



**THE CORPORATION OF THE  
TOWNSHIP OF MONTAGUE**

**April 25<sup>th</sup>, 2023**

**Prepared By: Kirsten Cote, Junior Planner  
Reviewed By: Forbes Symon, RPP, MCIP, Senior Planner**

**Wiseman Consent Applications – Lanark County Files B23-046, B23-047 and B23-048**

**1. LOCATION AND DESCRIPTION**

The subject property is located in Part of Lots 25 and 26, Concession 8, Township of Montague, and is municipally known as 149 Ford Road.

The property totals approximately 25.5 hectares, from which three (3) parcels of land, each of which is 0.8 hectares in size, are proposed to be severed. (See Appendix “A”)

**2. PROPOSED CONSENT**

The applicant proposes to sever three (3) new lots from the subject property with the following characteristics:

1. **Severed Lot (B23-046):** The applicant is proposing to sever a 0.8 hectare parcel of land with 77m of frontage on Brown Road, a Township maintained road. This lot is vacant with plans for a dwelling, services by a private well and septic system.
2. **Severed Lot (B23-047):** The applicant is proposing to sever a 0.8 hectare parcel of land with 77m of frontage on Brown Road, a Township maintained road. This lot is vacant with plans for a dwelling, services by a private well and septic system.
3. **Severed Lot (B23-048):** The applicant is proposing to sever a 0.8 hectare parcel of land with 46m of frontage on Brown Road, a Township maintained road. This lot is vacant with plans for a dwelling, services by a private well and septic system.
4. **Retained Lot:** This parcel is 23.1 hectares in size with 47m of frontage on Brown Road, a Township maintained road. The access to this property is via a right-of-way across 159 Ford Road. This lot contains a dwelling serviced by a private well and septic system, and a detached garage. No further plans for development are proposed at this time.

### 3. PLANNING ANALYSIS

#### 4.1 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 lots to be severed are currently vacant with plans for development with dwellings serviced by private wells and septic systems.

The retained parcel is currently occupied by a dwelling serviced by a private well and septic system, and a garage, with no plan for additional development at this time.

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.

#### 4.2 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 residential development and farmland and the Ottawa Valley Recreational Trail (OVRT) is located to the West of the subject lands.

*2.19.2(1) ...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.*

Organic Soils are present on the retained lands, as identified in Appendix “C” herein. As no development is being proposed in this location, there are no concerns in this regard.

*2.19.5 The Provincial Policy Statement defines hazardous forest types for Wildland Fire as, forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ministry of Natural Resources and Forestry, as amended from time to time....Wildland fire mitigation measures shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

Wildland Fire Hazard designations related to the presence of pine are noted on both the severed and retained lands, as identified in Appendix "C" herein. The Applicant will be required to submit a Risk Mitigation Plan in accordance with wildland fire assessment and mitigation standards as identified by the Ministry of Natural Resources and Forestry.

*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...*

A Natural Corridor is present on the subject lands and the proposed severed lots are contained within this designation, as identified in Appendix "D" herein. The Applicant has obtained an Environmental Impact Statement (EIS) and has submitted same to the County of Lanark as part of their complete application. The mitigation measures contained in the EIS will be required to be documented in a Development Agreement between the Owner and Township.

*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....*

There are Significant Woodlands designations located on the severed and retained lands, as identified in Appendix "D" herein. The Applicant has obtained an Environmental Impact Statement (EIS) and has submitted same to the County of Lanark as part of their complete application. The recommendations contained in the EIS will be required to be documented in a Development Agreement between the Owner and Township.

*2.22.1(4)(3) A Hydrogeological and Terrain Assessment is required when any of the following apply:*

...

*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.*

Pursuant to the Township's screening checklist, a Hydrogeological Assessment is required. The Applicant has obtained a Hydrogeological Assessment and Terrain Analysis and has submitted same to the County of Lanark as part of their complete application. The recommendations contained in this report will be required to be documented in a Development Agreement between the Owner and Township.

There is a watercourse running through the Northern portion of the subject lands, identified in Appendix "B" herein, although there is sufficient buildable area outside of the 30m setback for development of any of the severed lots.

*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**

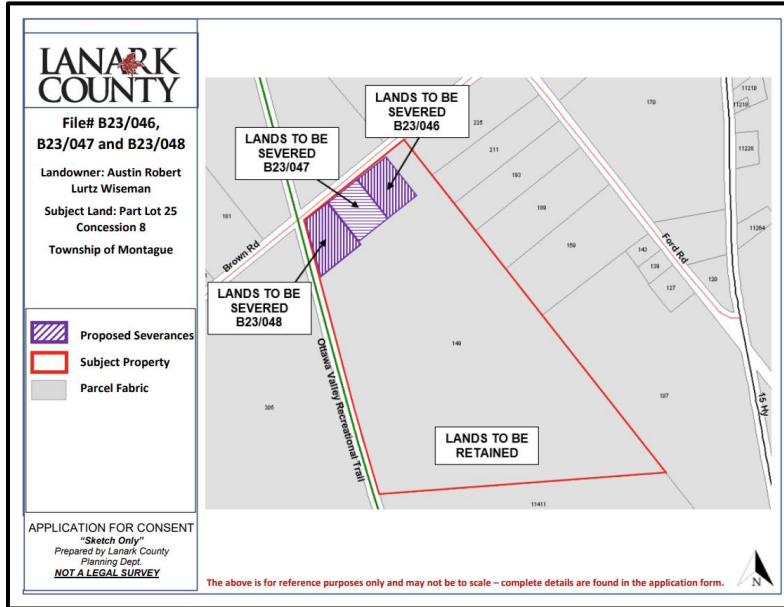
No comments have been received from Township staff resulting from the internal circulation of this application.

## **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 "F" are approved.

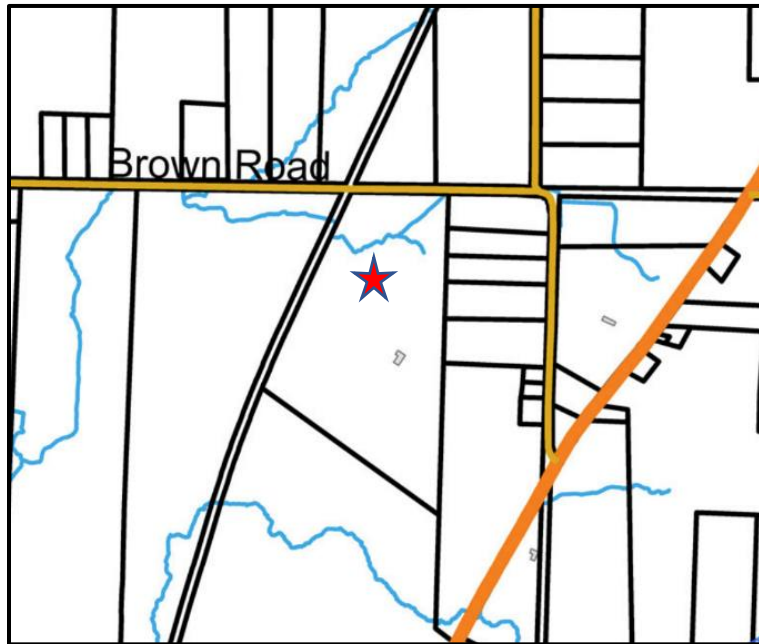
# APPENDIX "A"

## Key Map



**APPENDIX "B"**





**Official Plan – Schedule "A"**




★ Subject Land – Rural designation

# APPENDIX "C"

## Official Plan – Constraints and Opportunities - Schedule "B"




-  ORGANIC SOILS
- WILDLAND FIRE HAZARD
  -  Extreme
  -  High
  -  Pine: Needs Evaluation




 Subject Land

## APPENDIX "D"

### Official Plan – Natural Heritage System - Schedule "C"

-  SIGNIFICANT WOODLANDS
-  NATURAL CORRIDORS AND LINKAGES
-  UNEVALUATED WETLAND

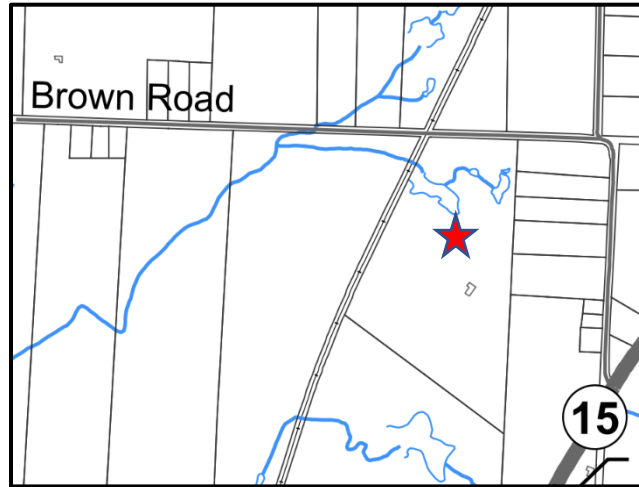


 Subject Land



**APPENDIX "E"**

**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 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 Civic Address Numbers from the Township of Montague for the severed lands. The Applicant shall consult directly with the Township in this regard.*
- 6) *The Applicant shall confirm that residential entrance to the subject lots are viable. The applicant shall consult directly with the Township of Montague in this regard.*
- 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) *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.*
- 9) *The Applicant 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 the recommendations in:*
  - *the Environmental Impact Statement prepared by GemTec, dated February 23<sup>rd</sup>, 2023; and*
  - *the Hydrogeological Investigation and Terrain Analysis prepared by GemTec, dated March 2<sup>nd</sup>, 2023; and*
  - *The Wildfire Risk Mitigation Plan.*