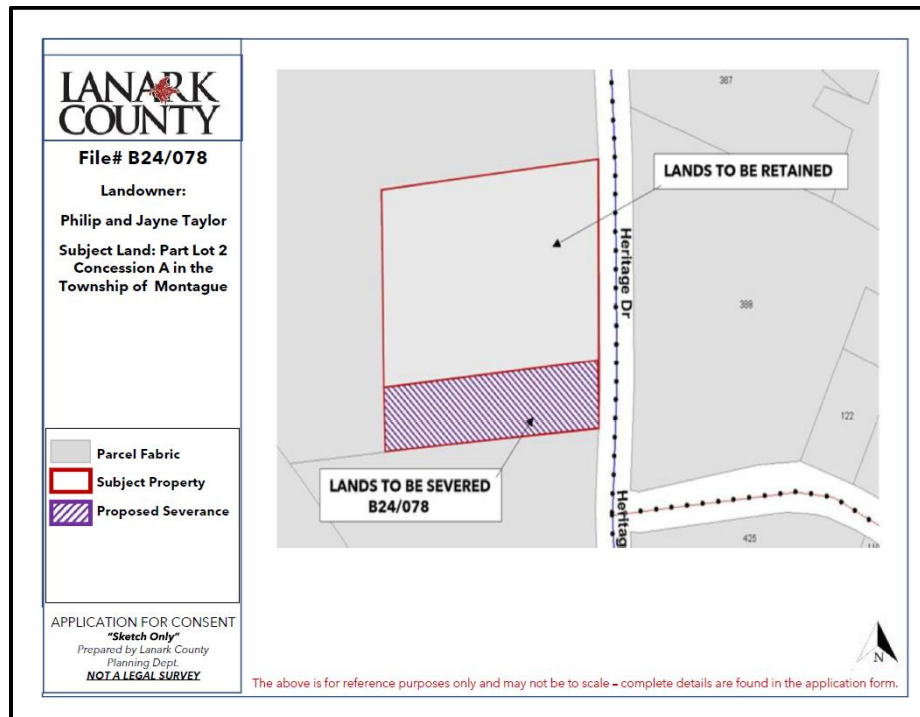
The Building Department will provide septic comments under a separate report. No additional comments have been received as of the date of this report.

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 "E" are approved.

APPENDIX “A”

Key Map



APPENDIX “B”

Official Plan - Schedule “A”- Land Use

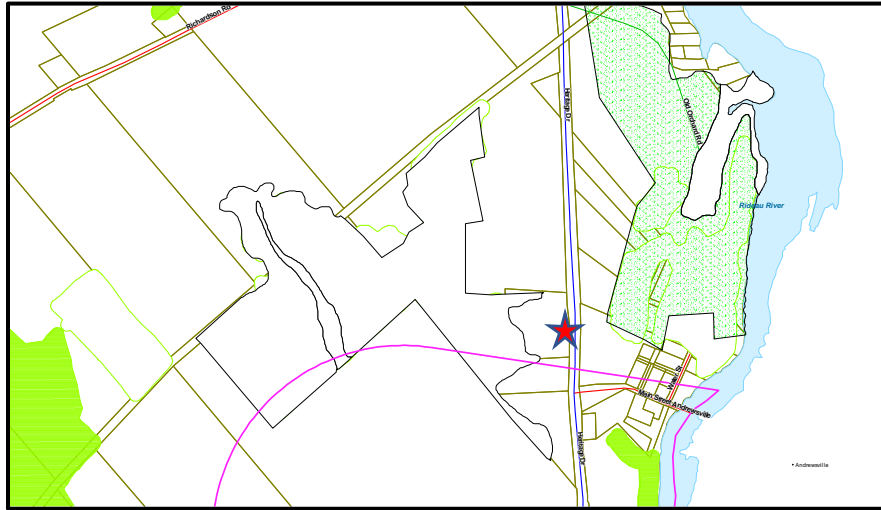


★ Subject Land – Settlement Area

APPENDIX “C”

Official Plan - Schedule “C” - Natural Heritage System

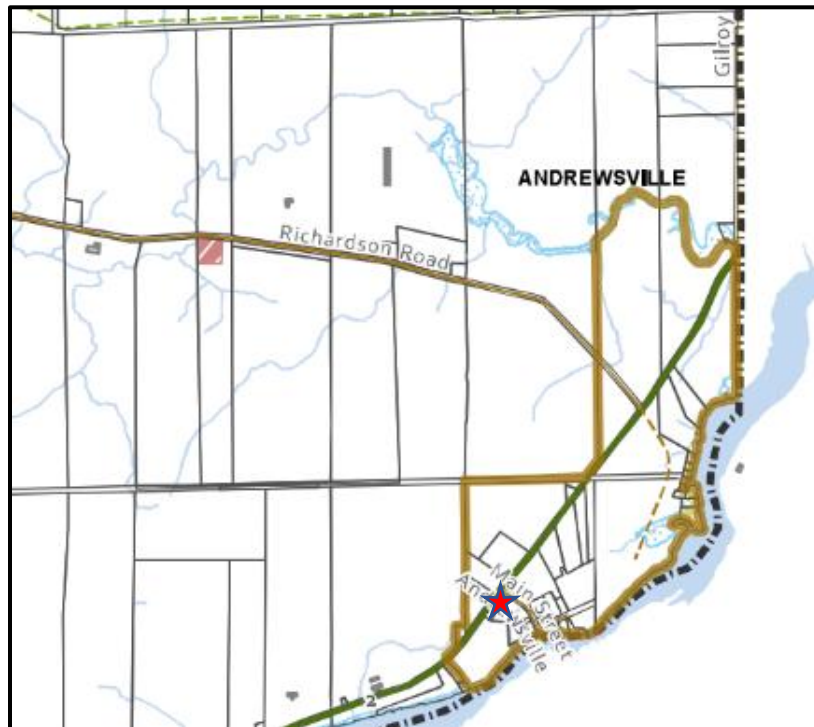
- Significant Woodlands
- Unevaluated Wetland
- Significant Wildlife Habitat



★ 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 Applicants 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 Applicants shall provide the Township of Montague with a digital and paper copy of all reference plans associated with this application.*
- 4) *The Applicants shall provide the Township of Montague with a copy of the deed/transfer for the property.*
- 5) *The Applicants shall obtain a Civic Address Number from the Township of Montague for the severed parcel. The Applicants shall consult directly with the Township in this regard.*
- 6) *The Applicants shall consult directly with the County of Lanark to confirm that a residential entrance to the proposed severed lot is viable and provide confirmation of same to the Township of Montague.*
- 7) *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.*
- 8) *The Owners 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 recommended avoidance and mitigation measures noted in the Environmental Impact Statement prepared by GEMTEC Consulting Engineers and Scientists Limited, dated November 12th, 2024, and any associated peer reviews; and*
 - b) *the conclusions and recommendations noted in the Hydrogeological Study prepared by Geofirma Engineering Ltd., dated January 27th, 2025, and any associated peer reviews.*