



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

February 8, 2023

Forbes Symon, Senior Planner

**Barcena
Consent Application (Lanark County File No. B22/153)**

1. LOCATION AND DESCRIPTION

The subject property is located in Part of Lot 22 and 23, Concession 3, geographic Township of Darling, now in the Township of Lanark Highlands. The property is approximately 1.8 kilometres south of the Lanark Highlands/Greater Madawaska Township Line. The property has frontage on Highway 511, which is an open and maintained County Road. The subject property totals approximately 74.42 ha (183.9ac) in size and is vacant (See the keymap in Appendix "A").

2. PROPOSED CONSENT

The applicant proposes to sever one (1) new lot from the subject property with the following characteristics:

1. B22/153 – total lot area of 27.5 ha (68 ac) and lot frontage of 372.8 m (1223 ft) on Highway 511, a County maintained road. The Lot is occupied by an existing detached dwelling and outbuildings. No new development is proposed.
2. Retained Lot – total lot area of 47.2 ha (116 ac) and 78.7 m (258 ft) of frontage on Highway 511, a County maintained road. The lot is vacant with plans to build a residential dwelling on the property in the future.

The subject property is characterized as being rough rural land with extensive tree cover. The surrounding land uses include scattered rural residential uses and licensed aggregate operation 320 m (1049ft) to the southwest of the existing dwelling.

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.

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

1.1.5.4 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 developed on private services. The retained will be developed with a dwelling and sufficient area exists on the property to meet the required setbacks from aggregate operations and natural heritage features. There is an unevaluated wetland on the severed parcel which will not be impacted by the proposed severance as no new development is proposed on the severed lot.

The residential use of the lands is permitted in a Rural area. As a result of the application, the lot to be severed and the retained lands will remain compatible with the rural landscape and can be sustained by rural service levels. All lands will have frontage on the County maintained road and will be developed on private services.

3.2 Official Plan

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 rough rural woodland and some with scattered residential development. 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.

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 from the landholding since April 1, 2003, and therefore the proposed severance is in conformity 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 hectare (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 given the size and location of the proposed lots.

Although portions of the severed and retained parcels are located within 300 m of an existing licensed aggregate operation, the existing development on the severed lot is outside of the 300 m influence area and sufficient lands existing on the retained to locate the future dwelling outside of the 300 m influence area.

The subject property is also within the 1 km influence area of several former mining sites. Section 4.1.7 states that development in such areas requires consultation with the Ministry of Mines. This consultation will be established as a condition of consent.

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). The RU zone establishes a minimum lot area of 1 ha (2.47 ac) and a minimum lot frontage of 60 m (197 ft). The Rural Zone permits several uses, including single detached dwellings.

The proposed severed and retained lots will comply with the zoning provisions of the Rural (RU) zone.

4. COMMENTS

There were no comments or concerns received at the time of the writing of this report.

5. CONCLUSIONS

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

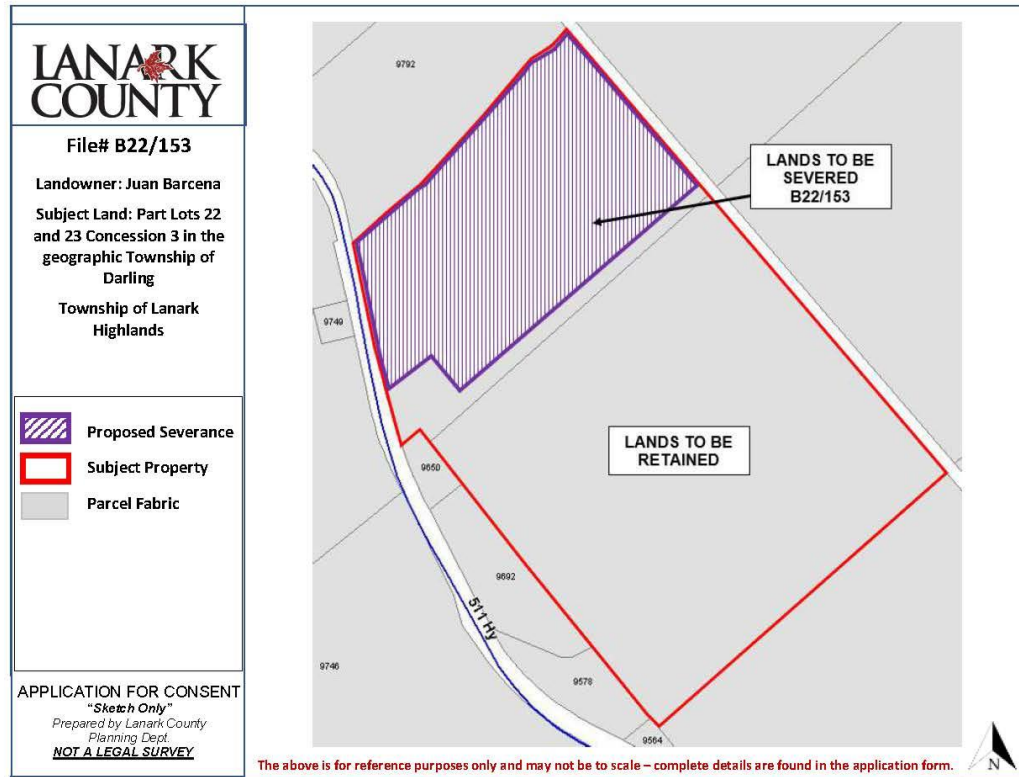
Attachments:

Appendix 'A': Key Map

Appendix 'B': Official Plan Schedule
Appendix 'C': Zoning Schedule
Appendix 'D': Conditions of Consent

Appendix A

Key Map



Barcena Severance Sketch

9754 HWY. 511

Pt. Lot 22 & 23, Concession 3

Geographic Township of

Darling

Township of Lanark Highlands

COUNTY OF LANARK

Key Map

N.T.S.



Legend



Subject Lands



Non-Evaluated Wetlands



Watercourse



Previous Severance



300m Influence Area to
MXP or MAR Zone



MDS Setback



Well

Notes

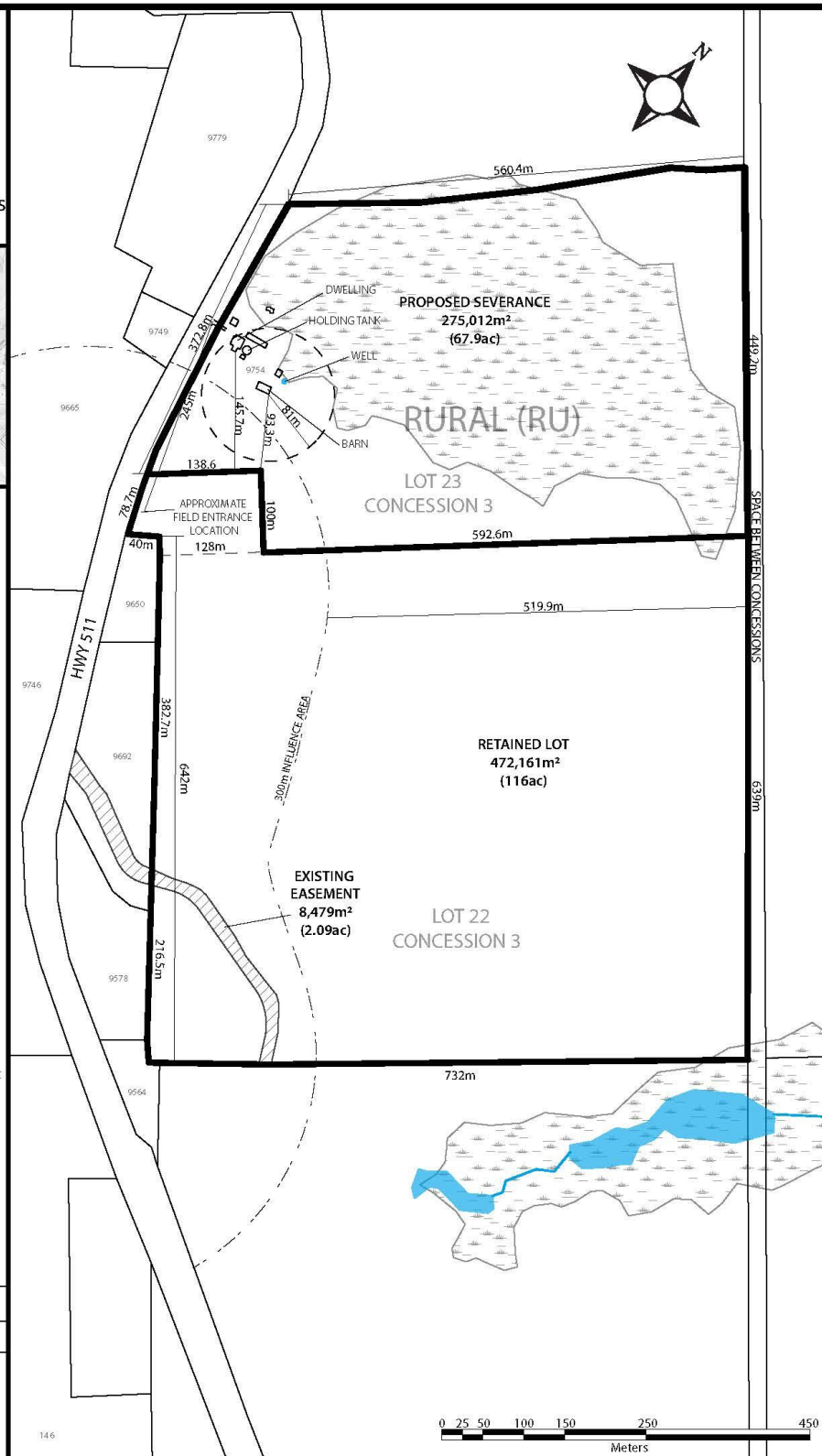
1. Locations for the Wetlands and watercourses derived from Online GIS mapping. Their locations on the sketch are approximate.
2. Boundary and dimensions for the subject property falling in Lot 22 & 23 Concession 3 derived from GIS mapping and are approximate.
3. Approved field entrance permit is determined at 245m South of pin 9754 and 61m North of pin 9650.
4. Dimensions and location of existing easement derived from Plan 26R-1668 by A G Boucher Head, Surveys & Plans on March 1983 and Plan 26R-3127 by Sury, Rowe & Kasprzak Limited on April 1991.
5. Influence Areas are approximate based off of GIS Mapping and derived from the Lanark Highlands Zoning By-Law Schedule.

Version Date: October 17, 2022

File No. 22-104

Drawn By: TG

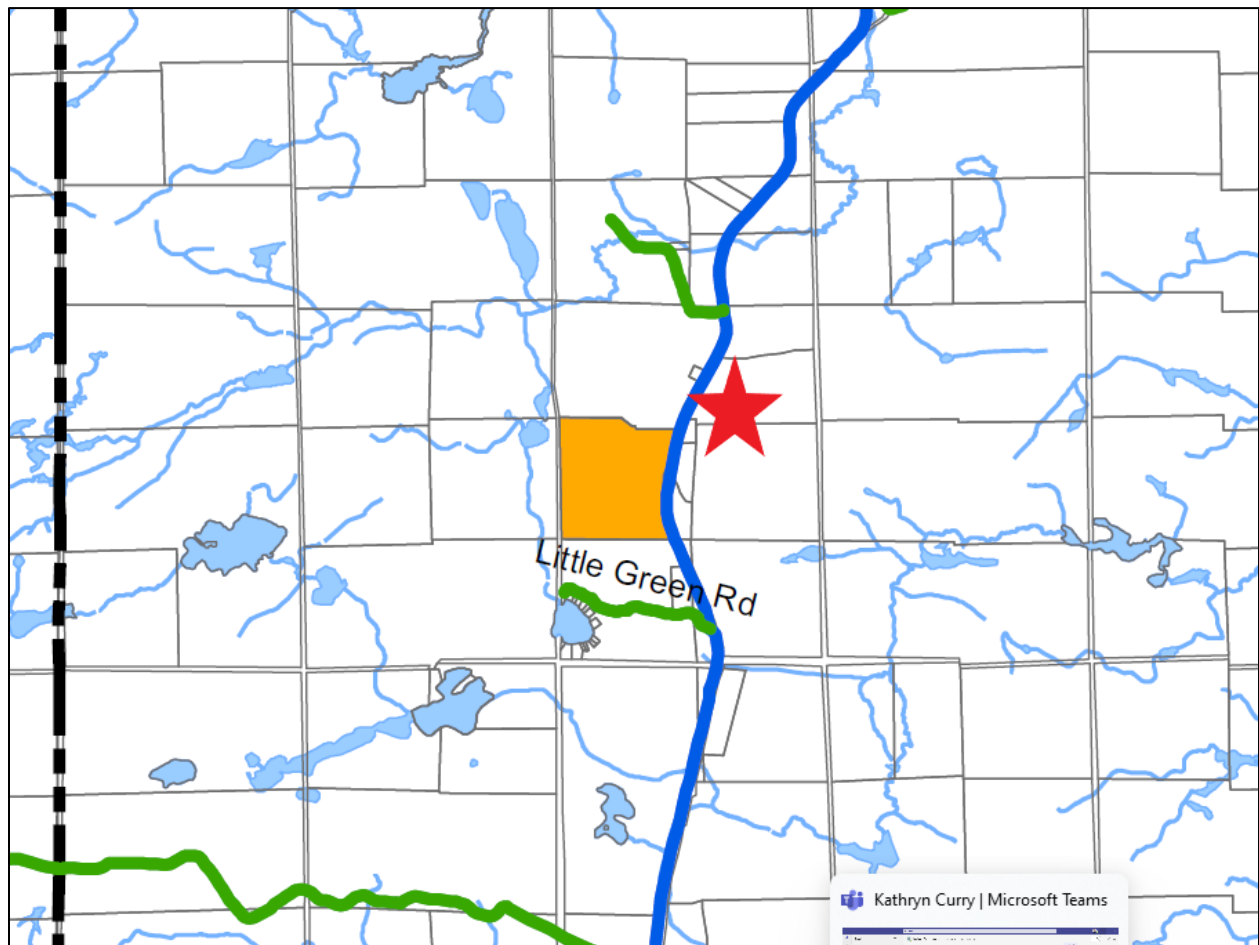
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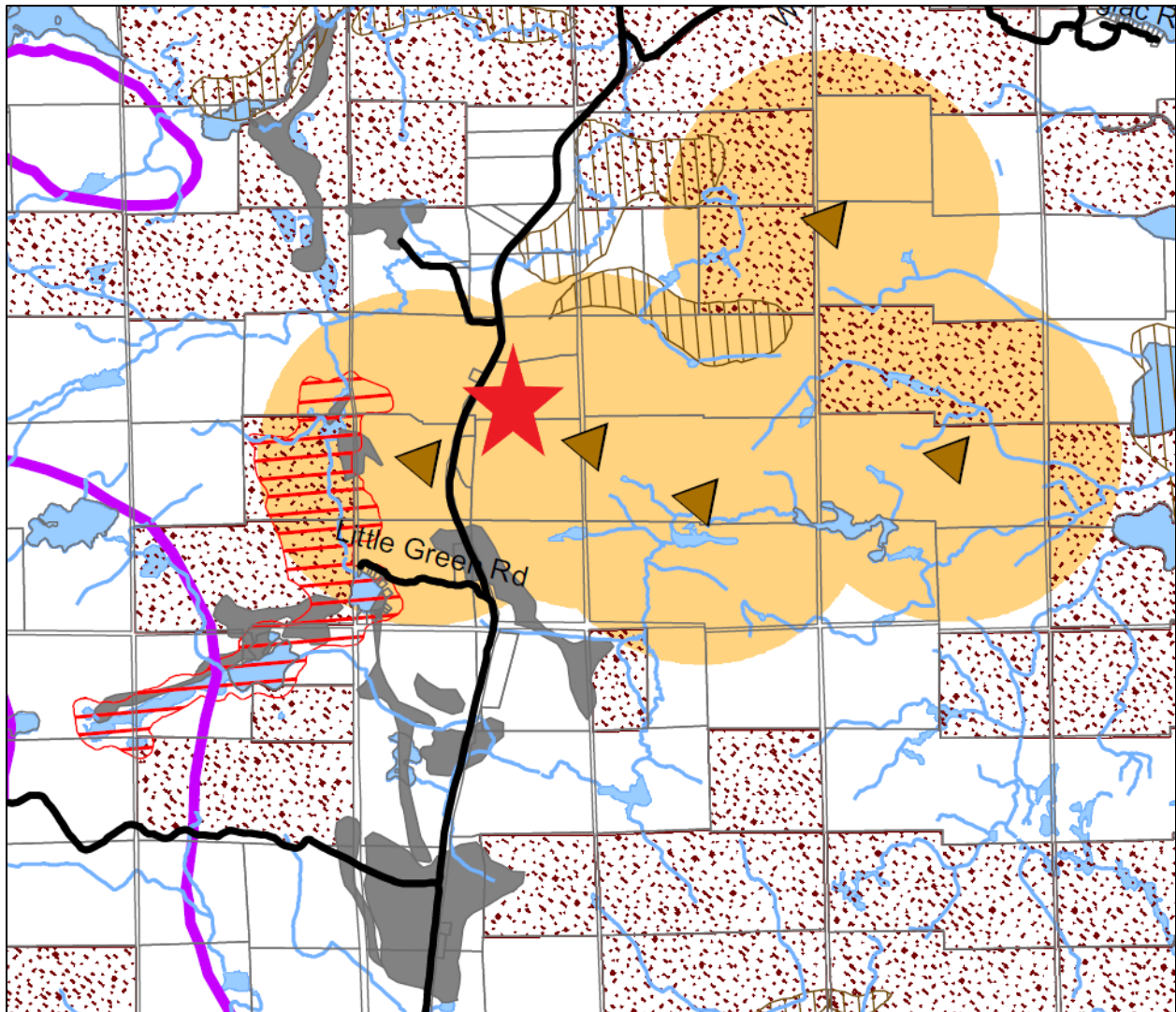
Appendix B

Official Plan Schedule A



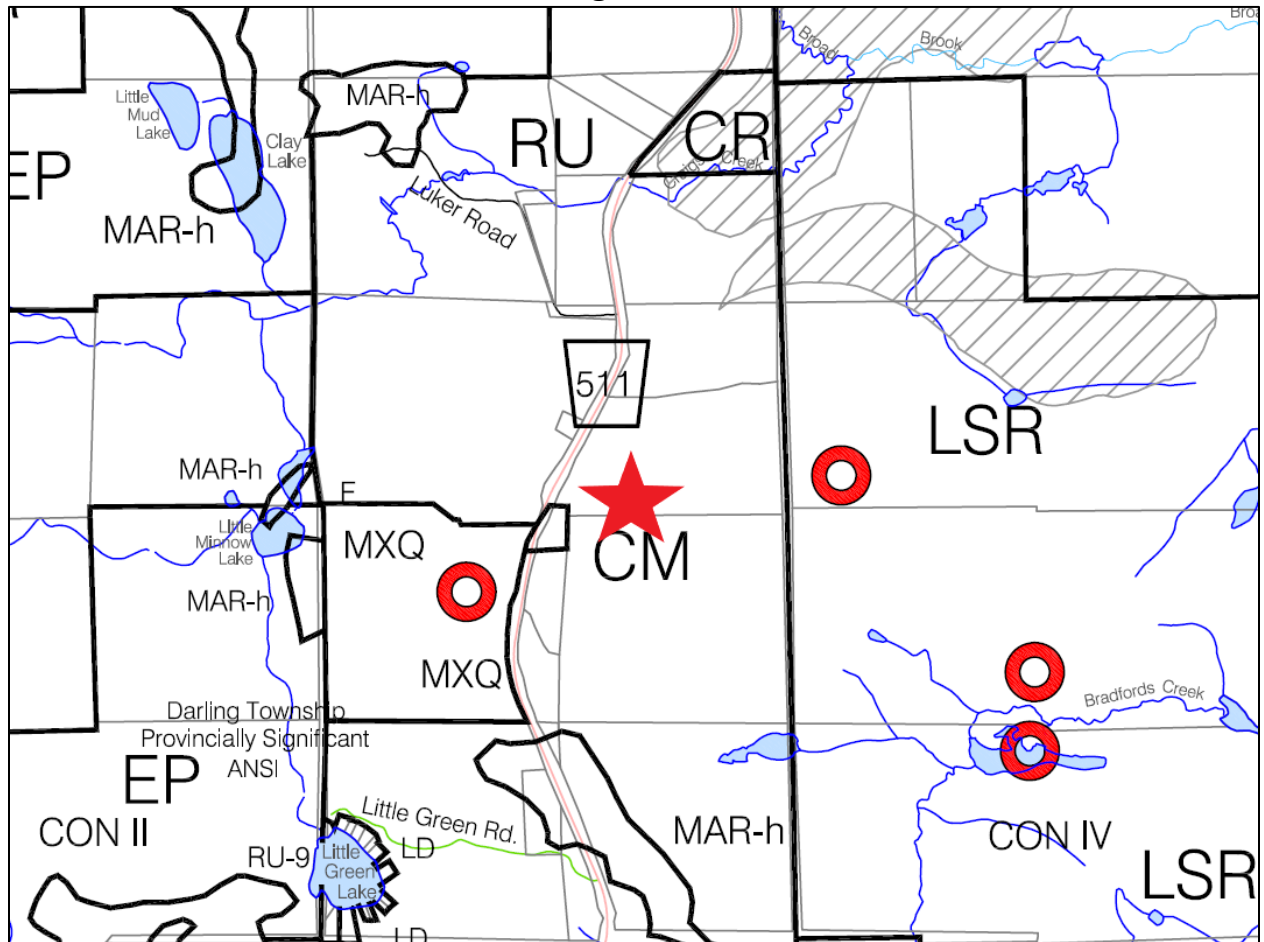
★ Subject Land – Rural Communities designation

Appendix B
Official Plan Schedule B



★ Subject Land

Appendix C Zoning Schedule



★ Subject Land: Rural

Appendix D

Conditions of Consent

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 provide 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 \$200, 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 pay the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) to the Township..*
6. *That the applicant shall obtain a Civic Address Number from the Township of Lanark Highlands for the retained lot. The applicant shall consult directly with the Township in this regard.*
7. *That the applicant shall confirm that residential entrance to the severed lot is viable and obtain any necessary entrance permits from the County.*
8. *If required, that the applicant enter into a Development Agreement with the Township of Lanark Highlands, that will be registered on title, to ensure the orderly development of the land.*
9. *That the applicant obtain confirmation from the Ministry of Mines that the retained lot is not impacted by the surrounding mining hazard and if needed, demonstrate that there is an appropriate building envelope outside of any identified mining hazard.*