



**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

January 16th, 2024

Forbes Symon, Planning Consultant

**Jackson/Murray
Consent Application (Lanark County File No. B23/096)**

1. LOCATION AND DESCRIPTION

The subject property is located at Lot 21 and 22, Concession 11, geographic Township of Dalhousie, now in the Township of Lanark Highlands, municipally known as 1926 Lavant Mill Road. The property is approximately 4 kilometres north of Dalhousie Lake. The property has frontage on the Lavant Mill Road which is an open and maintained forced Township Road. The subject property totals approximately 182 ha (450 ac) in size. The application for consent indicates that the property is currently occupied by a single detached dwelling/camp. (Keymap Appendix "A").

2. PROPOSED CONSENT

The applicant proposes to sever the property roughly in half along the original Township lot lines, separating Lot 21 from Lot 22. The Lavant Mill Road is a forced-opened and maintained Township Road which is currently not in the ownership of the Township. As a result of this application, there will be a condition to have the road surveyed and 10 m on either side of the centre line of the road transferred to the Township's ownership. There will be a small remnant parcel (1.2 ha (3 ac)) created in the northeast corner of the property as a natural severance with the transfer of the forced road into township ownership. The retained parcel will be divided into two parcels as a result of the transfer of the forced road into the Township's ownership. The severance application lot size noted below is minus the transfer of the Township Road and will have the following characteristics:

1. B23/099 – total lot area of 78.37 ha (193.4 ac) and lot frontage of 571 m (1873.4 ft) on the Lavant Mill Road, an open and maintained forced Township Road. The Lot is vacant and is intended to be used as recreation property with the potential to support a residential dwelling.
1. Retained Lot – total lot area of 80.44 ha (198.8 ac) and frontage of 1580 m (5184 ft) of frontage on the Lavant Mill Road, an open and maintained Township Road.

The lot is occupied by a single detached dwelling/camp and is used for recreation purposes.

The subject property is characterized as consisting of mixed bush and rough rural lands, with pockets of unevaluated wetlands throughout. Other lands in the area are similar. There are small pockets of mineral aggregate reserved located along the Lavant Mill Road portion of the retained parcel. There does not appear to have been previous severances from the subject lands.

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 that provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. As per Section 3(5) (a) of the Planning Act, R.S.O. 1990, all planning decisions must be consistent with the PPS. A review of applicable policies must be undertaken, and the application evaluated under the “consistent with” test.

The subject property is located in a Rural Area within the meaning of the PPS.

1.1.5.2 On Rural lands permitted uses include resource management, resource-based recreation uses, residential development, including lot creation that is locally appropriate, agricultural uses, home occupations and other rural land uses.

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

1.1.5.4 Development shall be appropriate to the infrastructure which is planned or available and avoid the need for unjustified and/or uneconomical expansion of this infrastructure.

2.1.1 Natural features and areas shall be protected for the long term.

2.5.2.4 Mineral Aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use.

The lot to be severed is to be developed on private services. The recreational and potential residential use of the lands is permitted in a Rural area. No additional infrastructure is needed to support this development. As a result of the application, the lots to be severed and the retained lands will remain compatible with the rural landscape and can be sustained by rural service levels. Given the size and nature of the use of the properties, there are sufficient lands to locate future development outside of the influence areas/setbacks of the unevaluated wetlands and mineral aggregate reserve deposits. The severed and retained parcels will have frontage on a forced

township-maintained road which will have ownership transferred to the Township through this consent application.

3.2 Official Plan

Schedule 'A' of the Official Plan designates the subject lands as "Rural Communities".

3.3.1.3 To maintain and protect the landscape and identity of the Rural Communities, it will be important to avoid inefficient land use patterns such as strip or scattered development, to minimize incompatibility between land uses and to minimize adverse environmental impacts.

The surrounding lands consist of bush, rough rural lands, scattered unevaluated wetlands and small mineral aggregate deposits. The development constitutes the reestablishment of original township lots and does not result in strip development. The severed and retained lots would remain compatible with surrounding land uses and do not appear to present any adverse environmental impacts. There are sufficient lands to ensure future development maintains the setbacks from the wetlands and aggregate deposits.

3.3.3.3 Up to three (3) consents, excluding the retained lot, may be granted for a lot or land holding existing as of April 1, 2003.

According to our records, there has been no severance since 2003 on the property and therefore the proposed severance conforms with the Official Plan.

3.3.6.2 A hydro-geology study shall be required in support of a lot creation application by consent or plan of subdivision where the proposed lot(s) is/are less than 0.8 hectares (1.9 acres), where related applications would create more than 1 new lot, where the new lot would be adjacent to an existing lot or within 50 metres (164 feet) of an existing lot.

A hydro-geological study is not required based on the size and location of the severed parcel.

Application for consent must be evaluated with the policy directives of Section 8.4.2, which provides direction for the division of lands within the Township. The proposed severed and retained lots will conform to the criteria listed in section 8.4.2 provided that the recommended conditions of consent are approved.

3.3 Zoning By-law

Under the Township's Comprehensive Zoning By-law No. 2003-451, the subject property is currently zoned "Rural (RU)" with small pockets of "Mineral Aggregate Resource Reserve – Holding (MAR-h)". Both the lands to be severed parcel and retained will comply with the minimum lot frontage of 60.0 m (196.8 ft) and the minimum

lot area of 1.0 ha (2.47 ac) set out in the RU zone. Sufficient lands exist to ensure future development maintains the 150 m setback from the MAR-h lands.

The proposed severance is deemed to comply with the Township's Zoning By-law.

4. COMMENTS

There were no comments or concerns received at the time of the writing of this report. The Fire Chief had no concerns with the proposed severed lot. The Manager of Public Works has requested the standard entrance, civic address and road widening conditions be applied. As part of the road widening condition, there will be a requirement for Lavant Mill Road (forced road) to be transferred into the Township's ownership, consisting of a 20 m wide road allowance (10 m on either side of the centre line of the road).

5. CONCLUSIONS

Based on the foregoing, it is concluded that the proposed consents are consistent with the PPS and conform to the Township's Official Plan and Zoning By-Law, provided that the recommended conditions of consent are approved.

Attachments:

Appendix 'A': Key Map

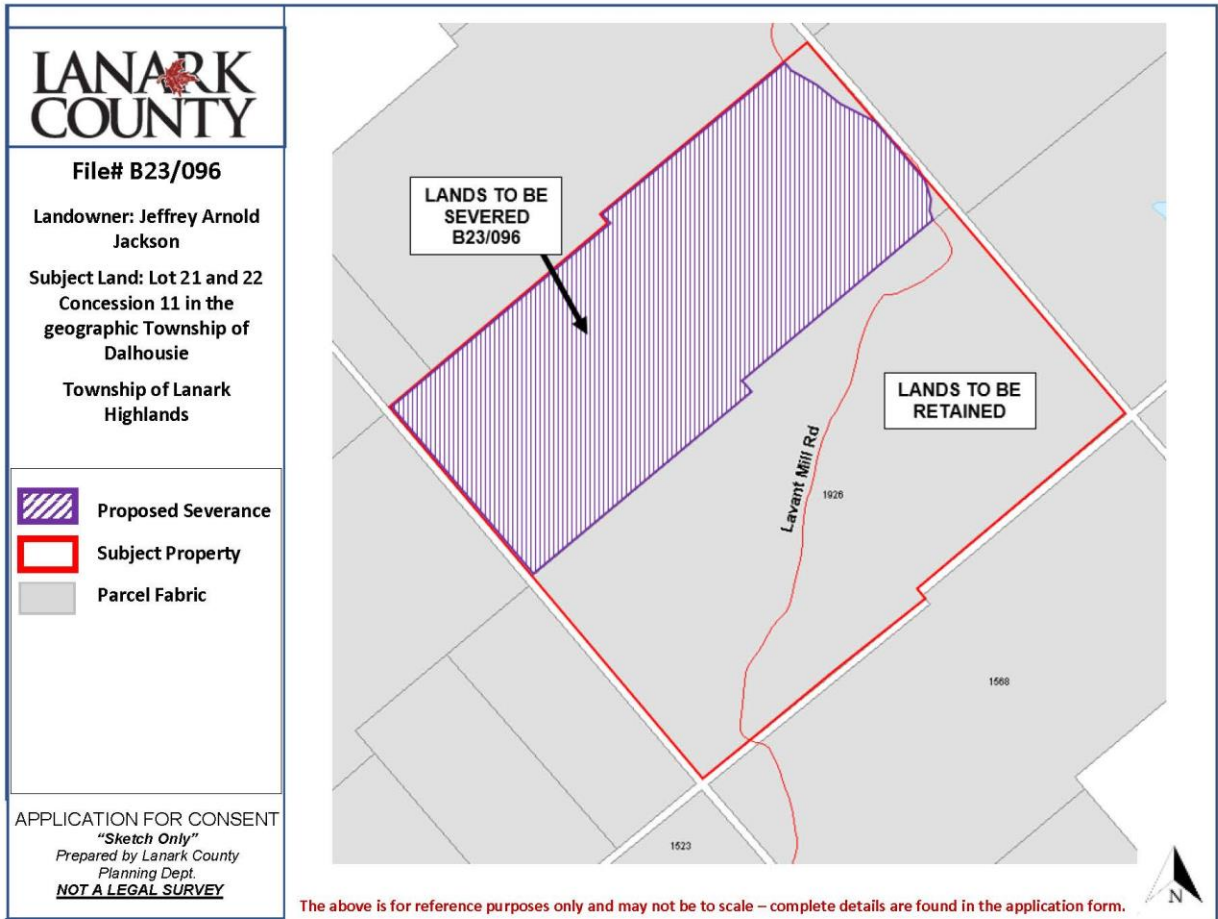
Appendix 'B': Official Plan Schedule

Appendix 'C': Zoning Schedule

Appendix 'D': Conditions of Consent

Appendix A

Key Map



Appendix B

Official Plan Schedule A



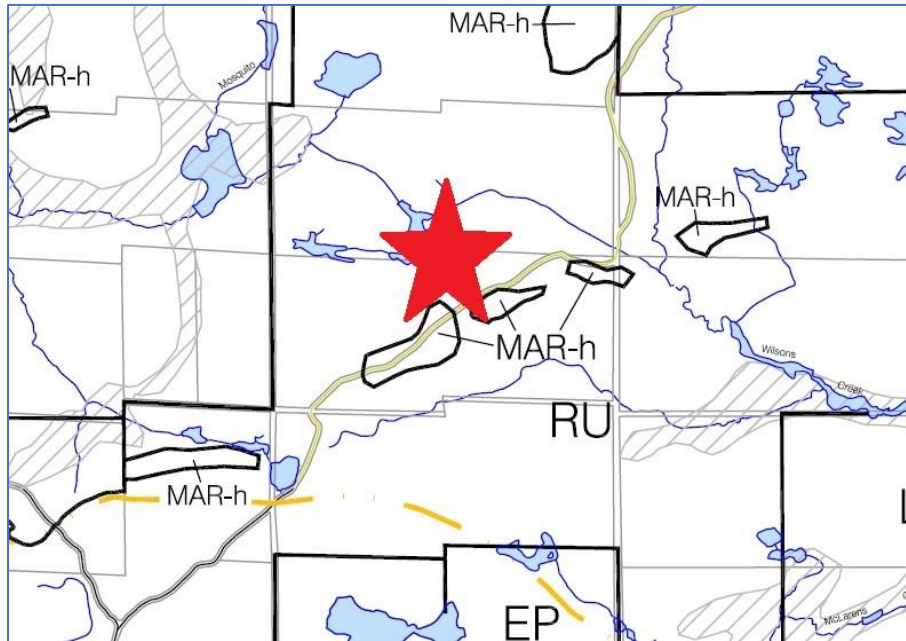
★ Subject Land – Rural Communities designation

Appendix B
Official Plan Schedule B



★ Subject Land

Appendix C Zoning Schedule



Subject Land: Rural & MAR-h

Appendix D
Conditions of Consent (B23-096)

1. *That the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.*
2. *That the applicant provides a digital and paper copy of an acceptable draft reference plan or legal description of the severed lands and the draft deed or Instrument conveying the severed land to the Township for review.*
3. *The applicant shall provide the Township with a digital and paper copy of all deposited reference plans associated with this application.*
4. *Payment shall be made to the Township of \$450 for the severed lot, 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.*
5. *That the applicant shall obtain a Civic Address Number from the Township of Lanark Highlands for the severed lot and provide any traffic signs deemed necessary by the Township. The applicant shall consult directly with the Township in this regard.*
6. *That the applicant shall confirm that residential entrance to the severed lot is viable and obtain any necessary entrance permits and install any necessary safety signage from the Township.*
7. *That sufficient land be deeded to the Township of Lanark Highlands along the frontage of the severed and/or retained lots to meet the municipality's road widening requirements, at no cost to the Township (10 m from the centreline of road). 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 that the municipality has a good and marketable title. The Township's Public Works Manager should be consulted prior to commencing a survey to determine the amount of road widening required. It is understood that Lavant Mill Road is a forced road and that a 20 m road allowance will need to be transferred into the Township's ownership.*