

The above is for reference purposes only and may not be to scale – complete details are found in the application form.

Landowner: Joshua Foster and Gloria Ramsay
File No.: B20/074
Subject Land: Pt. Lot 19 Con 6 Township of Montague

**APPLICATION FOR
CONSENT**

"Sketch Only"
Prepared by Lanark County
Planning Dept.
NOT A LEGAL SURVEY



COUNTY OF LANARK LAND DIVISION
 99 Christie Lake Road
 Perth, ON K7H 3C6
 Tel: 1-613-267-4200 Ext. 1520
 Fax: 1-613-267-2964

APPLICATION FOR CONSENT

NOTE: All questions on this application must be answered or the application will be deemed incomplete and returned.

<p><u>TO BE COMPLETED BY LOCAL MUNICIPALITY</u></p> <p>The applicant has undertaken a Preliminary Severance Review.</p> <p>Date: <u>JUNE 8, 2020</u></p> <p> <u>CBO</u> Signature of Municipal Official</p>	<p><u>TO BE COMPLETED BY LANARK COUNTY PLANNING DEPARTMENT</u></p> <p>FILE NO. B201074</p> <p>Please use this file number for all communications.</p> <p>Date Received: <u>July 22, 2020</u> Date Returned: <u>August 12, 2020</u> Date Resubmitted: _____ Date Deemed Complete: _____</p>
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TO BE COMPLETED BY LOCAL MUNICIPALITY – (describe studies required)

The Municipal Consultation Review has determined that the following studies and/or reports will be required and are to be submitted to the Lanark County Planning Department.:

COUNTY PUBLIC WORKS DEPARTMENT (to be completed where lands abut a County Road)

The application has an approved entrance location permit for: the severed lands the retained lands.

Type of Permit: common residential "A" common residential "B" common residential "C"
 single residential other

The location permit letter provided by the County Public Works Department **must be attached** to this application.

1. APPLICATION INFORMATION

<p>Name of Applicant <u>Gloria Foster</u></p> <p>Telephone Numbers Home _____ Work _____ Fax _____ Cell <u>613-295-2692</u> E-mail _____ Address <u>1877 ROSEDALE RD NORTH</u> <u>SMITHS FALLS</u> Postal Code <u>K7A 4S6</u> Do you wish to receive all communications? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Name of Owner (as shown on Deed) <u>JOSHUA FOSTER and GLORIA RAMSAY</u></p> <p>Telephone Numbers Home <u>613-290-7099</u> Work _____ Fax _____ Cell <u>613-295-2692</u> E-mail <u>SAME</u> Address _____ Postal Code _____ Do you wish to receive all communications? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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2. AUTHORIZED AGENT / SOLICITOR'S INFORMATION

Name of the person who is to be contacted about the application, if different than owner. This may be a person or firm acting on behalf of the owner – An owner's authorization is required. (complete Section 12 of this application if the applicant is not the owner)

Name(s): OWNER Address: _____
City/Province: _____ Postal Code: _____
Phone: (H) _____ (B) _____ Fax or E-mail: _____
Do you wish to receive all communications? Yes No

3. LOCATION OF THE PROPERTY (Complete ALL applicable lines)

Municipality: <u>MONTAGUE</u>	Lot Number(s): <u>PART LOT 19</u>
Geographic Township: <u>MONTAGUE</u>	Concession Number: <u>CON 6</u>
Registered Town Plan: <u>27R436 PART 21</u>	Name of Street/Road: <u>ROSEDALE RD NORTH</u>
Lot(s) / Block(s): <u>PART 10719 CON 6</u>	Civic Address Number: <u>1877</u>
Survey Plan: <u>27R36 PART 21</u>	Are there any right-of-way easements or restrictive covenants affecting the severed or retained land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Part Number(s): <u>PART 21</u>	If YES , include location on sketch or copy of covenant.
Assessment Roll #: <u>0901-000-025-00706</u>	

4. TYPE AND PURPOSE OF PROPOSED TRANSACTION

Transfer: Creation of a New Lot Addition to a Lot (moving / adjusting lot line)
Other: Right-of-Way Easement Correction of Title Charge Lease
Other Purpose (please specify): _____

Name(s) of person(s), to which land or interest in land is to be transferred, leased or charged – this section must be completed for Addition to a Lot, R-O-W, Easement or Other:

FULL NAME or NAME(S): _____

If a lot addition, R-O-W or Easement, identify the lands to which the severed lands will be added.

Municipality: _____	Lot Number(s): _____
Geographic Township: _____	Concession Number: _____
Registered Plan: _____	Name of Street/Road: _____
Lot(s) / Block(s): _____	Civic Address Number: _____
Survey Plan: _____	Assessment Roll #: 09 - - - - -
Part Number(s): _____	

5. DESCRIPTION OF SUBJECT LAND AND (all measurements to be provided in METRIC ONLY and must be shown on sketch)

DESCRIPTION OF LAND INTENDED TO BE SEVERED:	DESCRIPTION OF LAND INTENDED TO BE RETAINED:
Road Frontage: <u>152.44m</u>	Road Frontage: <u>50.30 M</u>
Water Frontage: <u>N/A</u>	Water Frontage: <u>N/A</u>
Depth: <u>71.65m, 12.27m</u>	Depth: <u>94.207m AND 71.65m</u>
Area: <u>6396.38 m² = .63 HA (1.57ac)</u>	Area: <u>4171.3 m² = .4171 HA (1.026 ac)</u>
Existing Use(s): <u>VACANT</u>	Existing use(s): <u>SINGLE FAMILY DWELLING</u>
Proposed Use(s): <u>BUILDING LOT</u>	Proposed Use(s): <u>SAME</u>
Describe Existing Building(s) or Structure(s): <u>VACANT</u>	Describe Existing Building(s) or Structure(s): <u>HOUSE + GARAGE</u>
Describe Proposed Building(s) or Structure(s): <u>SINGLE FAMILY DWELLING</u>	Describe Proposed Building(s) or Structure(s): <u>SAME</u>

Description of Subject Land - additional information	
LANDS TO BE SEVERED	LANDS TO BE RETAINED
<p>a) Type of access (check appropriate space)</p> <p>Civic Address if available _____</p> <p>(road name(s) must be included on sketch)</p> <p><input type="checkbox"/> Provincial highway</p> <p><input type="checkbox"/> County road – <u>entrance inquiry</u> must be approved</p> <p><input checked="" type="checkbox"/> Municipal road, maintained all year</p> <p><input type="checkbox"/> Municipal road, seasonally maintained</p> <p><input type="checkbox"/> Other public road</p> <p><input type="checkbox"/> Registered right-of-way</p> <p><input type="checkbox"/> Private road, unregistered</p> <p><input type="checkbox"/> Water access</p>	<p>a) Type of access (check appropriate space)</p> <p>Civic Address if available _____</p> <p>(road name(s) must be included on sketch)</p> <p><input type="checkbox"/> Provincial highway</p> <p><input type="checkbox"/> County road – <u>entrance inquiry</u> must be approved</p> <p><input checked="" type="checkbox"/> Municipal road, maintained all year</p> <p><input type="checkbox"/> Municipal road, seasonally maintained</p> <p><input type="checkbox"/> Other public road</p> <p><input type="checkbox"/> Registered right-of-way</p> <p><input type="checkbox"/> Private road, unregistered</p> <p><input type="checkbox"/> Water access</p>
<p>b) Type of water supply (check appropriate space)</p> <p>Existing _____ Proposed _____</p> <p><input type="checkbox"/> Publicly owned/operated piped water system</p> <p><input checked="" type="checkbox"/> Privately owned/operated individual well</p> <p><input type="checkbox"/> Privately owned/operated communal well</p> <p><input type="checkbox"/> Lake or other water body</p> <p><input type="checkbox"/> Other (please specify) _____</p>	<p>b) Type of water supply (check appropriate space)</p> <p>Existing _____ Proposed _____</p> <p><input type="checkbox"/> Publicly owned/operated piped water system</p> <p><input checked="" type="checkbox"/> Privately owned/operated individual well</p> <p><input type="checkbox"/> Privately owned/operated communal well</p> <p><input type="checkbox"/> Lake or other water body</p> <p><input type="checkbox"/> Other (please specify) _____</p>

<p>c) Type of sewage disposal (check appropriate space) Existing _____ Proposed <u> </u> <input type="checkbox"/> Publicly owned/operated sanitary sewage system <input checked="" type="checkbox"/> Privately owned/operated individual septic tank <input type="checkbox"/> Privately owned/operated communal septic system <input type="checkbox"/> Privy <input type="checkbox"/> Other (please specify) _____</p>	<p>c) Type of sewage disposal (check appropriate space) Existing <u> </u> Proposed _____ <input type="checkbox"/> Publicly owned/operated sanitary sewage system <input checked="" type="checkbox"/> Privately owned/operated individual septic tank <input type="checkbox"/> Privately owned/operated communal septic system <input type="checkbox"/> Privy <input type="checkbox"/> Other (please specify) _____</p>
<p>d) Other services (check if available) <input checked="" type="checkbox"/> Electricity <input checked="" type="checkbox"/> Telephone <input checked="" type="checkbox"/> School busing <input checked="" type="checkbox"/> Garbage collection</p>	<p>d) Other services (check if available) <input checked="" type="checkbox"/> Electricity <input checked="" type="checkbox"/> Telephone <input checked="" type="checkbox"/> School busing <input checked="" type="checkbox"/> Garbage collection</p>
<p>e) Access information</p> <p>If access to the subject land is not by a public road, you MUST include proof of your right of access. (Include deed).</p> <p>Will a road extension be required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Is the road maintained seasonally or all year? <input type="checkbox"/> Seasonally <input checked="" type="checkbox"/> Year-round.</p> <p>If water access only, state the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.</p> <hr/>	

6. LOCAL PLANNING DOCUMENTS (this information is available through the Preliminary Severance Review and/or the local municipality).

<p>a) What is the current Township / Town Official Plan designation on this property? <u> RURAL </u></p>
<p>b) Are the lands subject to a proposed Official Plan Amendment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown If Yes, specify the file number and status of application.</p>
<p>c) What is the current Zoning Designation / Development Permit Designation on this property, as found in the Township / Town Zoning By-law or Development Permit By-law? <u> RURAL [scribble] </u></p>
<p>d) Are the lands subject of an application for a zoning by-law amendment, development permit, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown If Yes, specify the file number, type and status of application.</p>

e) Are there any species or habitat designated in the *Endangered Species Act 2007* known to inhabit the lands?
 For information contact the Ministry of Natural Resources and Forestry for mapping. Yes No

f) Source Water Protection:
 Is any portion of the lot to be severed or retained located within a designated "Intake Protection Zone" of a Municipal Water supply? Yes No
 Is any portion of the lot to be severed or retained located within a designated "Wellhead Protection Zone" of a Municipal Water supply? Yes No

g) Is there any agricultural building located within 500 metres of the subject property which currently houses, or is capable of housing, livestock? Yes No

If yes, you MUST complete an "MDS Data Sheet" for each barn. (attach Data sheet to application)
Also, please indicate their approximate location and distance to the subject lands (severed and retained) on the accompanying sketch.

7. HISTORY OF THE SUBJECT LAND

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act? Yes No Unknown

If yes provide the application file number and the decision made on the application, the dates of transfers, the names of the transferees and the land use.

If unknown, consult with the local municipality or Land Division Committee Secretary.

8. LAND USE - You MUST answer YES or NO to the following:

USE OR FEATURE	Yes	No
Is there a landfill site (waste site) within 500 metres of severed or retained land?		<input checked="" type="checkbox"/>
Is there a sewage treatment plant or waste stabilization plant within 500 metres of the severed or retained land?		<input checked="" type="checkbox"/>
Is there a provincially significant wetland (Class 1, 2 or 3 wetland) on the severed or retained lands or within 120 metres?		<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained located within a Flood Plain?		<input checked="" type="checkbox"/>
Is any portion of the land to be severed or retained within 500 metres of a rehabilitated mine/pit/quarry site?		<input checked="" type="checkbox"/>
Is there a non-operating mine/pit/quarry site within 1 kilometre of the severed or retained land?		<input checked="" type="checkbox"/>
Is there an active mine/pit/quarry site within 1 kilometre of the severed or retained land?		<input checked="" type="checkbox"/>
Is there an industrial or commercial use located within 500 metres of the severed or retained land? (If yes, specify the use)		<input checked="" type="checkbox"/>
Is there an active railway line within 500 metres of the severed or retained land?		<input checked="" type="checkbox"/>
Is there a municipal or federal airport within 500 metres of the severed or retained land?		<input checked="" type="checkbox"/>
Is there any utility corridor(s) (i.e. high voltage power lines, pipe lines or communication lines) located on the severed or retained lands or within 500 metres of the severed or retained land?		<input checked="" type="checkbox"/>

9. OTHER INFORMATION

Is there any other information that you think may be useful to the Land Division Committee or other agencies in reviewing this application? If so, explain below or attach a separate page.

10. APPLICANT'S / OWNER'S AFFIDAVIT OR SWORN DECLARATION

(This must be completed in the presence of a Commissioner by the Person Filing the Application)

I/WE, Joshua and Gloria Foster of the Township of Montague
in the County of Lanark solemnly declare that all the statements contained in
this application are true and that the information contained in the documents that accompany this
application is true.

Declared before me at the Twp of Montague
in the County of Lanark
this 8th day of July, 2020

[Signature]
A Commissioner of Oaths

[Signature]
Signature of Owner or Agent
[Signature]
Signature of Owner or Agent

11. CONSENT OF OWNER.

The owner must also complete the following or a similar authorization attached to the application.

**Consent of Owner(s) to the Use and Disclosure of Personal Information
And to Allow Site Visits to be conducted**

In accordance with the provisions of the *Planning Act*, it is the policy of the County Planning Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I/WE JOSHUA FOSTER AND GLORIA FOSTER
the owner(s) / the authorized applicant, hereby acknowledge the above-noted policy and provide my/our consent,
in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, that the
information on this application and any supporting documentation provided by myself, my agents, consultants and
solicitors, will be part of the public record and will also be available to the general public.

I/We, hereby authorize access to the lands for the purposes of evaluation of the application, to Lanark County
staff, Municipal staff and Land Division Committee members.

Date May 8, 2020

[Signature]
Signature
[Signature]
Signature

12. AUTHORIZATION

If the applicant is not the owner(s) of the land that is subject of this application, the owner(s) must complete the following or a similar authorization attached to the consent application.

Authorization of Owner for Agent to make the Application and to provide Personal Information

I/We _____ being the registered owner(s) of the lands subject of this application for consent hereby authorize _____ to prepare and submit this application on my/our behalf and, for the purposes of the *Freedom of Information and Protection of Privacy Act*, to provide any of my/our personal information that will be included in this application or collected during the process of the application.

Date _____

Signature of Owner

Signature of Owner

The Land Division Committee will assign a File Number for complete applications and this **MUST be used in all communications.**

SUBMIT YOUR APPLICATION TO:

Mary Kirkham, Secretary-Treasurer
Lanark County Land Division Committee
Administration Building
99 Christie Lake Road
Perth ON K7H 3C6

Telephone: 1-613-267-4200 (ext. 1520)

Sketch Accompanying Application



Sketch Accompanying Application



Aug 12 2020
LF



RECEIVED VIA
E-MAIL
AUGUST 12 2020

**MINIMUM DISTANCE SEPARATION (MDS)
QUESTIONNAIRE - MDS I**
(to be completed for new development from existing livestock facilities)

APPLICANT / LIVESTOCK OWNER INFORMATION

Applicant:

Name: JOSHUA FOSTER
Address: 1877 ROSEDALE RD NORTH
SMITHS FALLS
Postal Code: K7A 4S6
Phone: 613-290-7099 Fax: _____

Livestock Owner:

Name: Gary Doyle
Address: 1852 ROSEDALE RD. N.
SMITHS FALLS QNT.
Postal Code: K7A 4S6
Phone: 613-284-6206 Fax: _____

Property Description:

Geographic Township: MONTAGUE
Municipality: MONTAGUE
County: LANARK
Concession: 6 Lot: 19
Assessment Roll No.: 09 01 - 000 - 025 - 00700

Livestock Information:

Type of Livestock (check all that apply):
Type:

Housing Capacity for this Livestock

- Beef: Cows (confinement) *(includes calf up to 150 kg)*
- Beef: Cows (yard/barn)
- Beef: Feeders (yard/barn)
- Chicken: Caged Layers
- Chicken: Breeder Layers

- Chicken: Broilers
- Chicken: Pullets
- Dairy: Cows (*includes calf up to 150 kg*)

- should the number you enter be multiplied by 1.5 to account for followers? Yes No

- Dairy: Heifers (yard/barn)
- Duck: Ducks
- Emu: Emus
- Fox: Adult Foxes (*includes offspring to market size*)
- Goat: Adult Goats (*includes offspring until weened*)
- Goat: Feeder Goats

Horse: Horses (*includes offspring until weened*)

- Mink: Adult Mink (*includes offspring to market size*)
- Ostrich: Ostriches
- Rabbit: Adult Rabbits (*includes offspring to market size*)
- Sheep: Adult Sheep (*includes offspring until weened*)
- Sheep: Feeder Lambs
- Swine: Sows/Boars
- Swine: Feeder Hogs
- Swine: Weeners (*4-30 kg*)
- Chicken Pullets
- Turkey: Turkeys (≥ 10 kg)
- Turkey: Turkeys (*5 - 10 kg*)
- Turkey: Turkeys (≤ 5 kg)
- Turkey: Breeder Layers
- Turkey: Pullets
- Veal: White Veal
- Veal: Red Veal

5

Other: (Please complete the following information)

Name of animal or bird type: _____

Housing Capacity for this Livestock Type: _____

Tillable hectares where livestock facility located: 25
(do not include any land you may own/rent off this property)

Which Number Best Describes the Manure Storage Structure (choose 1, 2, 3 or 4) ?:

- 1. Roofed or covered storages for manure, runoff and milkhouse wash water. Includes any covered or roofed concrete, steel or earthen storages, in-barn solid manure packs and storages under fully slatted floors.
- 2. Open solid manure pile on concrete slab. Includes the runoff storages (concrete or earthen) used for capturing seepage liquids from solid manure storage or runoff liquids from yards. If yards are scraped into runoff storage, choose #3 when runoff storage is a concrete or steel tank when #4 runoff storage is earthen. Milkhouse washwater may be added to the runoff storage
- 3. Open concrete or steel tanks used for storing liquid manure, milkhouse washwater, or yard runoff where yard is scraped into storage.
- 4. Open earth-sided or earth sided storage with concrete floor to be used for storing liquid manure or yard runoff when yard is scraped into storage or millhouse washwater.

Distance of Livestock Facility and/or Manure Storage from Property Lines and Road:

Closest Distance from Livestock Facility to the new use: 201 Metres

Closest Distance from Manure Storage to the new use: 201 Metres

Size of Livestock Facilities: (as shown on attached sketch)

Barn #1 84' x 40' Barn #2 _____ Barn #3 _____ Barn #5 _____

NOTES:

If the consent is for a residential lot (vacant or residence existing) and the lot is no greater than 1 hectare in size, the measurement is taken as the shortest distance between the livestock facility and the lot line of the lot being created. Where larger lots may be proposed, a suitable location must be identified for a 'building envelope' of approximately 1 hectare outside of the minimum separation distance.

Livestock Facilities include barns where animals or poultry are housed, including beef feedlots and the associated manure storage.

Tillable Hectares is land including pasture that can be worked or cultivated.

The above information was supplied by: GARY DOYLE (print name)

Signature: Gary Doyle Date: 29/05/20.

Verified by: [Signature] Date: 29/05/20



LAND DIVISION STAFF REPORT
APPLICATION FOR CONSENT

Owner: Joshua Foster and Gloria Ramsay	Hearing Date: December 8, 2020
Applicant/Agent: Gloria Foster	LDC File #: B20/074
Municipality: Montague	Lot: Pt. 19 Conc.: 6
Geographic Township: Montague	Consent Type: New Lot
Roll Number: 0901 000 025 00706	

Purpose and Effect: To create a 0.63-ha residential building lot and retain a 0.4171-ha residential lot with an existing dwelling located at 1877 Rosedale Road North.

DETAILS OF PROPOSAL	Lands to be Severed	Lands Retained
Existing Use Proposed Use	Vacant Residential	Residential Residential
Area Frontage Depth Road - Access to	0.63-ha 142.44m 71.6m (S) 12.27m (N) Municipal	0.4171-ha 50.3m 94.2m (S) 71.65m (N) Municipal
Water Supply Sewage Disposal	Proposed well Proposed septic	Private well Septic System
Zoning By-law Category -Area (minimum) -Compliance? -Frontage (minimum) -Compliance?	Rural 0.4-ha Yes 46m Yes	Rural 0.4-ha Yes 46m Yes

Official Plan Designation: Rural

Conformity: Yes

(a) APPLICATION REVIEW

Provincial Policy Statement - The Provincial Policy Statement is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. The following provides a summary of the Provincial Interests that were identified in reviewing the application:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Section 1.1.1.c) Healthy, liveable and safe communities are sustained by avoiding

development and land use patterns which may cause environmental or public health and safety concerns and by preparing for the regional and local impacts of a changing climate.

Section 1.1.4 Rural areas are important to the economic success of the Province and our quality of life. Rural Areas are a system of lands that may include rural settlement areas, rural lands, primate agricultural areas, natural heritage features and areas, and other resource areas.

Section 1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.5 Rural Lands in Municipalities

Section 1.1.5.1 On rural lands located in municipalities, permitted uses are: the management or use of resources, resource-based recreational uses (including recreational dwellings), residential development, including lot creation, that is locally appropriate; agricultural uses, agricultural related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards; home occupations and home industries, cemeteries; and other rural land uses.

Section 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.6 Infrastructure and Public Service Facilities

Section 1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not, available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

County Official Plan – Section 3.0 Rural Policies, Section 4.3.4 Local Roads, Section 4.4 Water and Wastewater, Section 8.2.2 Consents.

The proposal conforms to the designations and policies of the Official Plan for the County of Lanark.

Local Official Plan – Section 2 General Development Policies, Section 3.6 Rural, Section 4.4 Township Roads, Section 5.2 Land Division.

The Township of Montague advises that the proposal conforms to the designations and policies of the Official Plan.

Zoning By-law – Section 3 General Provisions, Section 11 Rural.

The Township of Montague advises that the proposal complies with the zoning by-law regulations.

(b) AGENCY REVIEW

This application has been circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Township Planner's Report -

Application

Thank you for circulating the Township of Montague on this application. Township staff have reviewed the application with respect to its conformity with the Township's Official Plan and Zoning By-law. As indicated, the property owners seek permission to divide their triangular shaped lot to create a new residential building lot (0.63 ha) while retaining a 0.42 ha lot with a residence at 1877 Rosedale Road North. The parcels both front on Rosedale Road North, which is a paved road owned and maintained by the Township. With the exception of a lot addition in 2010, the Township has no record of any additional lot creation from the lot of record as it existed in 2001 and as such this application can be contemplated under the Township's lot creation policies (Sec. 5.2.3), provided all other policies are satisfied.

Review

The proposed severed and retained lands are within the Rural designation as outlined in the Township's Official Plan. Section 3.6.1 of the Plan envisions a "modest amount of compatible and orderly development" within the rural areas that is consistent with a rural setting. This includes limited and low density residential development in accordance with the lot creation policies of this Plan. Rosedale Road North is a paved local road that functions as a collector road in the central northern part of the Township and a primary link between Highway 15 and Roger Stevens. The subject property is just under 3 km from the Roger Stevens Drive intersection and just north of the Nolan's Corner hamlet. The property is also about 500 m to the south of the VIA Rail line. Within that 500 m radius there are about 23 other residences forming a cluster of rural residential development oriented along Code Drive and Rosedale Road, arranged mostly in a linear fashion along these roads. To the rear of the residential corridor is a mix of farmland, woodlands and wetlands associated with Rosedale Creek. The severed lot is mostly wooded, but with residences on both sides. While Official Plan policies discourage lot creation that perpetuates or extends strip development it is felt that in this context an additional residential lot in between two residences in close proximity and facing another residence on the other side of the road constitutes rural infill development. As such, this severance would not negatively impact the rural character of the area and is therefore consistent with the intent of the Rural designation.

The Township's Official Plan constraints mapping identifies no natural heritage or hazard features on the subject property, nor immediately adjacent. The application did identify a livestock facility on a nearby property, roughly 200 m from the severed lot. The livestock facility was noted as containing horses. In accordance with provincial and municipal policy a Minimum Distance Separation calculation

was provided that determined that based on the size and type of facility, a minimum separation distance of 98 m would be required to mitigate potential impacts. Based on that, this is consistent with Sec. 2.17.2 of the Official Plan.

This application satisfies the access policies of the Official Plan (Sec. 2.16) and it is felt that one additional lot will not have a consequential impact on municipal services or infrastructure at this location. The Township's Public Works Department is responsible for managing and maintaining Rosedale Road North and they advise that they do not have any concerns with the proposal as submitted. In terms of private services, it is noted that there is a significant amount of residential development in the vicinity of this lot. As provided for in Section 2.22.1 (Ground Water Supply and Sewage Disposal), the Land Division Committee may wish to consider a condition that potable water supply be confirmed prior to final approval.

The application was also evaluated as per the Township's Land Division policies (Sec. 5.2) and is considered to comply with locational and design policies outlined therein. While the triangular shaped parcel created through this application is unusual, the lot does exceed the minimum zoning requirements for frontage and area and a future owner will have the opportunity to situate a complying dwelling on the lot.

The severed and retained parcels are zoned Rural and the application creates landholdings that meet the zone provisions in terms of lot size and frontage.

Township of Montague - recommended conditions.

- 1) The balance of any outstanding taxes and fees owing shall be paid to the Township.
- 2) The Applicant shall provide the Township with a registered copy of all reference plans associated with this application. Surveys shall be provided in paper and digital format.
- 3) The Applicant shall confirm that a residential entrance to the severed lands is viable. The Applicant shall consult directly with the Township of Montague in this regard.
- 4) The Applicant shall obtain a Civic Address Number from the Township of Montague for the severed lands. The applicant shall consult directly with the Township in this regard.
- 5) 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 Township Roads Superintendent shall be consulted prior to commencing a survey to determine the amount, if any, of road widening required.
- 6) The Applicant shall meet the Township's requirements regarding the dedication of parkland or cash-in-lieu thereof.

Conservation Authority – RVCA

The RVCA has reviewed the consent application and have no objections.

Septic Office – LHL Health Unit

B20-074 – 1.5 acre of property, currently vacant. Flat ground, dense mixed trees and brush. Dry ground, varying soil depths.

Recommendation – additional sandy loam fill may be required where future septic system is located.

Retained lands – 1 acre of property. Existing dwelling and septic system. Flat dry ground, varying soil depths. Property generally cleared of trees.

Recommendation - No obvious signs of existing sewage system malfunction. Severed land will not negatively affect future replacement of existing septic system.

Hydro One Networks

Hydro One has reviewed the Application of Consent and have no issues with the severance.

Bell Canada R-O-W

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed application.

(c) PUBLIC INPUT

Written submissions were received in response to the notice of application sent to every landowner pursuant to Clause 53(5) (a) of the Planning Act and Section 3(2) of O.Reg. 197/96 as amended, as follows:

Bob and Sara Macfarlane – Oct 13 2020

We would like to make submissions regarding the above mentioned severance application.

We reside at 1915 Rosedale North. We own 20 acres on a Ducks Unlimited project. We built our house 7 years ago and positioned it in a way that would allow for ample privacy. The said lot to be severed is directly in front of our house. If a new home were to be built their backyard would be our front yard. If ever they had issues with their septic, the way the bedrock drops down into our property, our concern is it would affect our property as well as our pond that our kids swim in. It would also decrease our property value that would make it impossible to sell as the front view would be of the neighbour's back of their house.

Natalie and Tom Rainville – Oct 21, 2020

I'm writing this email to you regarding file no: B20/074. We have concerns regarding this severance.

We find that this is an irregular lot size, plus the fact of this little lot is in front of another house. I would find that this would depreciate the land value of all properties surrounding subject land.

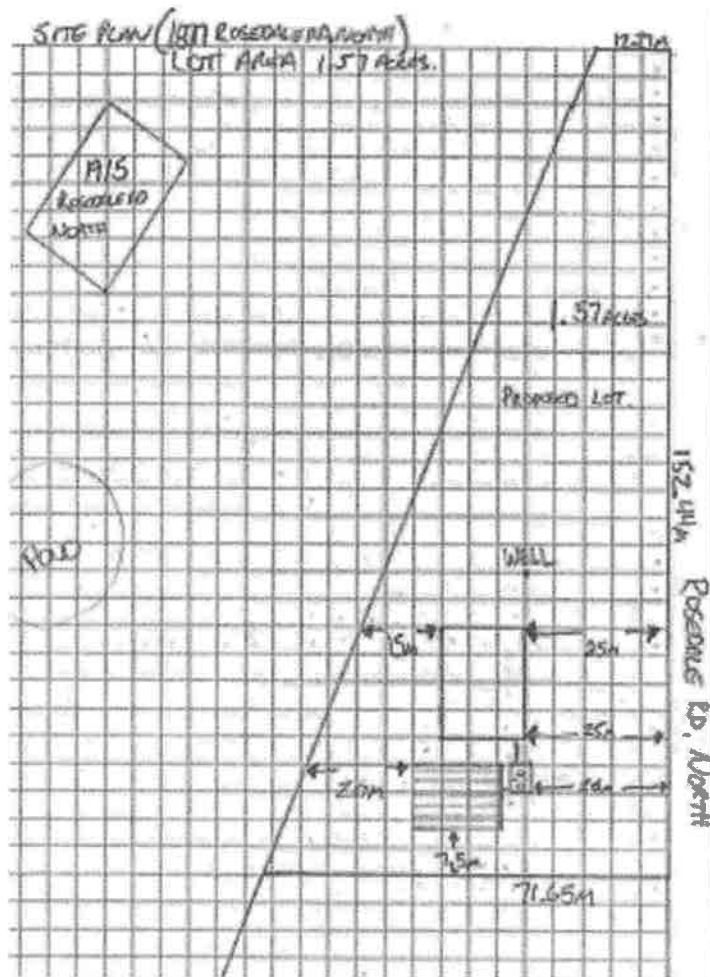
(d) PLANNING REVIEW

Background and Summary

The applicant proposes to create a 0.63-ha residential building lot and retain a 0.4171-ha residential lot with an existing dwelling located at 1877 Rosedale Road North.

A small portion of the original lot was removed by consent application B2010/085 – Lot Addition, to provide access to Lot 19 Con 6.

The property is a triangular in shape, which removes the northerly section of the proposed property from the buildable area due to the 7.5m setback requirement from the front and rear yards. However, some of this area could be used for the leaching bed as the setback are less (5m). The applicant provided a site plan to indicate confirm that there is sufficient are for a building envelope in accordance with the Zoning By-law setback requirements.



The lands are characterized as typical rural residential on varying sizes of lot along Rosedale Road North.

Road Access

The lands are accessed via Rosedale Road North, a municipally maintained road.

Water Supply

The lot is to be serviced by a private well and septic system. Water Well records indicate that well in this location range from 13m to 25m in depth. No issues regarding quantity and quality of potable water have been identified.

Source Water Protection

The lands are not within an area called "Significant Groundwater Re-charge Area'.

Agricultural Operations

A horse stable is located to the east of the proposed lot. The MDS indicates a 98m separation is required. The actual distance is 201m.

Bedrock Inventory – dolostone, sandstone

Endangered Species

With the new Endangered Species Act (ESA 2007) in effect, it is important to understand which species and habitats exist in the area and the implications of legislation. The applicant should contact the MOECP prior to any new development.

Official Plan Policies

1. Lanark County Sustainable Communities Official Plan - Section 8.2.2 Consents.
Lanark County, through an appointed Land Division Committee is the approval authority for the issuance of consents. Lot creation by consent shall be permitted where lot creation by plan of subdivision is deemed to be unnecessary. Consideration of location and development criteria by the approval authority shall be based on local Official Plans. In considering a consent, regard shall also be had to, among other matters, the criteria of Section 51 (24) of the *Planning Act, R.S.O. 1990* with necessary modifications.
2. Local Official Plan – Section 5.2.3 Consent Policies
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 land holding 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.
3. Woodlands
The retained lot has considerable area mapped as 'woodlands', care should be taken in any development proposal to maintain the existing tree cover. The Township of Montague Official Plan contains policies regarding woodlands.

Zoning

The current zoning is rural (RU) which provides for a number of uses, including single family residential. The proposed lot meets the minimum lot area and frontage requirements.

Conclusion

No new or additional infrastructure is required as a result of the proposal. The severed lands meet the minimum requirements of Township's Official Plan which is appropriate in the rural setting. The application can meet the consistent with test of the Provincial Policy Statement.

There were no objections raised by any of the agencies which were circulated regarding this proposal. In light of the foregoing, this office is satisfied that the applicant's proposal maintains the general intent and purpose of the PPS, the County Official Plan and Official Plan for the Township of Montague and could be given favourable consideration.

(e) **OPTIONS FOR COMMITTEE CONSIDERATION**

i) **Approve – with conditions that address the issues identified as a result of the circulation process:**

The following draft conditions have been prepared by the County Planner and are based on the Policy and Regulation Analysis and the responses and recommendations provided by the local municipality and various agencies. Please note that these are "Recommendations Only" and may be amended, changed, deleted or added to by the Land Division Committee as a result of the Public Hearing.

B20/074

1. An acceptable reference plan (survey) or legal description of the severed lands and the deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer of the Land Division Committee for review and consent endorsement **within a period of one year** after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The applicant shall provide the Secretary-Treasurer of the Land Division Committee with a **digital copy** of the deposited reference plan.
3. 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.
4. 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.
5. The applicant shall provide the Township of Montague with a paper copy of all deposited reference plans associated with this application.
6. 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.
7. The applicant shall confirm that a residential entrance to the subject lot is viable. The applicant shall consult directly with the Township of Montague in this regard.
8. The applicant shall obtain a Civic Address Number from the Township of Montague. The applicant shall consult directly with the Township in this regard.
9. Sufficient land for Road Widening purposes shall be deeded to the Township of Montague by registered deed, to meet the municipality's road widening requirements, at no cost to 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

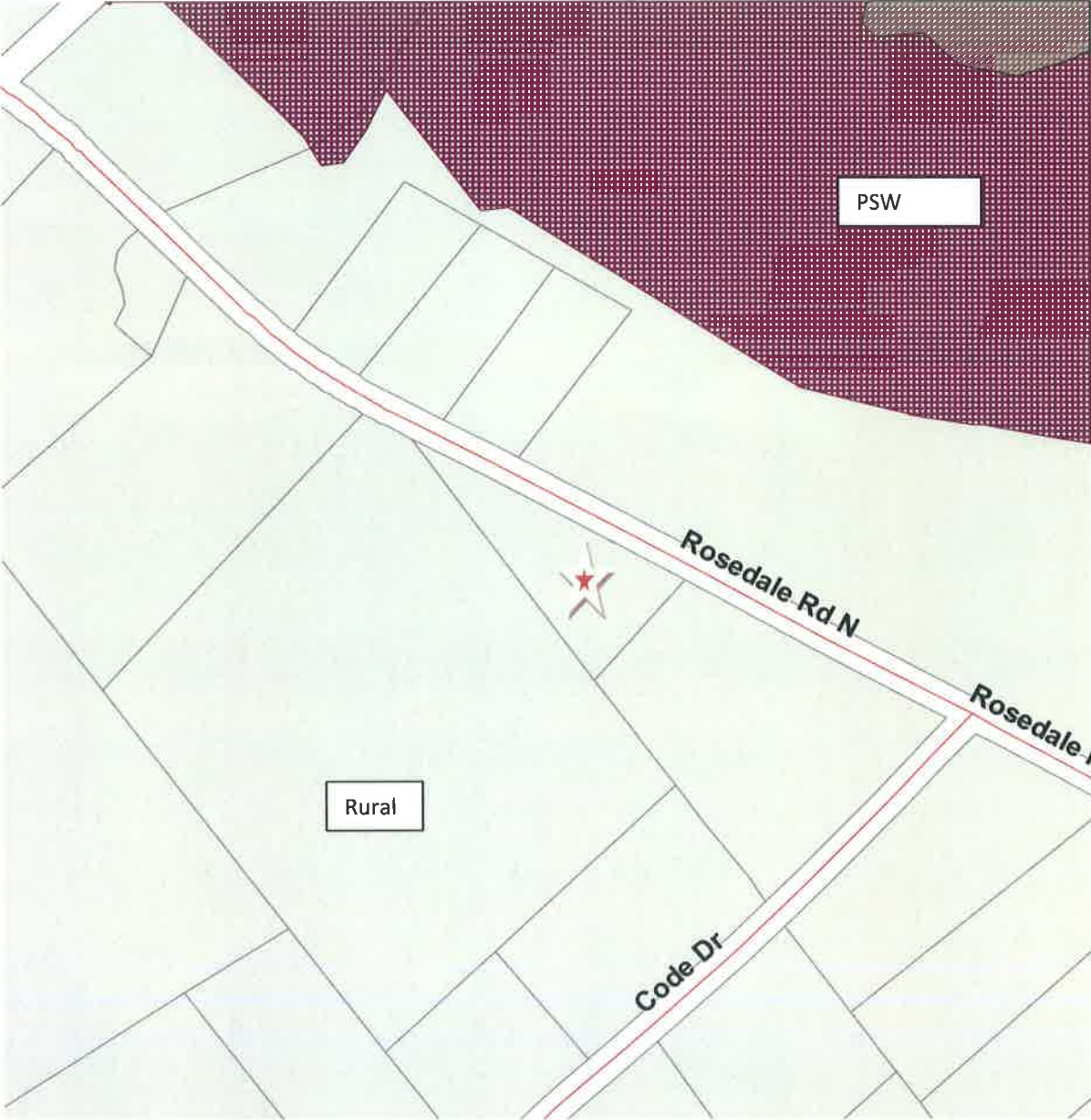
good and marketable title. The Township Roads Superintendent shall be consulted prior to commencing a survey to determine the amount, if any, of road widening required.

10. A letter shall be received from the Township of Montague stating that conditions #3 through #9 have been fulfilled to their satisfaction.

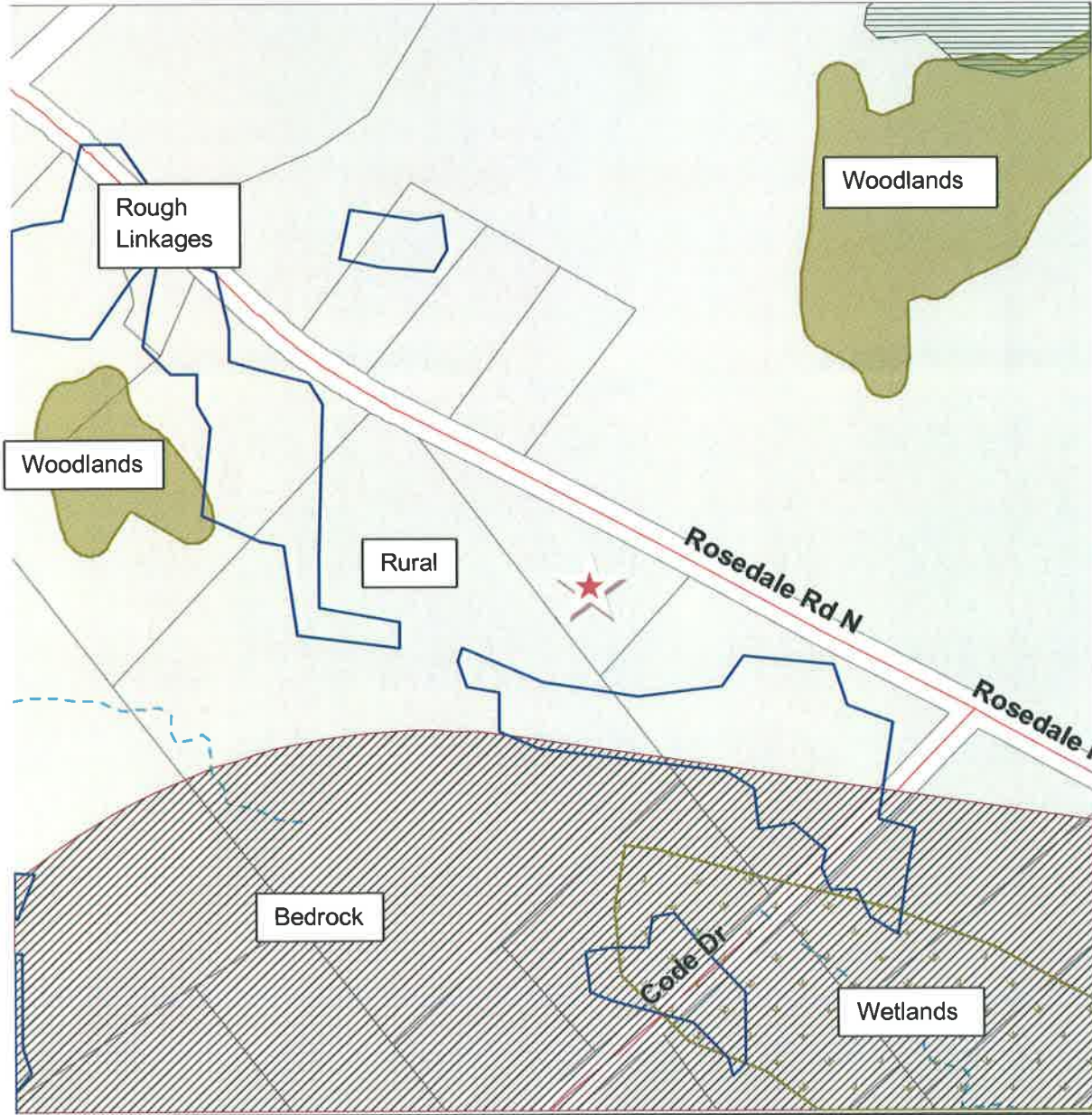
NOTES

1. *The LGL Health Unit advises that additional sandy loam fill may be required in area of future septic system.*
- ii) **Defer - with reasons / matters to be addressed prior to reconsideration and date to which the matters/reasons must be completed.**
- iii) **Refuse – with reasons**

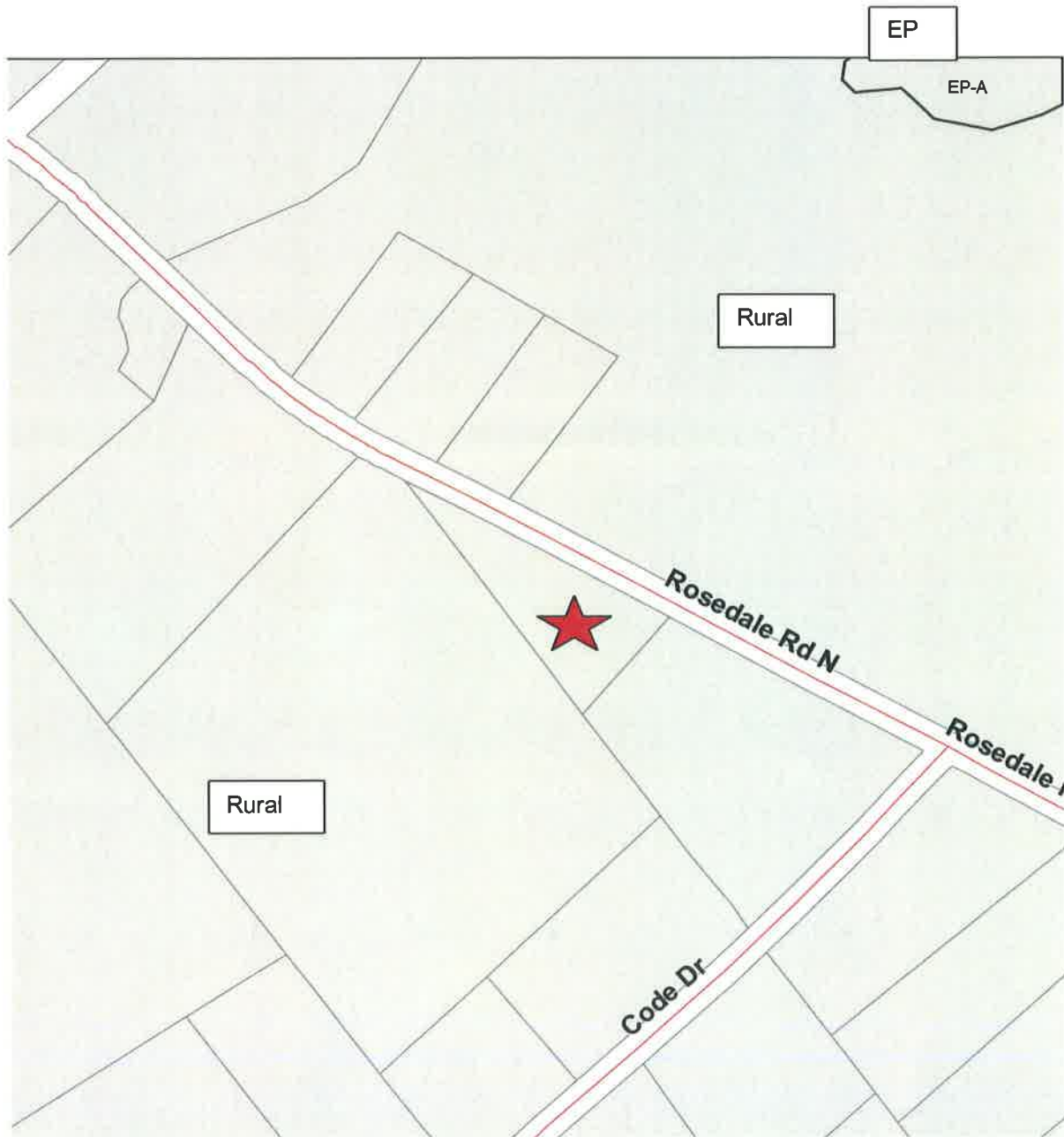
Lanark County Official Plan



Local Municipal Official Plan



Zoning By-law



Drape Imagery



Significant Woodlands Mapping



GIS - Location Map

