



**THE CORPORATION OF THE
TOWNSHIP OF MONTAGUE**

July 29th, 2024

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

Curran Consent Application - Lanark County File #B24-062

1. LOCATION AND DESCRIPTION

The subject property is located in Part of Lot 25, Concession 8, Township of Montague, and is municipally known as 11418 Highway 15. The property totals approximately 3.67 hectares, from which a 1.21 hectare parcel of land is proposed to be severed as a lot addition to be consolidated with the adjacent vacant landholdings owned by Edward Joseph Moulton. (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 (B24-062):** The Applicant is proposing to sever a 1.21 hectare parcel of land with 45.72m of frontage on Highway 15, a Provincial Highway, to be consolidated with the adjacent vacant property owned by Edward Joseph Moulton. This lot addition parcel is currently vacant with no current plans for development.
2. **Retained Lot:** This parcel is 2.46 hectares in size with 106.68m of frontage on Highway 15, a Provincial Highway. This lot is currently occupied by a dwelling on private services with an attached garage, a detached garage and a workshop.

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.

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
- c) hazardous sites.*

The proposed lot addition parcel is vacant with no current plans for development. The lands will be consolidated with the adjacent vacant landholding, owned by Edward Joseph Moulton. The retained parcel is currently occupied by a dwelling on private services with an attached garage, a detached garage and a workshop.

Residential uses are permitted in Rural Areas. While there are no immediate plans for development of the Moulton property, should this be proposed in future, the lot addition parcel 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, farmland, commercial development, and forested area.

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 #8 of OMAFRA’s Minimum Distance Separation (MDS) Document, an MDS investigation is not required for lot line adjustments that do not result in the creation of a new building lot.

2.19.2(2) Development and site alteration in areas containing organic soils shall only be permitted where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with Provincial standards, as determined by the demonstration and achievement of all of the following:

- 1. Such development and site alteration is carried out in accordance with floodproofing standards, protection works standards and access standards;*
- 2. New hazards are not created, and existing hazards are not aggravated;*
- 3. No adverse environmental impacts will result; and*
- 4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies, as applicable.*

There are organic soils on the subject lands, as illustrated in Appendix "C" herein, with developable area outside of this feature. The Applicant is not proposing development at this time, but should this be proposed in future, there may be a requirement to obtain a satisfactory geotechnical study to support the development if proposed within this designation.

2.21.2(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 within or adjacent to the Natural Heritage B 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 ANSI'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 ANSI designation at the rear of the subject lands, as illustrated in Appendix "D" herein, and the associated development setback impacts the subject lands. As previously stated, the Applicant is not currently proposing development on the lot addition parcel or existing Moulton property. However, due to the extensive natural heritage features present on these lands and those adjacent, the Applicant was required to obtain an EIS as part of their complete application in contemplation of future development, and the recommended avoidance and mitigation measures contained therein will be documented in a Development Agreement to be entered into between the Owner and the 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 is an area of significant woodlands, as illustrated in Appendix "D" herein, present on the lot proposed to be severed and consolidated with the Moulton property. As previously stated, the Applicant is not currently proposing development on the lot addition parcel or existing Moulton property. However, due to the extensive natural heritage features present on these lands and those adjacent, the Applicant was required to obtain an EIS as part of their complete application in contemplation of future development, and the recommended avoidance and mitigation measures contained therein will be

documented in a Development Agreement to be entered into between the Owner and the Township.

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....

There is an area of unevaluated wetland, a Natural Heritage B designation, on the subject lands, as illustrated in Appendix "D" herein. As previously stated, the Applicant is not currently proposing development on the lot addition parcel or existing Moulton property. However, due to the extensive natural heritage features present on these lands and those adjacent, the Applicant was required to obtain an EIS as part of their complete application in contemplation of future development, and the recommended avoidance and mitigation measures contained therein will be documented in a Development Agreement to be entered into between the Owner and the Township.

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, provides for a minimum lot size of 0.4 hectares and a minimum lot frontage of 46 meters.

Both the lot addition parcel, as consolidated with the Moulton property, and retained parcel, will comply with the zoning provisions in the RU zone.

4. INTERNAL COMMENTS

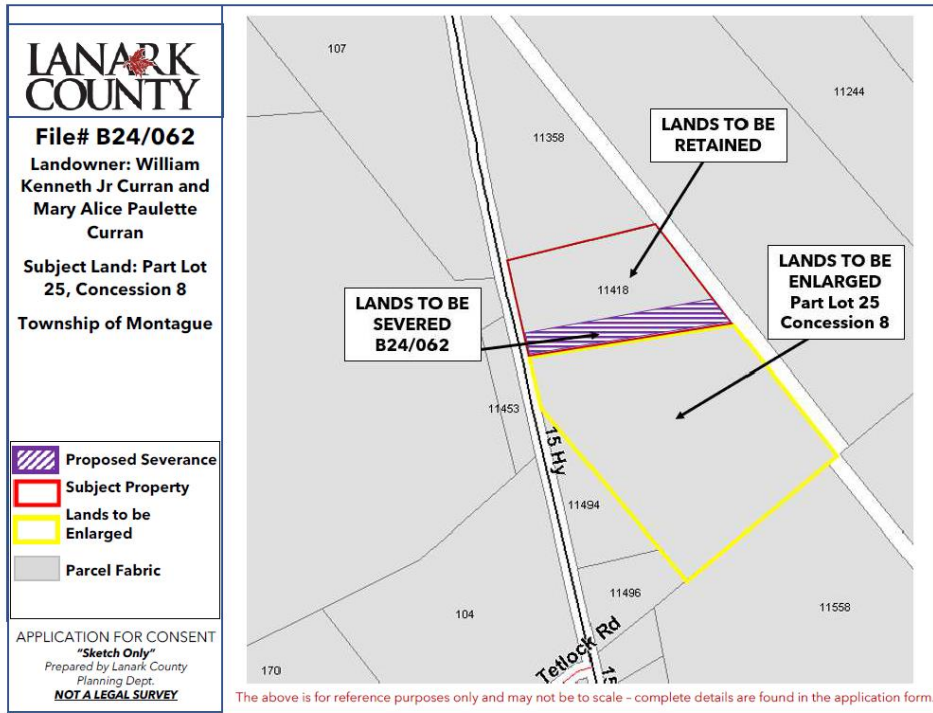
The Township's Chief Building Official advised that he had no comments with respect to this application. No additional comments were received from circulated Staff.

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.

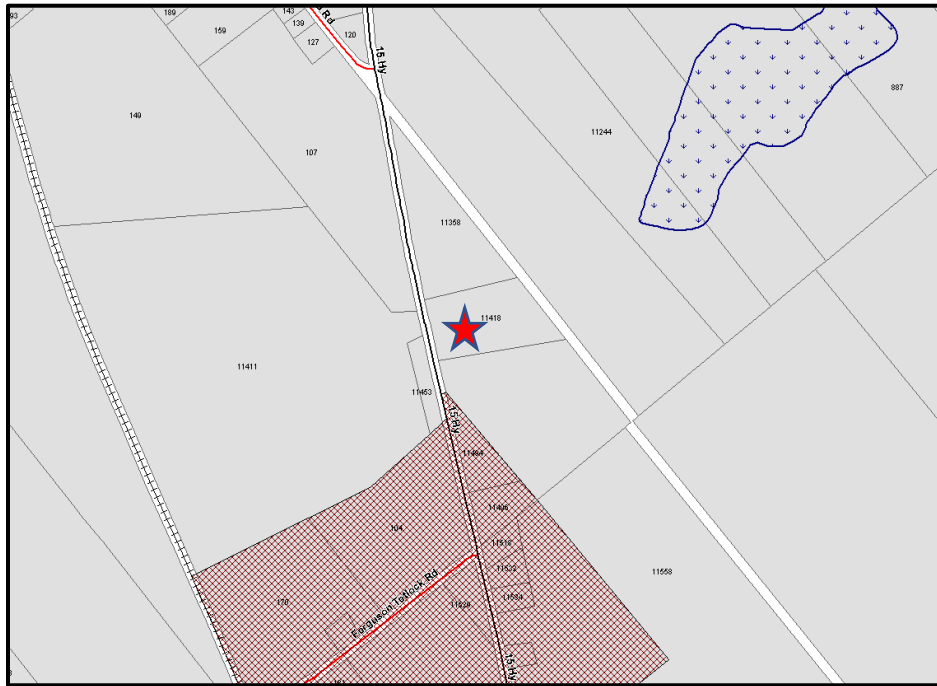
APPENDIX "A"


Key Map



APPENDIX "B"

Official Plan – Schedule "A" – Land Use

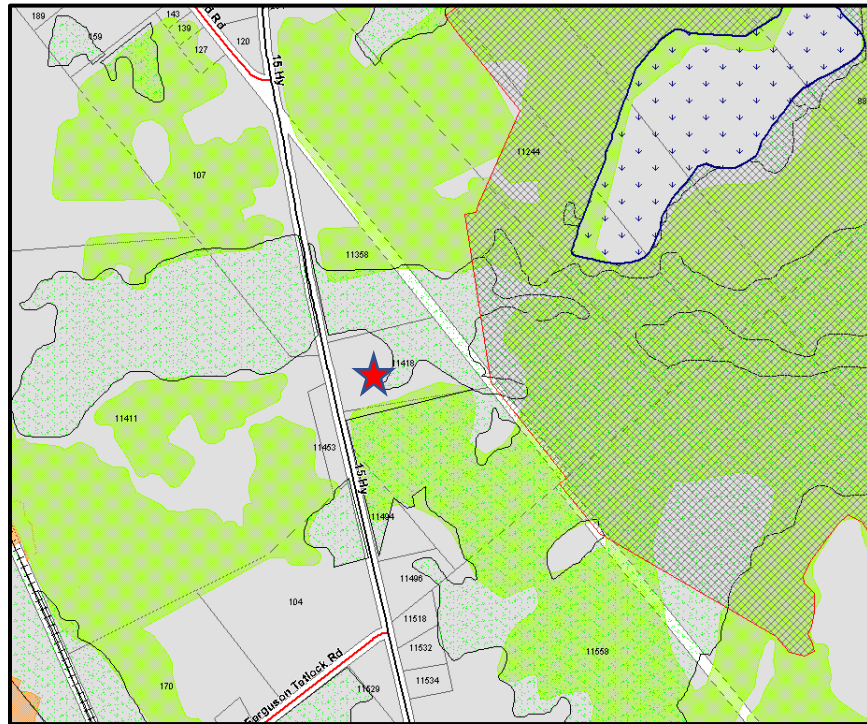


 Subject Land – Rural designation

APPENDIX "D"

Official Plan – Natural Heritage System - Schedule "C"

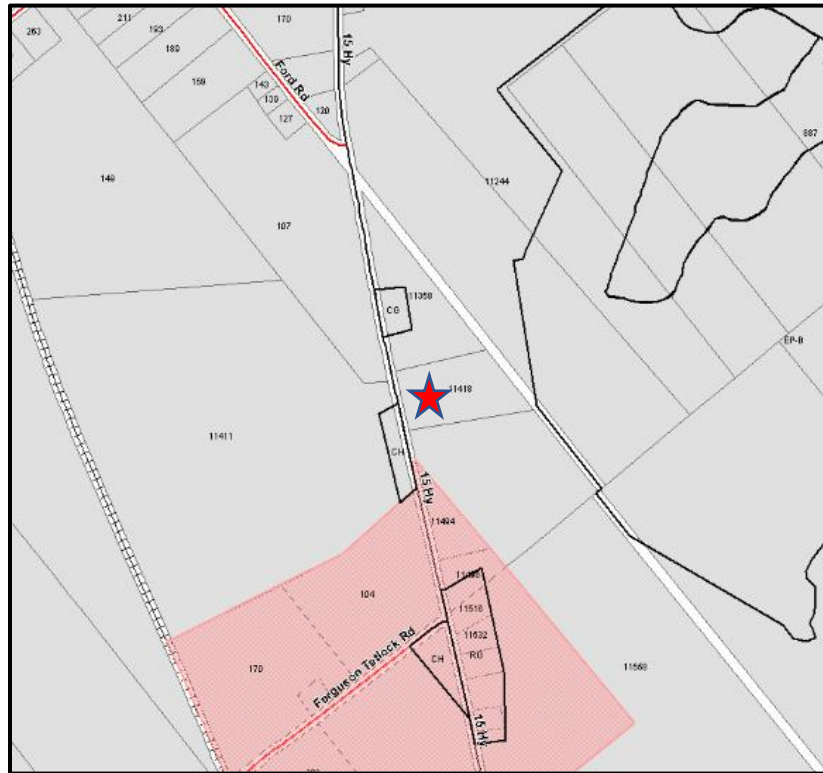
- ANSI
- Significant Woodlands
- Unevaluated Wetland



 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 a digital and paper copy of all deposited reference plans associated with this application.*
- 4) *The Applicant shall enter into a Development Agreement with the Township of Montague to be registered against the consolidated property. The wording of the Agreement shall be acceptable to the Municipality and shall address the recommended avoidance and mitigation measures noted in the Environmental Impact Statement prepared by GEMTEC Consulting Engineers and Scientists Limited, dated June 20th, 2024, and any associated peer reviews.*