



**THE CORPORATION OF THE
TOWNSHIP OF MONTAGUE**

April 6th, 2023

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Reviewed By: Forbes Symon, RPP, MCIP, Senior Planner**

Lalonde Consent Application – Lanark County File B23-025

1. LOCATION AND DESCRIPTION

The subject property is located in Part of Lot 22, Concession 5, Township of Montague, and is municipally known as 2357 Nolan's Road. The property totals approximately 46.35 hectares, from which a 38.6 hectare parcel of land is proposed to be severed as a lot addition that will be consolidated with the adjacent landholdings owned by Todd and Angela Thompson at 2291 Nolan's Road. (See Appendix "A")

2. PROPOSED CONSENT

The Applicant proposes to sever one (1) new lot from the subject property for lot addition purposes with the following characteristics:

1. **Severed Lot (B23-025):** The Applicant is proposing to sever a 38.60 hectare parcel of land with 110 meters of frontage on Roger Stevens Road, a County maintained road, to be added to the landholdings of the adjacent property at 2291 Nolan's Road. This lot addition parcel is currently vacant with no plans for development.
2. **Retained Lot:** This parcel is 7.75 hectares in size with 170 meters of frontage on Nolan's Road, a Township maintained road. This lot is currently occupied by a dwelling serviced by private well and septic, a barn that is in a state of disrepair, and an outbuilding.

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 vacant with no plans for development. The lands will be consolidated with the adjacent developed residential landholding at 2291 Nolan’s Road, owned by Todd and Angela Thompson. The retained parcel is currently occupied by a dwelling serviced by private well and septic, a barn that is in a state of disrepair, with no current plans for future development.

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” (see Appendix “B” herein).

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.

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.

There applicant has provided documentation to the Township that there are no livestock facilities within 750m of the subject property, with the exception of the barn on the retained parcel of land, that will be decommissioned.

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.

There are segments of organic soils located on the severed lands, identified in Appendix “C” herein. There is no development proposed on the severed lands at this time but,

should same be proposed in future, there is sufficient buildable area outside of this constraint.

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.

There is a large area of Significant Wildlife Habitat located along the Northern portion of the property, identified in Appendix "D" herein. There is no development proposed on the severed lands at this time but, should same be proposed in future, there is sufficient buildable area outside of this natural heritage feature.

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 is a Significant Woodlands designation on the severed lands, as identified in Appendix "D" herein. There is no development proposed on the severed lands at this time but, should same be proposed in future, there is sufficient buildable area outside of this natural heritage feature.

2.23.1(2)(1)(1) ...Development or site alteration such as filling, grading and excavating that would change the landform and natural vegetative characteristics of the site shall generally occur a minimum distance of 30 metres from the normal high water mark of any water body.

Watercourses are present on both the severed and retained lands, identified in Appendixes "C" and "D" herein. There is no development proposed on the severed or retained lands at this time but, should same be proposed in future, there is sufficient buildable area outside of the regulated 30m setback.

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.

As this application is for the purpose of a lot addition, as opposed to the creation of a separate building lot, the lot creation policy noted above is not applicable.

3.3 Zoning By-Law

Under the Township's Zoning By-Law 3478-2015, the subject property is zoned Rural (RU), as illustrated in Appendix "E" herein. The RU zone, where the proposed severed

lot is located, 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

The Township's Chief Building Official advised that he had no comments on this file.

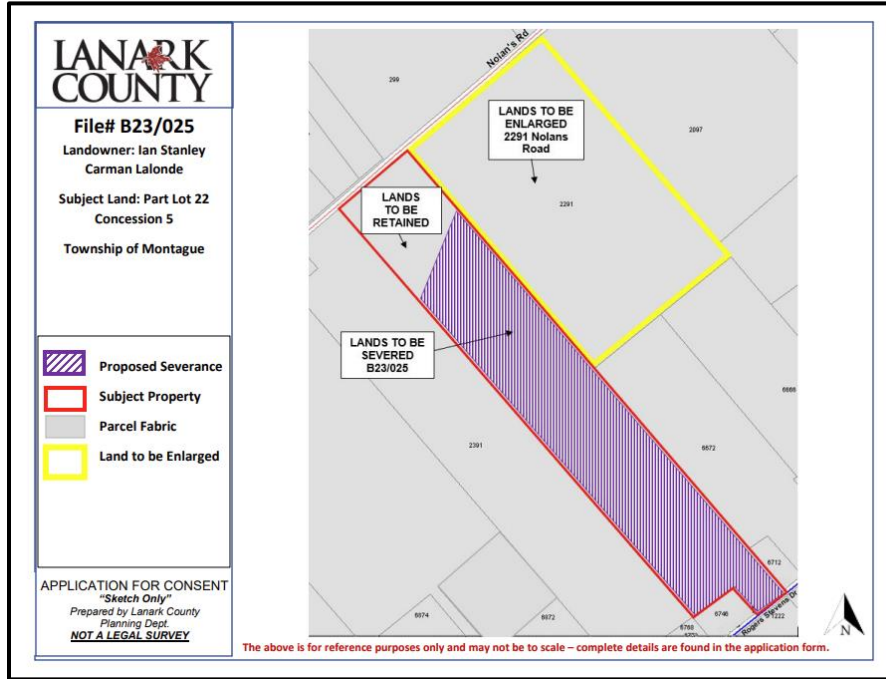
No other internal comments were received as of the date of this report.

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.

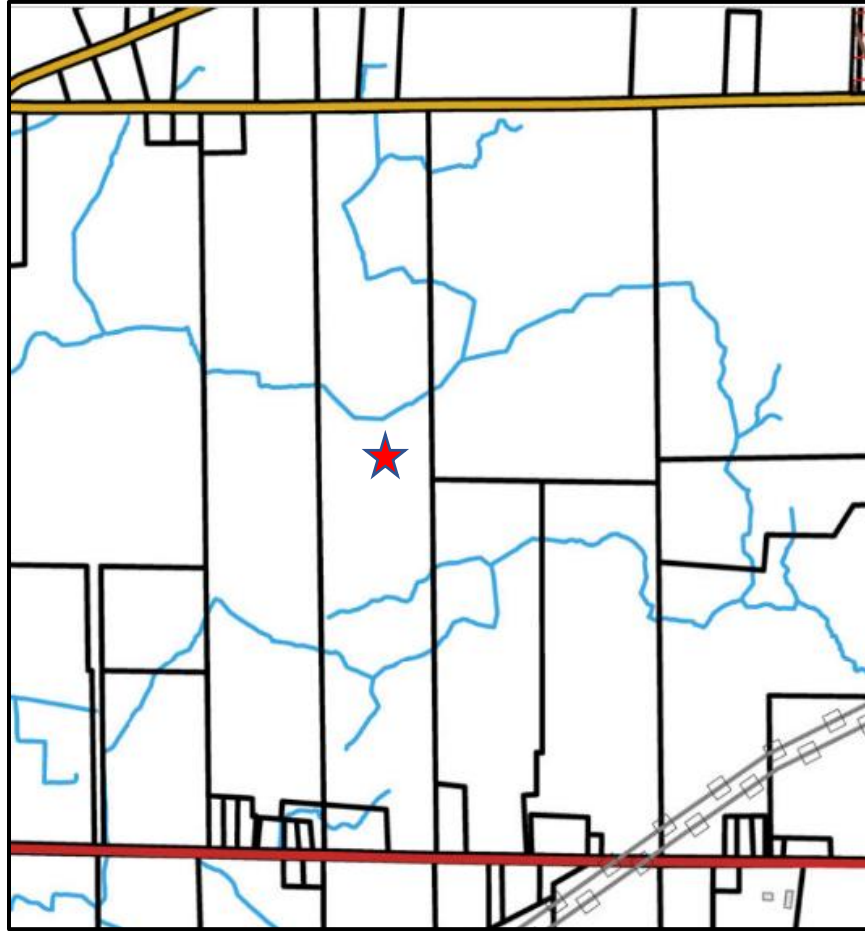
APPENDIX "A"

Key Map



APPENDIX "B"

Official Plan – Schedule "A"

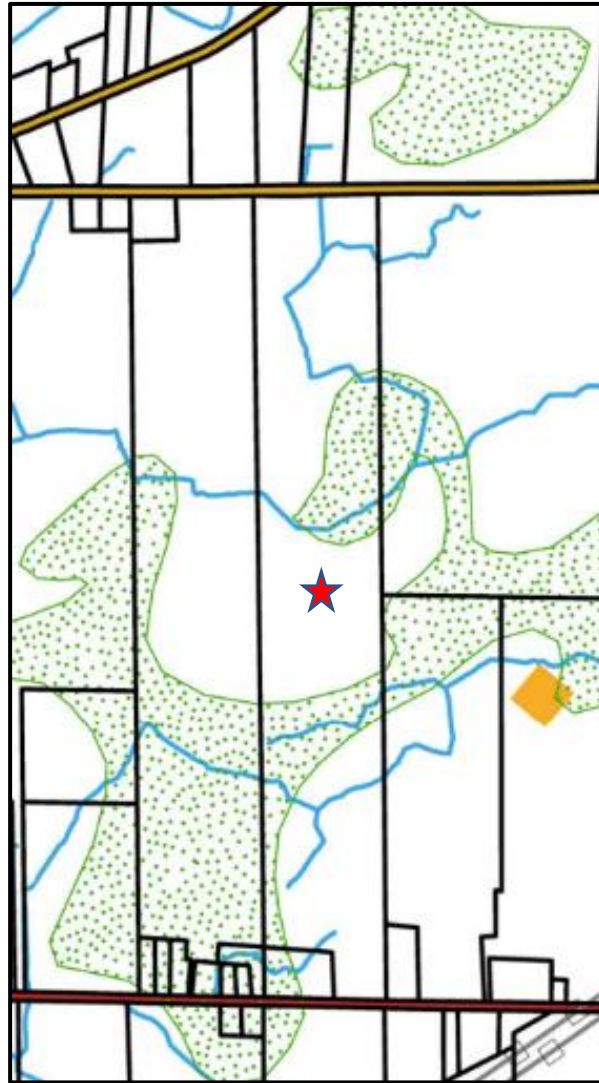


★ Subject Land – Rural designation

APPENDIX "C"

Official Plan – Constraints and Opportunities - Schedule "B"





ORGANIC SOILS
PERMANENT WATERCOURSE




★ Subject Land

APPENDIX "D"

Official Plan – Natural Heritage System - Schedule "C"

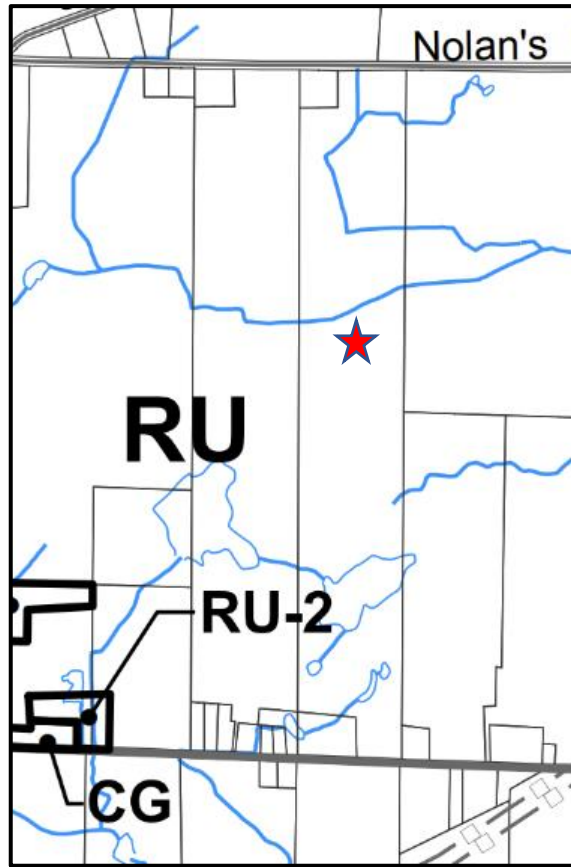
-  SIGNIFICANT WILDLIFE HABITAT
-  UNEVALUATED WETLAND
-  NATURAL CORRIDORS AND LINKAGES
-  PERMANENT WATERCOURSE



 Subject Land

SCHEDULE "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 digital and paper copy of all deposited reference plans associated with this application.*
- 4) *The Applicant shall decommission the existing barn on the retained land by having same removed or converted so that it cannot house livestock.*