



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

October 27, 2024

Forbes Symon, Planning Consultant

Pokrywa

Consent Application (Lanark County File No. B24/083, B24/84, B24/085)

1. LOCATION AND DESCRIPTION

The subject property is located at East Part Lot 3, Concession 9, geographic Township of Lavant, now in the Township of Lanark Highlands, locally known as 3137 Lavant Mill Road. The property is approximately 0.6 km south of Robertson Lake and 21.5 kilometres northwest of the Village of Lanark. The property has frontage on Lavant Mill Road and Airport Road, both being open and maintained Township Roads. The subject property totals approximately 11.1 ha (27.6 ac) in size and is currently occupied by a single detached dwelling on private services, together with a garage and various outbuildings (**Keymap Appendix “A”**).

2. PROPOSED CONSENT

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

1. B24/083 – total lot area of 1.0 ha (2.47 ac) and lot frontage of 170 m (557.7 ft) on Airport Road, an open and maintained township road. The lot is intended to be a residential building lot.
2. B24/084 – total lot area of 1.0 ha (2.47 ac) and lot frontage of 170 m (557.7 ft) on Airport Road, an open and maintained township road. The lot is intended to be a residential building lot.
3. B24/085 – total lot area of 1.01 ha (2.49 ac) and lot frontage of 247 m (810 ft) on Airport Road, an open and maintained township road. The lot is intended to be a residential building lot.
4. Retained Lot – total lot area of 8.86 ha (21.8 ac) and 176 m (577.4 ft) of frontage on Lavant Mill Road and Airport Road, both being open and maintained

Township Roads. The lot is occupied by a single detached dwelling and outbuildings on private services that are to remain.

The subject property is characterized as consisting of mixed bush and various portions of cleared land. The lands do not appear to be impacted by any significant natural heritage features on either the retained lands or lands proposed for severance. In terms of natural hazards, an Abandoned Mine Hazard Site (AMIS) was identified on the adjacent property locally known as 3249 Lavant Mill Road, which is located just north of the subject site on the other side of Airport Road. Given that the proposed new lots would be within one (1) kilometre of this site, the applicants are required to consult with the Ministry of MINES to confirm the extent of the mine hazard and the potential impact that it may have on the future residential development of the proposed lots.

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.

The lots to be severed are to be developed on private services. The 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. There are no natural features impacting the proposed severed lots. All

lands will have frontage on the Township maintained road and will be developed on private services.

3.2 Lanark Highlands Official Plan (2024)

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

3.3.1.3 In order 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 mixed rural lands with scattered rural residential uses. The development does not constitute strip development. The severed and retained lots would remain compatible with surrounding land uses and do not appear to present any adverse environmental impacts.

4.1.7.1 There are 27 Abandoned Mine (AMIS) sites within the Township boundary and the 1 km buffer zone of an additional 6 AMIS sites extends to within the Township boundary as identified on Schedule B, Development Constraints. Any development proposed within one (1) kilometre of these sites requires consultation with the Ministry of Mines prior to any further review of development by the planning authority.

As noted, an AMIS has been identified on the property locally known as 3249 Lavant Mill Road, which is approximately 300 metres northwest of the proposed severed lots. In accordance with the above policy, confirmation from the Ministry of MINES will be required as a condition of consent.

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 have been no severances since 2003 on the property and therefore the proposed severances conform with the Official Plan.

3.3.6.2 A Hydrogeological and Terrain assessment shall be required through the consent process when any one of the following apply:

- 1. The development involves the creation of a lot less than 1 ha in size;*
- 2. The development is taking place in an area of potential or know hydrologic sensitivity or groundwater contamination;*
- 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 2 hectares. 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 2 hectares, a hydrogeological*

assessment will not be required unless triggered by other criteria of this Section.

- 4. That development is located within 150 m of seven (7) other existing developments serviced with private well and septic.*

The requirements or scoped requirements of hydrogeological and terrain assessments will be determined in discussions with the peer reviewer of hydrogeological assessments for the Township and will ensure a minimum standard review to address adequacy for wells and appropriate construction methods.

A hydro-geological study is required based on the fact that the development involves the creation of more than one lot and that each proposed lot is less than 2 ha in size. In order to achieve compliance with this policy, the applicant is provided with the following options:

1. Increase the lot area of at least one (1) of the proposed lots to be greater than or equal to 2 ha in size, or;
2. Leave the size of the proposed lots as-is and complete a Hydrogeological study to the satisfaction of the Township's Planning Consultant, in accordance with Section 3.3.6 and 8.4.5 of the Official Plan. Should this option be decided, the Hydrogeological study shall be required as a condition of consent.

Applications for consent must be evaluated with the policy directives of Section 8.4.2, which provides directions 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)". The lands to be severed and the retained parcel 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.

4. COMMENTS

As of the time of writing this report, one comment was received from the Township's Fire Department stating that adequate turnaround facilities at the end of the Airport Road will be required, and that the minimum diameter of the turnaround shall be 18 metres.

Should any further comments be received, they will be presented to Council prior to or at the public meeting.

5. CONCLUSIONS

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

Attachments:

Appendix 'A': Key Map

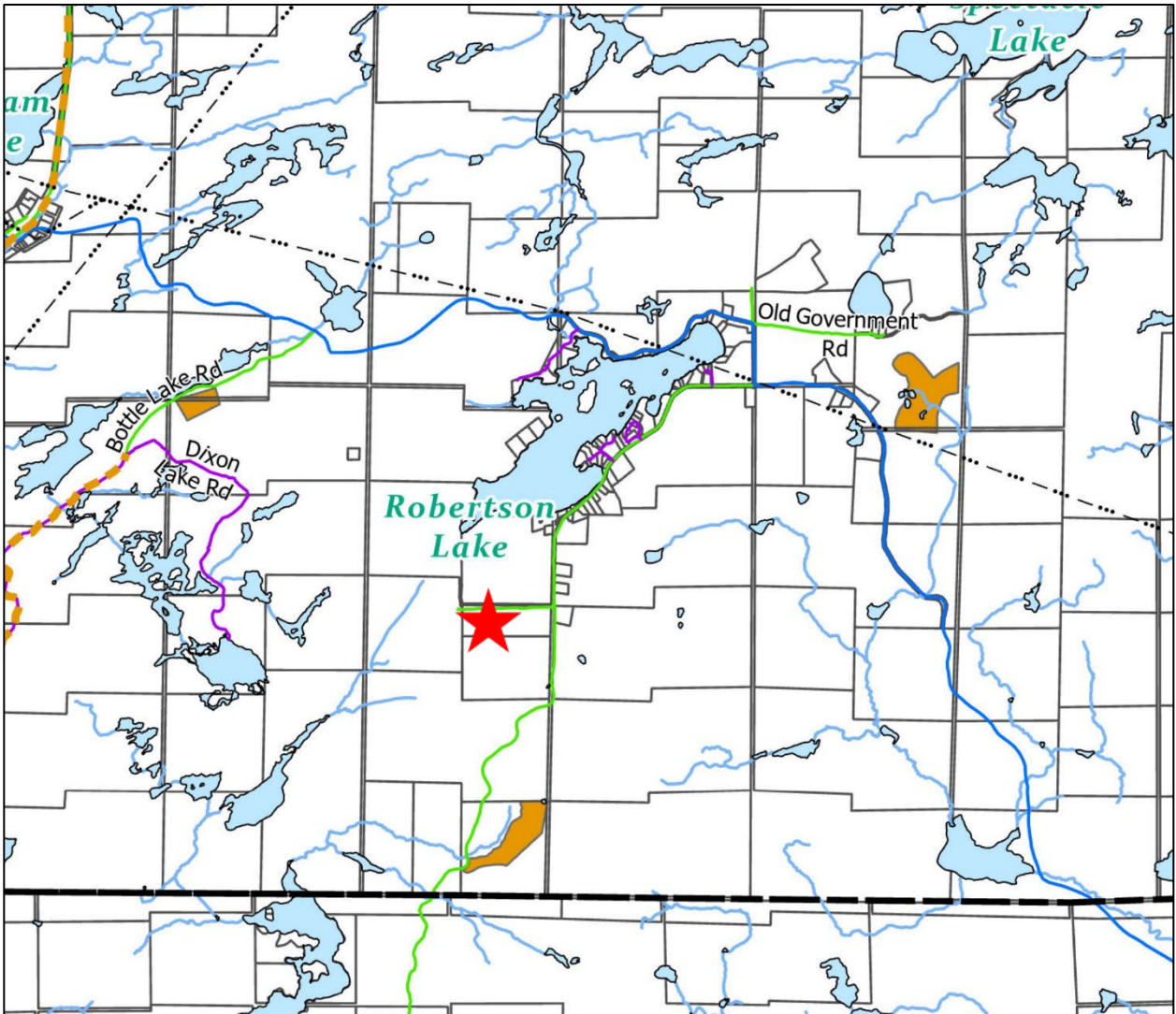
Appendix 'B': Official Plan Schedule

Appendix 'C': Zoning Schedule; Appendix 'D': Conditions of Consent

Appendix A
Key Map



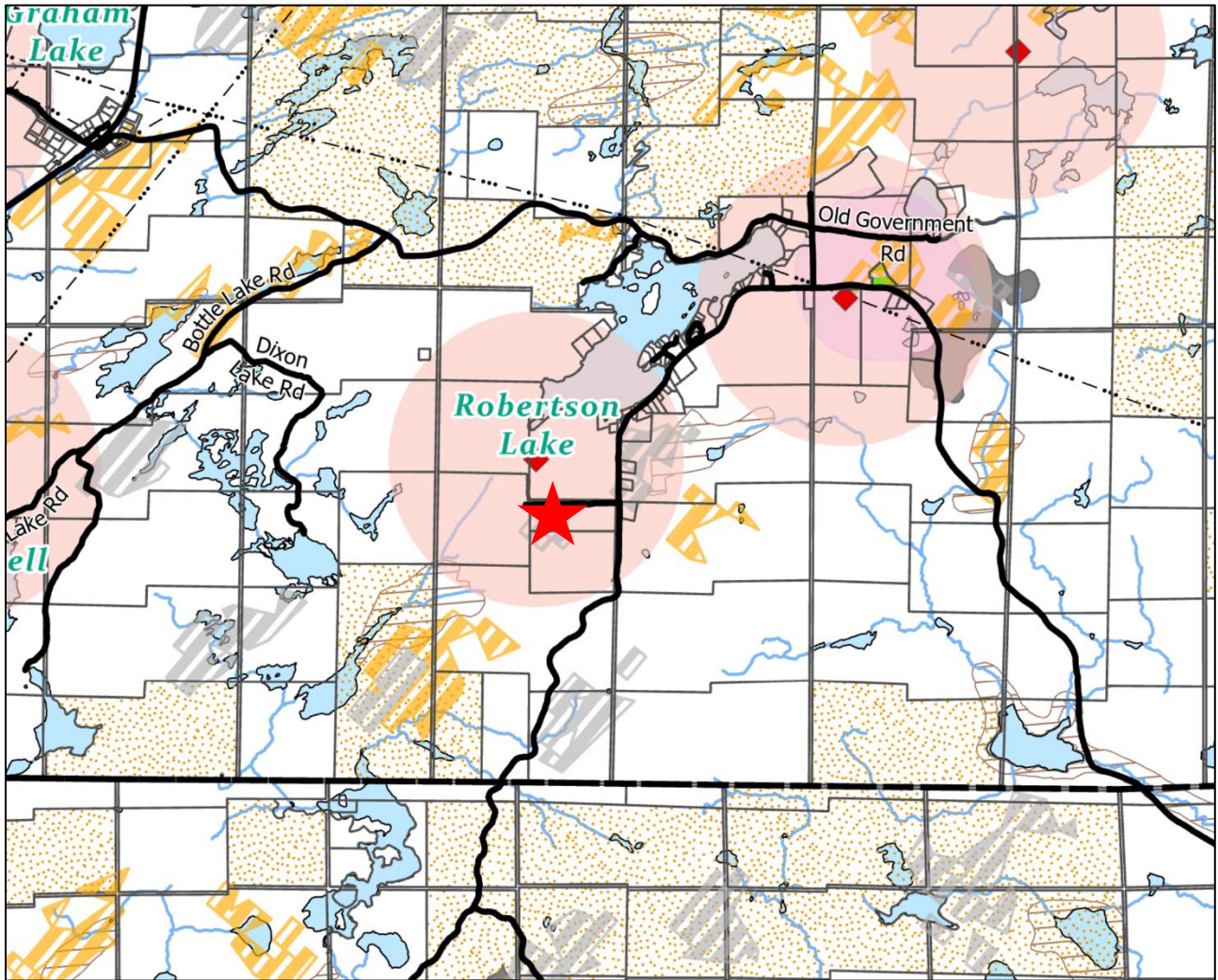
Appendix B
Official Plan Schedule A




Subject Land – Rural Communities designation

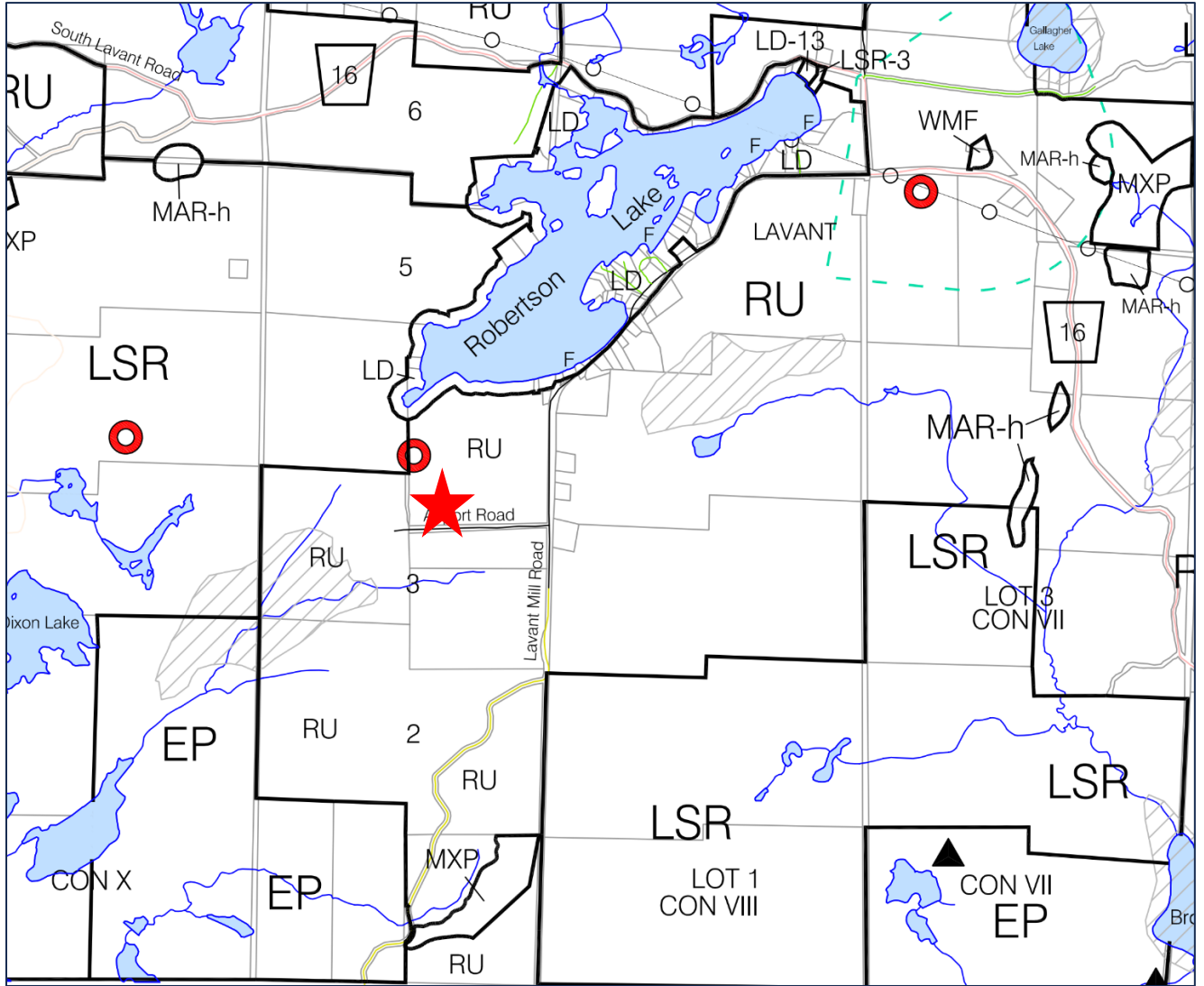


Appendix B
Official Plan Schedule



 Subject Land

Appendix C Zoning Schedule



Subject Land: Rural (RU) Zone

Appendix D
Conditions of Consent (B24/083, B24/084, B24/085)

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 per 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 each 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 each severed lot is viable and obtain any necessary entrance permits and install any necessary safety signage from the Township.*
7. *If required, sufficient lands be deeded to the Township of Lanark Highlands along the frontage of the severed lot 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 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.*
8. *That the applicant shall provide to the Township of Lanark Highlands adequate turnaround facilities at the end of the Airport Road. The minimum diameter of the turnaround shall be 18 metres. The applicant shall consult directly with the Township's Fire Department prior to commencing a survey in this regard.*
9. *Confirmation from the Ministry of MINES that they are satisfied with the location of the proposed lots in proximity to the identified mining hazard, and further, that any necessary information or requirements been submitted and received to their satisfaction.*

10. *That the applicant shall provide the Township of Lanark Highlands one of the following:*
 1. *An amendment to the subject application that demonstrates at least one (1) of the proposed lots to be greater than or equal to 2 ha in size, or;*
 2. *Complete a Hydrogeological study to the satisfaction of the Township of Lanark Highlands, in accordance with Section 3.3.6 and 8.4.5 of the Official Plan. The applicant shall consult directly with the Township's Planning Consultant in this regard.*