



**Township of Southgate  
Committee of Adjustment**

**Revised Agenda**

**September 23, 2020**

**9:00 AM**

**Electronic Participation**

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	<b>Pages</b>
<b>1. Electronic Access Information</b>	
If you wish to listen to the Committee of Adjustment Hearing electronically please wait until the start time of the meeting, then dial in with your phone using the following information: Phone Number: <b>1 (647) 497-9373</b> Access Code: <b>442 - 563 - 645 #</b>	
<b>2. Call to Order</b>	
<b>3. Confirmation of Agenda</b>	
<b>Be it resolved that the Committee confirm the agenda as amended.</b>	
<b>4. Declaration of Pecuniary Interest</b>	
<b>5. Adoption of Minutes</b>	<b>7 - 17</b>
<b>Be it resolved that the Committee approve the minutes from the August 26, 2020 Committee of Adjustment meeting as presented.</b>	
<b>6. Reports of Municipal Officers</b>	
<b>6.1 Planner Clinton Stredwick</b>	
<b>6.1.1 Validation Certificate Request - Rawn Family Farm</b>	<b>18 - 25</b>
<b>Be it resolved that the Committee of Adjustment receive Staff Report PL2020-063 for information; and That the Validation certificate request be approved by the Committee of Adjustment as presented in lawyer Gil Deverell's letter representing the Rawn family to resolve this land titles matter.</b>	

## **7. Hearing**

### **7.1 A2-20 - William Martin (Wil-Mar Inc.), Con 11 S PT LOT 23, Geographic Township of Proton**

- |              |   |                |
|--------------|---|----------------|
| <b>7.1.1</b> | <b>Application and Notice of Public Hearing</b>       | <b>26 - 35</b> |
| <b>7.1.2</b> | <b>Comments Received from Agencies and the Public</b> | <b>36 - 43</b> |
| <b>7.1.3</b> | <b>Applicant or Agent</b>                             |                |
| <b>7.1.4</b> | <b>Committee Member Questions</b>                     |                |
| <b>7.1.5</b> | <b>Comments and Planning Report</b>                   | <b>44 - 49</b> |
| <b>7.1.6</b> | <b>Members of the Public to Speak</b>                 |                |
| <b>7.1.7</b> | <b>Further Questions from the Committee</b>           |                |
| <b>7.1.8</b> | <b>Approval or Refusal</b>                            |                |

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-053 for information; and  
**That** the minor variance be approved.

### **7.2 B5-20 - Ken and Tracey Sivill, Con 7, Lot 19, Geographic Township of Proton**

- |              |   |                |
|--------------|---|----------------|
| <b>7.2.1</b> | <b>Application and Notice of Public Hearing</b>       | <b>50 - 61</b> |
| <b>7.2.2</b> | <b>Comments Received from Agencies and the Public</b> | <b>62 - 73</b> |
| <b>7.2.3</b> | <b>Applicant or Agent</b>                             |                |
| <b>7.2.4</b> | <b>Committee Member Questions</b>                     |                |
| <b>7.2.5</b> | <b>Comments and Planning Report</b>                   | <b>74 - 79</b> |
| <b>7.2.6</b> | <b>Members of the Public to Speak</b>                 |                |
| <b>7.2.7</b> | <b>Further Questions from the Committee</b>           |                |



### **7.2.8 Approval or Refusal**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-049 for information; and

**That** the severance be approved with the following conditions:

1. **That** a Zoning by-law is approved and in full force and effect; and
2. **That** a survey be provided; and
3. **That** all outstanding taxes, fees and charges are paid, if any.

## **7.3 B6-20 - Lawrence Martin, Con 4, Pt Lot 16 Geographic Township of Egremont**

<b>7.3.1</b>	<b>Application and Notice of Public Hearing</b>	<b>80 - 93</b>
<b>7.3.2</b>	<b>Comments Received from Agencies and the Public</b>	<b>94 - 105</b>
<b>7.3.3</b>	<b>Applicant or Agent</b>	
<b>7.3.4</b>	<b>Committee Member Questions</b>	
<b>7.3.5</b>	<b>Comments and Planning Report</b>	<b>106 - 140</b>
<b>7.3.6</b>	<b>Members of the Public to Speak</b>	
<b>7.3.7</b>	<b>Further Questions from the Committee</b>	

### **7.3.8 Approval or Refusal**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-050 for information; and **That** the severance be approved with the following conditions:

1. **That** the Township Official Plan Amendment and Zoning By-law Amendment Be Approved and in full force and Effect.
2. **That** the retained lot is consolidated with the lot to the north.
3. **That** a survey be provided; and
4. **That** a development agreement is registered on the severed lot to insure that the noise mitigation measures are addressed.
5. **That** all outstanding taxes, fees and charges are paid, if any.

### **7.4 B8-20 - Murray and Brenda Calder, Con 3 EGR Pt Lot 43, Geographic Township of Egremont**

<b>7.4.1</b>	<b>Application and Notice of Public Hearing</b>	<b>141 - 154</b>
<b>7.4.2</b>	<b>Comments Received from Agencies and the Public</b>	<b>155 - 163</b>
<b>7.4.3</b>	<b>Applicant or Agent</b>	
<b>7.4.4</b>	<b>Committee Member Questions</b>	
<b>7.4.5</b>	<b>Comments and Planning Report</b>	<b>164 - 179</b>
<b>7.4.6</b>	<b>Members of the Public to Speak</b>	
<b>7.4.7</b>	<b>Further Questions from the Committee</b>	

#### **7.4.8 Approval or Refusal**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-052 for information; and **That** the severance be approved with the following conditions:

1. **That** a zoning by-law amendment be approved and in full force and effect.
2. **That** the large agricultural severed piece be consolidated with the lot 123342 Southgate Road 12.
3. **That** a survey be provided; and
4. **That** all outstanding taxes, fees and charges are paid, if any.

#### **7.5 B3-20 - William Penney, Plan 480 BLK Q PT Lot 8; Lot 9, Geographic Village of Dundalk**

**7.5.1 Application and Notice of Public Hearing** 180 - 190

**\*7.5.2 Comments Received from Agencies and the Public** 191 - 214

\*Additional comments from the Southgate Building Department have been added.

**7.5.3 Applicant or Agent**

**7.5.4 Committee Member Questions**

**7.5.5 Comments and Planning Report** 215 - 221

**7.5.6 Members of the Public to Speak**

**7.5.7 Further Questions from the Committee**

#### **7.5.8 Approval or Refusal**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-033 for information; and

**That** the severance be approved with the following conditions:

1. **That** an engineered grading and drainage plan be prepared to the satisfaction of the Township; and
2. **That** if required by the grading and drainage plan a 3m drainage easement along the rear of the property, be registered in favour of the abutting lots; and
3. **That** a survey prepared by and Ontario Land Surveyor be provided; and
4. **That** a development agreement be entered into which includes the engineered grading and drainage plan, site plan indicating parking for each new property as a single residential unit and as a residence with a secondary dwelling unit on each new lot, on property snow storage locations and provisions for the removal of stored snow at the property owner's expense should it become an issue as determined by the Township of Southgate or the County of Grey to ensure public safety; and
5. **That** all outstanding, fees and charges are paid, if any.

#### **8. Adjournment**

**Be it resolved that** the Committee adjourn the meeting at [TIME].



**Township of Southgate**  
**Minutes of Committee of Adjustment**

August 26, 2020  
9:00 AM  
Electronic Participation

Members Present:     Member John Woodbury (left at 10:21 AM)  
                              Member Jim Frew  
                              Member Martin Shipston

Staff Present:         Clinton Stredwick, Planner  
                              Lindsey Green, Clerk  
                              Elisha Hewgill, Secretary-Treasurer  
                              Bev Fisher, Chief Building Official

**1.     Call to Order**

Chair Shipston called the meeting to order at 9:00 AM.

**2.     Confirmation of Agenda**

**Moved By** Member Woodbury

**Seconded By** Member Frew

**Be it resolved that** the Committee confirm the agenda as amended.

**Carried**

**3.     Declaration of Pecuniary Interest**

No one declared a pecuniary interest related to any item on the agenda.

**4.     Adoption of Minutes**

**Moved By** Member Frew

**Seconded By** Member Woodbury

**Be it resolved that** the Committee approve the minutes from the February 26, 2020 Committee of Adjustment meeting as presented.

**Carried**

**5. Reports of Municipal Officers**

**5.1 Clerk Lindsey Green**

**5.1.1 CL2020-025-Approval to Waive Consent Application Fees**

**Moved By** Member Woodbury

**Seconded By** Member Frew

**Be it resolved that** the Committee of Adjustment receive Staff Report CL2020-025 as information; and

**That** the Committee waive the fees associated for the new application being submitted by H-Bye Construction Ltd.

**Carried**

**6. Hearing**

**6.1 A3-20 - Luciano Serafini, Plan 852 Lot 28, Geographic Village of Dundalk**

**6.1.1 Application and Notice of Public Hearing**

**The Purpose** is to permit the enlargement of a residential deck. The proposal requires relief from Sections 8.2(d) and 8.2(h), of the by-law which requires a lot coverage of 35% and a rear yard setback of 7.6m. Approval of this application would provide relief from the by-law to permit the enlargement of a deck by providing for a 16% increase to lot coverage to 46% and a reduction in the rear yard setback by 3.16m to 4.44m.

**6.1.2 Comments Received from Agencies and the Public**

Planner Clinton Stredwick reviewed comments received from Southgate Building Department, Grand River Conservation Authority, the County of Grey, Historic

Saugeen Metis and the Southgate Public Works Department. No comments were received from members of the public.

#### **6.1.3 Applicant or Agent**

The Applicant was present and was available for any questions.

#### **6.1.4 Committee Member Questions**

Members asked questions and staff provided responses.

#### **6.1.5 Comments and Planning Report**

Planner Stredwick reviewed his planning report and explained the intent of the proposal.

#### **6.1.6 Members of the Public to Speak**

No members of the public were present to speak in support of or opposition to the application.

#### **6.1.7 Further Questions from the Committee**

Members asked questions and staff provided responses.

#### **6.1.8 Approval or Refusal**

**Moved By** Member Woodbury

**Seconded By** Member Frew

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-032 for information; and

**That** the minor variances be approved subject to the following condition:

1. **That** all outstanding taxes, fees and charges are paid, if any.

**Carried**

### **6.2 B3-19 - Brenden McDonald, Concession 13, Pt Lot 7, Geographic Township of Proton**

#### **6.2.1 Application and Notice of Public Hearing**

**The Purpose** of the application is to create a surplus farm lot. The severed parcel will be approximately 1.05 ha and have a frontage of 82.2m and a depth of 120.5m. The retained lot will be approximately 39.2ha and have a frontage of 219.8m. Both parcels have frontage on Grey Road 9. This is in accordance with related zoning file C17-19 and OPA3-19.

**The Effect** is to sever a 1.05 ha parcel of land from the farm parcel to establish a surplus farm residential lot. The retained lands consist of 39.2 ha and will continue to be farmed.

#### **6.2.2 Comments Received from Agencies and the Public**

Planner Clinton Stredwick reviewed comments received from Bell, Southgate Building Department, Historic Saugeen Metis, Hydro One, Ministry of Transportation, Saugeen Valley Conservation Area, Southgate Public Works and the County of Grey. No comments were received from members of the public.

#### **6.2.3 Applicant or Agent**

The Agent was present and available for any questions.

#### **6.2.4 Committee Member Questions**

Members asked questions and staff provided responses.

#### **6.2.5 Comments and Planning Report**

Planner Stredwick reviewed his planning report and explained the intent of the proposal.

#### **6.2.6 Members of the Public to Speak**

No members of the public were present to speak in support of or opposition to the application.

#### **6.2.7 Further Questions from the Committee**

Members asked questions and staff provided responses.

#### **6.2.8 Approval or Refusal**



**Moved By** Member Frew

**Seconded By** Member Woodbury

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-030 for information; and

**That** the severance be approved subject to the following conditions:

1. **The** Eastern laneway of the severed lot is to be removed.
2. **That** an Official Plan Amendment and Zoning By-law Amendment implementing the consent be in full force and effect.
3. **That** a deed is prepared and submitted to the Clerk
4. **That** a survey be provided; and
5. **That** all outstanding taxes, fees and charges are paid, if any.

**Carried**

**6.3 B1-20 and B2-20 - Mount Forest Ag Auction and Levi Frey, Con 6, Pt Lot 9 and Con 6, Pt Lot 9 Part 1 of RP16R7259, Geographic Township of Egremont**

**6.3.1 Application and Notice of Public Hearing**

B1-20:

**The Purpose** of the application is to sever a 29.26m wide by 232.2m deep strip of land that is 0.8ha in area to add to the abutting farm parcel. The retained lot will have 173.88m of frontage on Southgate Road 04 and have an area of 4.6ha in area.

**The Effect** is to provide more land to the neighbouring farm and in conjunction with application B2-20 will provide additional parking for the auction at the rear of the property. The net effect to the size of the Mount Forest Ag Auction lands and the abutting farm will be zero.

B2-20:

**The Purpose** of the application is to sever a 0.8ha parcel of land and add it to the abutting ag auction lands. The retained lot will 142m of frontage on Southgate Road 04 and have an area of 34.7ha in area.

**The Effect** is to provide land to the neighbouring Ag Auction for parking and in conjunction with application B1-20 will provide usable land for the farm. The net effect to the size of the Mount Forest Ag Auction lands and the abutting farm will be zero.

### **6.3.2 Comments Received from Agencies and the Public**

Planner Clinton Stredwick reviewed comments received from Bell Canada, Blue Water District School Board, Enbridge Gas, Southgate Building Department, Historic Saugeen Metis, Hydro One, Southgate Public Works and the Saugeen Valley Conservation Area. No comments were received from members of the public.

### **6.3.3 Applicant or Agent**

The Applicant was present but did not add any comments.

### **6.3.4 Committee Member Questions**

Members asked questions and staff provided responses.

### **6.3.5 Comments and Planning Report**

Planner Stredwick reviewed his planning report and explained the intent of the proposal.

### **6.3.6 Members of the Public to Speak**

No members of the public were present to speak in support of or opposition to the application.

### **6.3.7 Further Questions from the Committee**

Members asked questions and staff provided responses.

### **6.3.8 Members of the Public to Speak**

No members of the public were present to speak in support of or opposition to the application.

### **6.3.9 Approval or Refusal**

**Moved By** Member Frew

**Seconded By** Member Woodbury

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-031 for information; and

**That** the severance be approved subject to the following conditions:

1. **That** a 3m road widening is provide on the severed and retained portion of application B1-20 and a 3m road widening from the retained portion of B2-20
2. **That** the Zoning By-law amendment is in full force and effect; and
3. **That** a survey be provided; and
4. **That** all outstanding taxes, fees and charges are paid, if any.

**Carried**

## **6.4 B3-20 - William Penney, Plan 480 BLK Q PT Lot 8; Lot 9, Geographic Village of Dundalk**

### **6.4.1 Application and Notice of Public Hearing**

**The Purpose** of the application is to create a semi detached lot which contains an existing semi detached residence. The severed parcel will be approximately 511m<sup>2</sup> and have a frontage of 10.165m and a depth of 50.29m. The retained lot will be approximately 511m<sup>2</sup> and have a frontage of 10.165m. Both parcels have frontage on Grey Road 9.

**The Effect** is to sever a lot along the middle of a semi detached structure to allow for one half of the semi detached residence to be in separate ownership.

#### **6.4.2 Comments Received from Agencies and the Public**

Planner Clinton Stredwick reviewed comments received from Bell Canada, Southgate Building Department, Enbridge Gas, Grand River Conservation Authority, Historic Saugeen Metis, Ministry of Transportation, Southgate Public Works and the County of Grey. One comment from Debbie Russell was received from the public.

#### **6.4.3 Applicant or Agent**

The Applicant was present and added further comments regarding the proposal.

#### **6.4.4 Committee Member Questions**

Members asked questions and staff provided responses.

#### **6.4.5 Comments and Planning Report**

Planner Stredwick reviewed his planning report and explained the intent of the proposal.

#### **6.4.6 Members of the Public to Speak**

One member of the public was present to speak neither in favour nor in opposition to the application.

#### **6.4.7 Further Questions from the Committee**

Members asked questions and staff provided responses.

#### **6.4.8 Approval or Refusal**

**Moved By** Member Woodbury

**Seconded By** Member Frew

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-033 for information; and

**That** the decision to approve or refuse the application be deferred until the next available Committee of Adjustment meeting; and

**That** Public Works Manager Jim Ellis and Chief Building Official Bev Fisher provide reports to the Committee of Adjustment regarding this proposal.

**Carried**

Member Woodbury left the meeting at 10:21 AM and did not return.

**6.5 B4-20 - Paul and Ina Martin, Con 2 Pt lot 17 RP16R2879 Pt 1 and Con 2 Pt lot 17 RP 16R10911 Parts 7 to 9 and 11, Geographic Township of Proton**

**6.5.1 Application and Notice of Public Hearing**

**The Purpose** of the application is to merge the small 1.16 acre residential lot on sideroad 13 with the larger 98 acre farm lot which has frontage on Southgate road 04 and Southgate Side Road 13. The lot when merged will have approximately 403m of frontage on Southgate Road 04 and 1009m of frontage on Southgate Sideroad 13. The area will be approximately 99.16 acres.

**The Effect** is to sever a 3m strip off of the small residential lot and deed it to the Township of Southgate to allow the lot to be merged with the farm parcel. A 3m road widening has already been taken off of the larger farm parcel.

**6.5.2 Comments Received from Agencies and the Public**

Planner Clinton Stredwick reviewed comments received from Bell Canada, Southgate Building Department, the Bluewater District School Board, Enbridge Gas, Hydro One, Southgate Public Works and the Saugeen Valley Conservation Authority. No comments were received from members of the public.

**6.5.3 Applicant or Agent**

The applicant or agent were not present.

**6.5.4 Committee Member Questions**

Members asked questions and staff provided responses.

**6.5.5 Comments and Planning Report**

Planner Stredwick reviewed his planning report and explained the intent of the proposal.

#### **6.5.6 Members of the Public to Speak**

No members of the public were present to speak in support of or opposition to the application.

#### **6.5.7 Further Questions from the Committee**

Members asked questions and staff provided responses.

#### **6.5.8 Approval or Refusal**

**Moved By** Member Frew

**Seconded By** Member Shipston

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-034 for information; and

**That** the severance be approved subject to the following conditions:

1. **That** the retained lot be merged with the abutting farm parcel; and
2. **That** the 3m road widening have a by-law passed to dedicate it as part of the public road allowance.
3. **That** a survey be provided; and
4. **That** all outstanding taxes, fees and charges are paid, if any.

**Carried**

### **7. Adjournment**

**Moved By** Member Frew

**Seconded By** Member Shipston

**Be it resolved that** the Committee adjourn the meeting at 10:29 AM.

**Carried**

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Chair Martin Shipston

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Secretary-Treasurer Elisha Hewgill



## **Staff Report PL2020-063**

**Title of Report:** PL2020-063-Rawn Certificate of Validation  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** September 23, 2020

**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-063 for information; and

**That** the Validation certificate request be approved by the Committee of Adjustment as presented in lawyer Gil Deverell's letter representing the Rawn family to resolve this land titles matter.

**Property Location: Lot 55 Con 3 Egremont**



**Background:**

The Township of Southgate has received a request for a validation certificate for Lot 55 Con 3 Egremont from a Solicitor on Behalf of the Rawn family. The request letter explaining the nature of the request is attached.

A certificate of validation is used to make valid a document or documents that previously contravened the Act. If a person owned 2 parcels of abutting land and



transferred or gave a mortgage only on part of that land, the transfer or mortgage would not create an interest in land. A validation certificate would make that transfer or mortgage valid. Where a validation certificate has the effect of validating a prior transfer, one might call it a validation of title.

### **Staff Comments:**

This letter request (Attachment #1) comes from the Rawn's lawyer Gil Deverell who was the Township's former solicitor. Staff agree and support Mr. Deverell's recommendation as a logical approach to clearing the title of the lands so that it can be registered properly.

Township staff suggest Council approving the validation certificate for the subject lands to resolve this issue.

### **Financial Implications:**

The legal costs to correct this matter is being paid by the Rawn family and Township will benefit with the correcting legal ownership of the road widening at the registry office.

### **Concluding Comments:**

Based on the above information and the lawyer's letter from Gil Deverell stating his proposal to correct the land title issues, Township staff recommend that the proposal from Gil Deverell be approved to use the validation certificate approval process to correct this land title issue for all parties.

Respectfully Submitted,

**Municipal Planner:** *Original Signed By*  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

### **Attachments:**

- Attachment #1 – Letter from Gil Deverell dated September 8, 2020
- Attachment #2 – Rawn Certificate of Validation

RECEIVED SEP 11 2020

# DEVERELL & LEMAICH

## LAWYERS

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September 8, 2020

The Corporation of the Township of Southgate  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Attention: Committee of Adjustment  
(Clinton Stredwick, Municipal Planner)

*via Purolator Courier*

Dear Clint:

Re: Rawn Family Farm Request for Validation Certificate Under  
Section 57 of the Planning Act

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Further to our email correspondence of August 19 and May 28 this will confirm that we act for Reta Rawn and her four sons Beverley Lyle, Barry Robert, Harvey Scott and Keith Everett Rawn who are the registered owners of the easterly 70 acres more or less of vacant land in Lot 55, Concession 3 in the former Township of Egremont. We are requesting on their behalf that the Southgate Committee of Adjustment issue a Validation Certificate under Section 57 of the Planning Act to correct a technical contravention of the severance provisions of Section 50 of the Act by a deed in 1984 from Everett Rawn to his son Lyle Rawn and his wife Reta Rawn. This property has been in the Rawn family name since 1868 when the Crown patented Lot 55 to George Rawn and it went to Everett Rawn in 1922.

The Committee of Adjustment has power to do this under Section 57(1) and Sections 53 and 54(2.1) because council delegated its authority to give severance consents and also Validation Certificates to the Committee of Adjustment. The reason that the 1984 deed from Everett Rawn is only a technical breach of the severance laws is because it excepted and did not include a 17 foot physical widening of Grey County Road 106 even though the County did not have an actual deed for the widening. The exception in the 1984 deed was there because in 1978 Grey County had put a survey on the title to Lot 55 showing the 17 foot strip on it as Part 12 and the survey contains wording that the widening was partially fenced in 1971 and that the fencing was completed before the survey was done and put on title in 1978.

Then in 2003 the county downloaded by By-law 4006-03 County Road 106 at Lot 55 to the Township of Southgate. Southgate Public Works Manager Jim Ellis confirmed to me on June 3, 2020 and June 5, 2020 that the 17 foot strip shown on the 1978 survey is physically part of Southgate Sideroad 41 and the Township maintains it all year round for all road maintenance operations such as grass cutting, weed spraying, gravel shouldering and tree maintenance if required and further that there are approximately 54 feet from the centre of Road 41 to the existing fence line in Lot 55.

We enclose a copy of the part of the survey plan 17R984 showing that it was put on title on July 18, 1978 as required by J.D. Hubbell (P.Eng.) Grey County Engineer on June 7, 1978, and a copy of the part of the survey showing the Part 12 17 feet out of Lot 55 with the wording "Post and Wire Fence on Line Existing June 1971" and the "New Post and Wire Fence". Also enclosed is a copy of the Service Ontario Property Index Map dated October 1, 2019 containing a sketch of the 1984 deed property with the number 0143 and also the road widening strip with the number 0152.

Regulation 144/95 under the Planning Act sets out the criteria for a Validation Certificate which are similar to a severance application to create a new lot although in this case the 70 acres more or less have been the same as in 1978 when Grey County's survey went on title.

Please let us know whether you have questions with respect to this request.

Yours very truly,

**DEVERELL & LEMAICH**

o/b G.W. Deverell, Q.C., Professional Corporation

Guildford W. Deverell, BA, LLB, QC

GWD/dgd

Encl.

E. G. R.

III

LOT

INSTRUMENT

55

11820

LOT

INSTRUMENT

PART 13

PART 14

EXISTING LOT LINE  
Irregular Post and Wire Fence

North East Angle  
Lot 55, Conc. III E.G.R.

N80°23'20"E  
17.00'

N9°25'20"W

N9°25'20"W

N9°25'20"W  
N9°25'20"W

N9°17'40"W

33.00'

50'

821.08'

821.24'

821.54'  
880.65'

882.19'

PART 12

EXISTING LOT LINE  
Irregular Post and Wire Fence

North East Angle  
Lot 56 Conc. III E.G.R.

N80°54'40"E  
17.00'

N9°25'20"W

N9°25'20"W

N9°25'20"W  
N9°25'20"W

N9°25'20"W

33.00'

50'

821.08'

821.24'

821.54'  
880.65'

882.19'

N82°20'40"E  
17.00'



CONC.	OWNER	INSTRUMENT	AREA
VI	T.D. SMITH LTD.	85428	0.505 ac.
VII	WALTER & VIOLA NELSON (J.T.)	26361	0.783 ac.
VIII	RUSSELL ELLIS	15160	0.169 ac.
IX	WALTER BYE	37667	0.332 ac.
X	CLARENCE McROBB	14740	0.556 ac.
	MARTIN WALTER BYE	44559	0.338 ac.
			0.337 ac.
	GEORGE DAVIS HUNT	62280	0.321 ac.
	HARRY BYE	51337	1.262 ac.
	HENRY WALTER HOFFMAN	38469	0.342 ac.
	RUTH NAOMI RAWN	66191	0.327 ac.
	EVERETT ELWIN RAWN	11820	0.320 ac.
	G. MURRAY AITKEN	25533	0.351 ac.
	HARRY BERNARD WEBERS	59887	0.700 ac.
	CLIFFORD & BEATRICE DONNELLY (J.T.)	59400	0.115 ac.
	MURRAY JAMES CALDER	73699	0.319 ac.
	HARRY BERNARD WEBERS	59887	0.630 ac.
	EARL D. HUNT	14353	0.333 ac.
	GEORGE ALBERT LONG	14520	0.408 ac.
	AGRICULTURAL REHABILITATION AND DEVELOPMENT DIRECTORATE OF ONTARIO	78533	0.366 ac.
	JOHAN & MARYBELLE NANNINGA (J.T.)	65016	0.891 ac.

RECEIVED AND DEPOSITED AS  
**PLAN 17R- 984**

18 July 1978  
 DATE

B. Whitmore  
 BERNICE WHITMORE  
 ACTING LAND REGISTRAR  
 FOR THE REGISTRY DIVISION OF  
 GREY SOUTH (17)

I REQUIRE THIS PLAN TO BE  
 DEPOSITED UNDER PART II OF  
 THE REGISTRY ACT.

June 7, 1978  
 DATE

H. J. Parker  
 J.D. HUBBELL (P.ENG.)  
 GREY COUNTY ENGINEER

17R-984

PLAN OF SURVEY OF  
 OF LOTS 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, AND 63  
 CONCESSION III EAST OF THE GARAFRAXA ROAD  
 PART OF LOT "A", CONCESSIONS VII, VIII, IX, AND X  
 TOWNSHIP OF EGREMONT  
 COUNTY OF GREY  
 SCALE: 1 INCH = 100 FEET  
 ZUBEK AND EMO LTD.  
 1978

**CAUTION** THIS PLAN IS NOT A PLAN OF SUBDIVISION  
 WITHIN THE MEANING OF SECTIONS 29, 32 OR 33 OF THE PLANNING ACT.

ES  
 RINGS HEREON ARE ASTRONOMIC AND ARE  
 RRED TO THE BEARING OF THE CENTRE  
 OF THE ROAD ALLOWANCE BETWEEN  
 CESSIONS III E.G.R. AND VIII ACROSS LOT  
 CONCESSION III ASSUMED TO BE N9°15'20"W,  
 ACCORDANCE WITH 17R-654.  
 HANGING LINES HAVE BEEN VERIFIED.  
 DENOTES 1"x1"x48" IRON SURVEY BAR  
 DENOTES 5/8"x5/8"x24" IRON SURVEY BAR  
 DENOTES 5/8" DIAM. x24" IRON SURVEY BAR  
 DENOTES EAST OF THE GARAFRAXA ROAD

SURVEYOR'S CERTIFICATE  
 I HEREBY CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND  
 IN ACCORDANCE WITH THE SURVEYS ACT, THE  
 REGISTRY ACT AND THE REGULATIONS MADE  
 THEREUNDER.  
 2. THE SURVEY WAS COMPLETED JULY 4, 1978  
 JULY 4, 1978 R. J. EMO O.L.S.  
 RONALD J. EMO  
 ONTARIO LAND SURVEYOR  
 COLLINGWOOD





185667 Grey County Road 9  
RR 1  
Dundalk, Ontario  
N0C 1B0  
**Phone:** 519-923-2110 ext. 232  
**Email:** ehewgill@southgate.ca  
**www.southgate.ca**

Township of Southgate  
Committee of Adjustment

**CERTIFICATE OF VALIDATION**  
**Section 57 of the Planning Act**

A contravention of Section 50 or a predecessor of it, or of a by-law passed under a predecessor of Section 50, or an order made under clause 27(1)(b) of the *Planning Act* as it reads on the 25th day of June, 1970, being chapter 296 of the Revised Statutes of Ontario, 1960 or a predecessor of it, does not have and shall be deemed never to have had, the effect of preventing the conveyance of or creation of any interest in the parcel of land described as follows:

This Certificate of Validation is issued in accordance with Section 57 of the *Planning Act*, R.S.O. 1990,c.P.13, as amended, and the decision of the Committee of Adjustment of the Township of Southgate, County of Grey dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

---

Secretary-Treasurer of the  
Committee of Adjustment  
Township of Southgate





**Township of Southgate**  
**Committee of Adjustment**  
**Application for Minor Variance**

**Instructions:**

This is an application under Section 45 of the Planning Act, 1990, R.S.O. c.P. 13 as amended, for relief, as described in this application, from Zoning By-law 19-2002 (as amended).

- Please check all applicable boxes and answer all applicable questions
- Failure to provide adequate, correct information may result in your application being refused
- All measurements must be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Applications are not accepted without the required fees \$1000 (\$900 application plus \$100 sign deposit) in cash or by cheque made payable to the Corporation of the Township of Southgate.

**For office use only:**

File No. A-2-20

Pre-Consult Date: \_\_\_\_\_

Date received: July 6/20

Accepted by: \_\_\_\_\_

Roll #42 07 090 002 08400

Conservation Authority Fee

Required: \_\_\_\_\_

Official Plan: \_\_\_\_\_

Property's Zone: \_\_\_\_\_

Other Information: \_\_\_\_\_

It is strongly advised that any potential applicant pre-consult with the Planning Department prior to submitting any planning application. This could save you money and avoid delays in processing. Staff are available to provide some assistance in completing this application and will help ensure the application is filled out completely.

**The Approval Authority is the Township of Southgate Committee of Adjustment**

**Required Fees:**

Application Fee	\$ 937.00 due with submitted application
Public Notice Sign Fee	\$ 105.00
Conservation Authority Fees	
Saugeen Valley CA	\$240.00
Grand River CA	Contact directly for details

**Note on fees:**

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law.

All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of submission of the application.

Please review the required Conservation Authority fees prior to submitting your application. Saugeen Valley Conservation Authority requires their fee to be submitted to the Township of Southgate along with this application. Make this payment out to the Saugeen Valley Conservation Authority.

In the event that all fees are not paid in full at the time of submission, the application shall be deemed incomplete.





1. Name of Owner/Applicant (circle one) \* William B Martin (Wil-Mar Inc.)  
Address [REDACTED]  
Postal Code [REDACTED] Telephone Number [REDACTED]

**\*See Note 1**

2. Name of Agent\* Eli Sherk  
Address 2994 Hackbart Road RR#1 St Clements Ont.  
Postal Code NOB 2M0 Telephone Number 519-573-8018

**\*\* See Note 2**

3. Nature and extent of relief applied for: Minimum distance from side lot line  
to proposed barn & manure storage , required set back 9m proposed 5.2m

4. Why is it not possible to comply with the provisions of the by-law? The existing barn is less than  
5.2m from the property line , building the addition on the other side is to close to the house

5. Legal description of subject land (registered plan number and lot number or other legal description, and, where applicable, street and street number):  
CON 11 S PT LOT 23 Proton 146045 Southgate Rd 14  
Roll Number: 420709000208400

6. Dimensions of land affected in metric units:

Frontage: 430m Area: 21.85 hectares  
Depth: 504m Width of Street: 20m

7. Particulars of all buildings and structures on or proposed for the subject land (specify, in metric units) the ground floor area, gross floor area, number of storeys, width, length, height, etc.): (width x length x height)

Existing: Barn 1 storey: 190m2 13m x14.63mx7m  
Shed-1 storey: 90m2 9mxL-10mx5m  
Dwelling - 1 storey: 120m2

Proposed: Barn Addition, Manure Storage & Shed Addition: 1 Storey : 650m2 (combined)  
Barn Addition & Manure Storage: 16.45m x 32.91m x 8m  
Shed Addition : 8.5m x 13.4m x 6m

8. Location of all buildings and structures on or proposed for the subject land (specify distance from side, rear and front lot lines):

Existing: Barn side-4.248m rear-408m front-96m

Proposed: Barn & Manure Storage  
side-5.2m rear-375m front-113m

9. Date of acquisition of subject land: 2020

10. Date of construction of all buildings and structures on subject land:

25+ years

11. Existing uses of the subject property:

Agriculture

12. Existing uses of the abutting properties:

North: Residential & Forest East: agriculture

South: agriculture/gravel pit West: agriculture

13. Length of time the existing uses of the subject property have continued:

150 years

14. Water is provided to the subject land by a:

           publicly owned and operated piped water system

✓ privately owned and operated individual or communal well

           lake or other water body or other means (please explain)

15. Sewage disposal is provided to the subject land by a:

           publicly owned and operated sanitary sewage system

✓ privately owned and operated individual or communal well

           privy or other means (please explain)

16. Storm drainage is provided by (check applicable):

Sewers:            Ditches ✓ Swales : ✓

Other means (*please explain*)           

17. Present Official Plan designation on the subject lands:           

18. Present Zoning By-law provisions applying to the land:           

19. Has the subject land ever been the subject of an application for minor variance (under Section 45 or its predecessor of the Planning Act)

Yes ☐

No ☒

If the answer is yes, describe briefly (i.e. date of application, file number, nature of relief, etc.)

20. Is the subject property the subject of a current application for a plan of subdivision or consent under Section 51 or 53 of the Planning Act?

Yes ☐

No ☒

Sketch Instructions:

Each copy of this application must be accompanied by a sketch or survey showing the following:

- (i) The boundaries and dimensions of the subject land.
- (ii) The location, size and type of all existing and proposed buildings and structures on the subject land, indication the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- (iii) The current uses and location of all existing buildings and/or structures on the adjacent lands. (indicate the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines).
- (iv) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- (v) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- (vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- (vii) The location and nature of any easement affecting the subject land.

21. Owners authorization and declaration:

Authorization for agent

I/we William Martin  
(print name or names)

authorize Eli Sherk  
(print name of agent)

to act as our agent(s) for the purpose of this application.

× [REDACTED] × 2020-06-25  
(Signature of Owner) (date)

\_\_\_\_\_  
(Signature of Owner) (date)

22. Owners authorization for access:

I/we William Martin  
(print name or names)

hereby permit Township staff and its representatives to enter upon the premises during regular business hours for the purpose of performing inspections of the subject property.

× [REDACTED] × 2020-06-25  
(Signature of Owner) (date)

\_\_\_\_\_  
(Signature of Owner) (date)

23. Affidavit or sworn declaration :

Note: This Affidavit must be signed in the presence of a Commissioner of Oaths.

I/ (We) Eli Sherk  
Name of Owner(s) or Authorized Agent or Applicant

of the town of St Clements in the Region of Waterloo  
city/town/municipality county/region

Solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Declared before me at the:

Town of Dundalk in the County of Grey  
city/town/municipality county/region

This 26th day of June, 2020

  
Signatures of Owner

June 26 2020  
Date

\_\_\_\_\_  
Signatures of Owner

\_\_\_\_\_  
Date

  
Signature of Commissioner

June 26, 2020  
Date

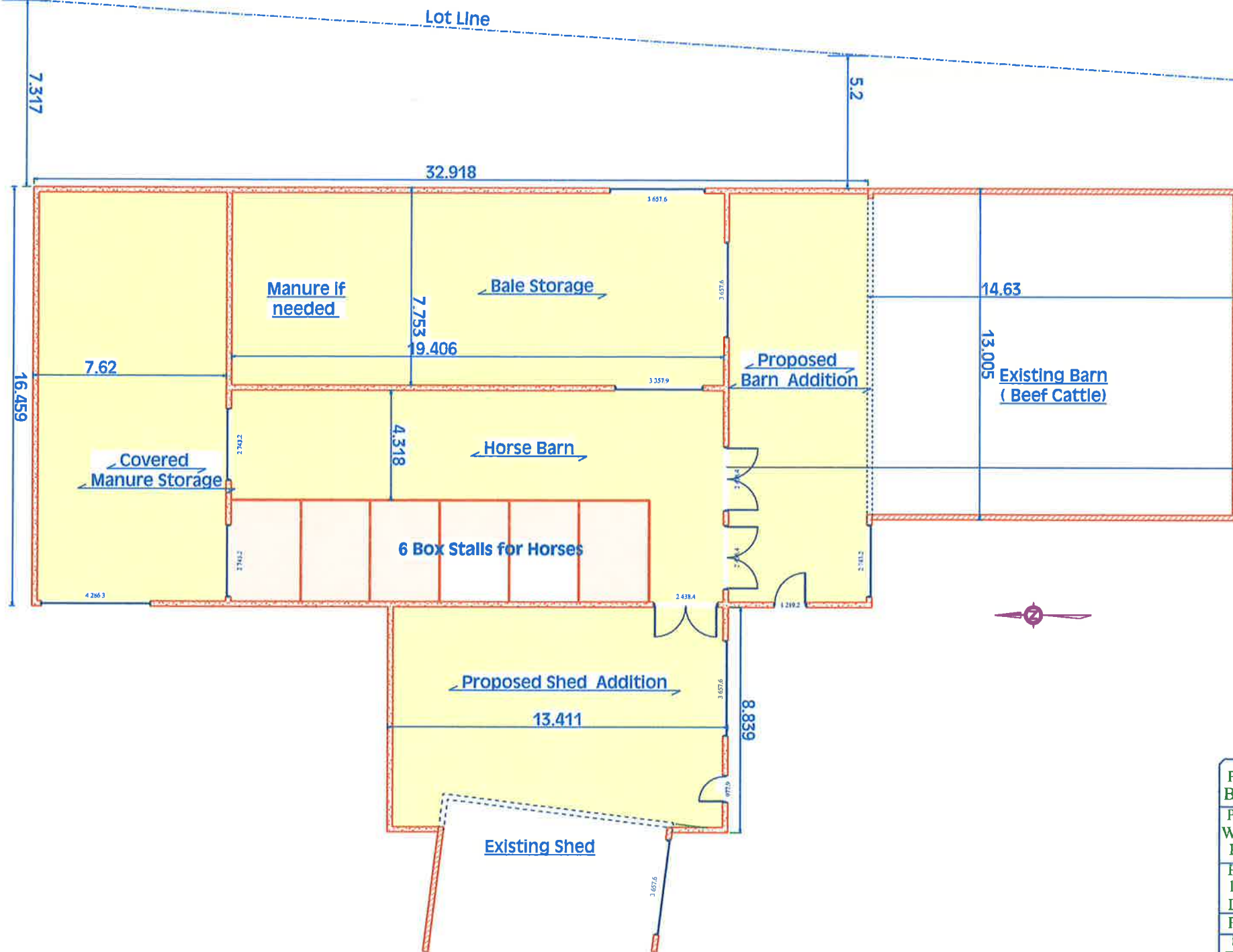


Project Title ; Barn & Shed Addition	
Property Owner; William Martin	
Phone; 519-292-1147	
Property Address; 146045 Southgate Rd 14 Dundalk Ont.	
Pt.Lot 23 Con.11S	
Drawing Title; <b>Overview</b>	
Drawing Scale; 0.121" = 1'-0"	Page; <b>1 of 3</b>
Drawn By; E.M.S	6/24/20





Project Title ; Barn & Shed Addition	
Property Owner; William Martin Phone; 519-292-1147	
Property Address; 146045 Southgate Rd 14 Dundalk Ont. Pt. Lot 23 Con. 11S	
Drawing Title: <b>Site Plan</b>	
Drawing Scale; 1:1500	Page; 2 of 3
Drawn By: F.M.S	6/24/20



Project Title ; Barn & Shed Addition	
Property Owner; William Martin Phone; 519-292-1147	
Property Address; 146045 Southgate Rd 14 Dundalk Ont.	
Pt.Lot 23 Con.11S	
Drawing Title; <b>Floor Plan</b>	
Drawing Scale; 1:200	Page; <b>3 of 3</b>
Drawn By; E.M.S	6/24/20



**THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE  
COMMITTEE OF ADJUSTMENT**

**NOTICE OF APPLICATION AND PUBLIC HEARING  
FOR MINOR VARIANCE FILE # A2/20**

**PROPERTY LOCATION:** legally known as Con 11 S Pt lot 23 (Geographic Township of Proton) in the Township of Southgate (see the key map below). Also described as 146045 Southgate Road 14.

**TAKE NOTICE** that the Committee of Adjustment of the Township of Southgate has designated:

**September 23, 2020 at 9:00 am**

for the purpose of holding an **electronic hearing**, to hear the application for a Minor Variance:

**File # A2-20**

**Electronic Access Information:**

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/442563645>

You can also dial in using your phone. Canada: +1 (647) 497-9373 Access Code: 442-563-645 #

**NOTE:** If you wish to speak at the meeting, please register in advance by contacting the Secretary-Treasurer, Elisha Hewgill using the below information.

The meeting will be recorded and uploaded to the Township YouTube Channel:

<https://www.youtube.com/user/SouthgateTownship>

**Purpose** of the Variance is to permit the enlargement of an existing barn. The proposal requires relief from Section 6.2(e) and the Minimum Distance Separation (MDS), of the by-law which requires a setback of 9m from a side lot line.

Approval of this application would provide relief from the by-law to permit the enlargement of a barn by providing for a reduction in the side yard setback from 15m to 5.2m which is the existing barn setback and waving the MDS required setback of 9m m to the 5.2m to match the existing barn.

No other related Planning Applications have been received for this property.

You are entitled to attend the hearing virtually at this time or to be represented by an agent to express your views on the merits of this application. You may also forward a letter with your views to the Committee. If you do not attend the hearing or send correspondence regarding this file, the Committee will proceed in your absence and you are not entitled to any further notice of the proceedings.

**Please note that all submissions will become part of the public record in their entirety and may be posted to Southgate's website.**

A copy of the Notice of Decision will be sent to the applicant and each person who appeared or was represented by an agent at the hearing **and** who has filed a written request for notice of the decision.

**ADDITIONAL INFORMATION** regarding this application is available for public viewing during office hours at the address below or on the Township Website at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#A2-20-William-Martin-Wil-Mar-Inc->

Township of Southgate  
185667 Grey Rd. 9,  
Dundalk, ON N0C 1B0  
(519) 923-2110 ext. 231  
Toll Free: 1-888-560-6607

DATED AT THE TOWNSHIP OF  
SOUTHGATE  
THIS 3rd DAY OF SEPTEMBER 2020  
Elisha Hewgill,  
Secretary-Treasurer  
Committee of Adjustment





## Planning Application Comments

### Building Department

Date: September 11, 2020

File No: A20-20

Property Owner: William B Martin

The Southgate Building Department is aware of the application noted above and at the present time have the following comments.

- ☒ No Concerns or objections with the application.
- ☒ Development will require applicable permits before construction.
- ☐ A Barrier free washroom will be required with Septic system.
- ☐ Recommend the septic design is considered before proceeding.
- ☐ A detailed septic design is required.
- ☐ Road access and Civic number will be required before development proceeds.
- ☐ May require water supply to meet OBC 3.2.5.7 Water requirements for firefighting.
- ☐ Comments:

If I can be of any further assistance, please do not hesitate to contact me.

**Bev Fisher**

**Chief Building Official | Township of Southgate**

185667 Grey County Road 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 240 | Mobile: | Fax 519-923-9262

[bfisher@southgate.ca](mailto:bfisher@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



## Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

September 10<sup>th</sup>, 2020

Elisha Hewgill, Secretary-Treasurer  
Township of Southgate  
185667 Grey County Rd. 9, RR #1  
Dundalk, Ontario N0C 1B0

**RE: Minor Variance A02-2020**  
**Concession 11, Part Lot 23 (146045 Southgate Road 14)**  
**Township of Southgate (geographic Township of Proton)**  
**Owner/Applicant: William B Martin (Wil-Mar Inc.)**  
**Agent: Eli Sherk**

Dear Ms. Hewgill,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the variance is to permit the enlargement of an existing barn. The proposal requires relief from Section 6.2(e) and the Minimum Distance Separation (MDS), of the by-law which requires a setback of 9m from a side lot line. Approval of this application would provide relief from the by-law to permit the enlargement of a barn by providing for a reduction in the side yard setback from 15m to 5.2m which is the existing barn setback and waving the MDS required setback of 9m to the 5.2m to match the existing barn.

Schedule A of the County OP designates the subject property as 'rural' and 'hazard lands'. Agricultural uses are permitted on rural designated lands. County planning staff have no concerns. Section 7.2(3) states,

*In the Hazard Lands land use type, buildings and structures are generally not permitted. Minor extensions or enlargements of existing buildings and structures may be permitted subject to the policies of section 7.*

Appendix B of the County OP identifies 'significant woodlands' and a 'stream' on the subject property. Section 7.4(1) states,

*No development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per section 7.11 of this plan, that there will be no negative impacts on the natural features or their ecological functions.*

Section 7.9(2) states,

*No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with section 7.11 of this plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced.*

County planning staff recommend comments are received from the local conservation authority. It appears the proposed development is within the adjacent lands of the significant woodlands.

Schedule C of the County OP also identifies a 'linkage area' on the subject property. Section 7.1(3) states,

*Development proposed in linkages will be required to undertake an environmental impact study (EIS), unless otherwise exempted by 7.11.3.*

It would appear the proposed development is situated outside of the linkages area. County planning staff have no concerns with the subject policy.

Section 5.4.2(5) states, *The Provincial Minimum Distance Separation (MDS) formulae policies found in section 5.2.2 of this Plan shall apply to the Rural land use type.* Section 5.2.2(5)(l) states,

*Municipalities should not reduce MDS through a minor variance, zoning amendment, or official plan amendment, except where sufficient reasoning has been provided, and the intent of the MDS Guidelines has been maintained. In reviewing the rationale for a variance, there should be demonstration that the variance would:*

- Not be able to be met through a modification to the development being proposed (e.g. set a building back further than proposed),*
- Make an existing situation better to reduce the potential for conflict,*
- Impose undue hardship, such as major farm operation, inefficiencies, or servicing constraints, by not granting the variance, or*
- Be small enough such that there is very limited potential for land use conflict.*

Generally, staff would recommend considering reviewing the above noted criteria to ensure the proposal has enough reasoning to vary the MDS Guidelines. If there is further opportunity to resituate the proposed barn expansion such that the variance needed for setback and MDS requirements is less than what is being proposed, staff would encourage this approach.

Provided positive comments are received from the local conservation authority and further options are considered to resituate the proposed barn expansion, County planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Stephanie" followed by a stylized flourish.

Stephanie Lacey-Avon  
Planner  
(519) 372-0219 ext. 1296  
[stephanie.lacey-avon@grey.ca](mailto:stephanie.lacey-avon@grey.ca)  
[www.grey.ca](http://www.grey.ca)

## Elisha Hewgill

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**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** September 8, 2020 11:45 AM  
**To:** Elisha Hewgill  
**Subject:** RE: A2-20 Notice of Public Hearing

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

—  
ENBRIDGE GAS INC. OPERATING AS UNION GAS

TEL: 519-436-4673 | FAX: 519-436-5353

50 Keil Dr N, Chatham ON N7M 5M1

[uniongas.com](http://uniongas.com)

Safety. Integrity. Respect.

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**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** Thursday, September 3, 2020 3:10 PM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstrlcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jessica Mole <jmole@southgate.ca>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Lindsey Green <lgreen@southgate.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Subject:** [External] RE: A2-20 Notice of Public Hearing

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Further to below, if possible, please supply all comments by **September 16, 2020**.

Thank you.

**Elisha Hewgill**

Administrative & Legislative Assistant

**Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



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**From:** Elisha Hewgill

**Sent:** September 3, 2020 3:06 PM

**To:** Bell Canada ROWCC <[rowcentre@bell.ca](mailto:rowcentre@bell.ca)>; Bev Fisher <[bfisher@southgate.ca](mailto:bfisher@southgate.ca)>; Bluewater District School Board <[shelley\\_crummer@bwdsb.on.ca](mailto:shelley_crummer@bwdsb.on.ca)>; Bluewater District School Board <[jayme\\_bastarache@bwdsb.on.ca](mailto:jayme_bastarache@bwdsb.on.ca)>; Clinton Stredwick <[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)>; Dave Milliner <[dmilliner@southgate.ca](mailto:dmilliner@southgate.ca)>; Enbridge Gas <[municipalplanning@enbridge.com](http://municipalplanning@enbridge.com)>; Fire Chief <[firechief@southgate.ca](mailto:firechief@southgate.ca)>; Group: Planning Dept Emails <[Group\\_PlanningDeptEmails@grey.ca](mailto:Group_PlanningDeptEmails@grey.ca)>; Haudenosaunee Development Institute <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>; Historic Saugeen Metis <[hsmasstrcc@bmts.com](mailto:hsmasstrcc@bmts.com)>; Hydro One <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jessica Mole <[jmole@southgate.ca](mailto:jmole@southgate.ca)>; Jim Ellis <[jellis@southgate.ca](mailto:jellis@southgate.ca)>; Kevin Green <[kgreen@southgate.ca](mailto:kgreen@southgate.ca)>; Krista Youngblood <[k.youngblood@publichealthgreybruce.on.ca](mailto:k.youngblood@publichealthgreybruce.on.ca)>; Lindsey Green <[lgreen@southgate.ca](mailto:lgreen@southgate.ca)>; Martin Leyten - MTO <[Martin.Leyten@ontario.ca](mailto:Martin.Leyten@ontario.ca)>; Metis Nation of Ontario <[consultations@metisnation.org](mailto:consultations@metisnation.org)>; MMAH <[Tyler.Shantz@ontario.ca](mailto:Tyler.Shantz@ontario.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Saugeen Ojibway Nation <[execassistant@saugeenojibwaynation.ca](mailto:execassistant@saugeenojibwaynation.ca)>; Union Gas <[ontugllandsinq@uniongas.com](mailto:ontugllandsinq@uniongas.com)>; William Gott <[wgott@southgate.ca](mailto:wgott@southgate.ca)>; WSP on behalf of Bell <[circulations@wsp.com](mailto:circulations@wsp.com)>

**Subject:** A2-20 Notice of Public Hearing

Good Afternoon,

Please find the below link for the Notice of Public Hearing for Minor Variance Application A2-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#A2-20-William-Martin-Wil-Mar-Inc->

The hearing has been scheduled for **September 23, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **August 16, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)

Fax: 519-923-9262 Attn: Elisha Hewgill

Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

**Elisha Hewgill**

Administrative & Legislative Assistant

**Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



## Elisha Hewgill

---

**From:** Chris Hachey <hsmrcc@bmts.com>  
**Sent:** September 9, 2020 3:06 PM  
**To:** Elisha Hewgill  
**Subject:** Request for Comments - Southgate - Proposed Minor Variance

Your File: A2-20  
Our File: Southgate Municipality

Ms. Hewgill,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources and Consultation  
Historic Saugeen Métis  
204 High Street  
Southampton, Ontario, N0H 2L0  
Telephone: (519) 483-4000  
Fax: (519) 483-4002  
Email: [hsmrcc@bmts.com](mailto:hsmrcc@bmts.com)

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## Township of Southgate

185667 Grey County Road 9,  
Dundalk, ON N0C 1B0

**Jim Ellis,**

**Public Works Manager / Risk Management Official**  
**jellis@southgate.ca**



**Phone:** 519-923-2110 ext. 250

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Cell:** 519-378-3777

### Public Works Department

Date: September 15, 2020

File No.: A2 - 20

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Rural asphalt

Road Widening Necessary? Yes ☐ No ☒

Entrance Requirements: None

Load Restricted Road: Yes ☒ No ☐

Comments: \_\_\_\_\_

### Risk Management Office

Property is located in a Well Head Protection Area:

- ☐ WHPA "A"
- ☐ WHPA "B"
- ☐ WHPA "C"
- ☐ WHPA "D"
- ☒ Not Applicable

Comments: \_\_\_\_\_

Signed: ***Original Signed By*** \_\_\_\_\_

Jim Ellis, Public Works Manager / Risk Management Official

**Township of Southgate**  
**Administration Office**  
185667 Grey Road 9, RR 1  
Dundalk, ON N0C 1B0



**Phone:** 519-923-2110  
**Toll Free:** 1-888-560-6607  
**Fax:** 519-923-9262  
**Web:** [www.southgate.ca](http://www.southgate.ca)

## **Staff Report PL2020-053**

**Title of Report:** PL2020-053-A2-20 Wil-Mar Inc.  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** September 23, 2020

**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-053 for information; and

**That** the minor variance be approved.

**Property Location: 146045 Southgate Road 14**



**Application Brief:**

The subject lands noted above are legally described as Con 11 S Pt lot 23 in the geographic Township of Proton. The purpose of the variance request is to permit the enlargement of an existing barn. The proposal requires relief from Section 6.2(e) and the Minimum Distance Separation (MDS), of the by-law which requires a setback of 9m from a side lot line.

**Background:**

The By-law prohibits any enlargement of use that is considered a legal non complying use. In this case the existing barn is only 5.2m from the edge of property. To obtain a building permit to enlarge the existing barn, a variance to the by-law provisions are required. Applications for a variance to the Zoning By-law must be consistent with the Provincial Policy Statement and satisfy Section 45 (1) of the Planning Act.

**Provincial Policy Statement (PPS)**

The PPS provides guidance for comprehensive planning decisions at the Provincial, County and local levels but does not address specific development provisions at the local level. The intent of the PPS as it applies to the Township of Southgate is to encourage growth and development that is suitable to the area. The proposed minor variance will not increase the already deficient setback. It is proposed that the barn enlargement be no closer than 5.2m which is the existing setback. The PPS does not speak directly to variances and decks for residential uses. As long as the barn is a permitted use and does not worsen the zoning compliance or create a safety hazard or is constructed in a Hazard area, it can be broadly interpreted that the proposed variance is consistent with the Provincial Policy Statement. The details of the use are further refined in the by-law which will be examined further in this report.

**Minor Variance**

For a successful variance, the following four tests of Section 45(1) of the Planning Act must all be satisfied:

1. The variance must be minor in nature

Currently the by-law requires a minimum setback of 15m for an agricultural building and 9m for the MDS setback from the side lot line. The existing barn is only 5.2m from the lot line at present. The Enlargement proposed will not be any closer to the side lot line then the existing barn. In this regard the proposal is minor in nature as the conflict already exists. The reduction of the Side yard setback for MDS is also minor as it is only a distance of 3.8m being requested. This is especially minor when the situation is looked at from the surrounding land use. The lands to the east that would be most affected are primarily wetlands for 150m from the side

lot line. It is not anticipated the reduction of 3.3m from the side lot line will have any impact on the neighbour from an MDS perspective.

The proposal meets this test and can be considered minor in nature.

2. It must be desirable for the appropriate development or use of the land, building or structure

The subject lands are considered to be an agricultural lot and agricultural uses are permitted on the subject lands. In this regard the proposal is both desirable and appropriate. The minor reduction of a side yard setback will have no impact on the development potential or desirability of the neighbouring property to the east.

The proposal meets this test.

3. It must maintain the general intent and purpose of the Official Plan

The intent of the Official Plan is to promote and protect agriculture and to control development and distances between sensitive land uses. MDS and by-law setbacks are a way of controlling distances from neighbouring sensitive land uses. The lot to the east is also a farm lot however there is approximately 150m of EP lands adjacent to the eastern property line

The proposal maintains the intent of the Official Plan.

4. It must maintain the general intent and purpose of the zoning by-law

The intent of a setback is to limit the impacts of a structure or development on a neighbouring property and to "space out" development. On a farm sized property such as this, there is little need to space out. The loss of approximately 10m from the side yard setback and 3.8m for the MDS setback is negligible when compared to the 150m of undevelopable Hazard lands directly to the east on the abutting property.

Furthermore the proposed barn expansion will not worsen the existing setback deficiency. The current barn is 5.2m from the side lot line and the extension will be no closer to the side lot line. The proposal again meets the intent of the bylaw by maintaining or exceeding the existing setback.

The requested variance meets the general intent and purpose of the zoning by-law.

### **Comments from Agencies and the Public**

Building Department No concerns or objections with the application.

The County of Grey planning staff indicate that provided positive comments are received from the local conservation authority and further options are considered to resituate the proposed barn expansion, County planning staff have no concerns with the subject application.

The Historic Saugeen Metis have no objection to the proposed development.

Township Public Works indicate a safe entrance access can be provided, the road is a load restricted road.

Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

No comments were received from the public as of the writing of this report.

### **SUMMARY**

This application to vary Section 6.2(e) of the Comprehensive Zoning Bylaw and the MDS setback relief of 3.8m to permit an addition to a barn **passes** the four tests of a minor variance as required by the Planning Act.

Planning staff therefore recommend the variance to the by-law be approved, if no negative comments are received from the public.

Respectfully Submitted,

**Municipal Planner:** *Original Signed By*  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

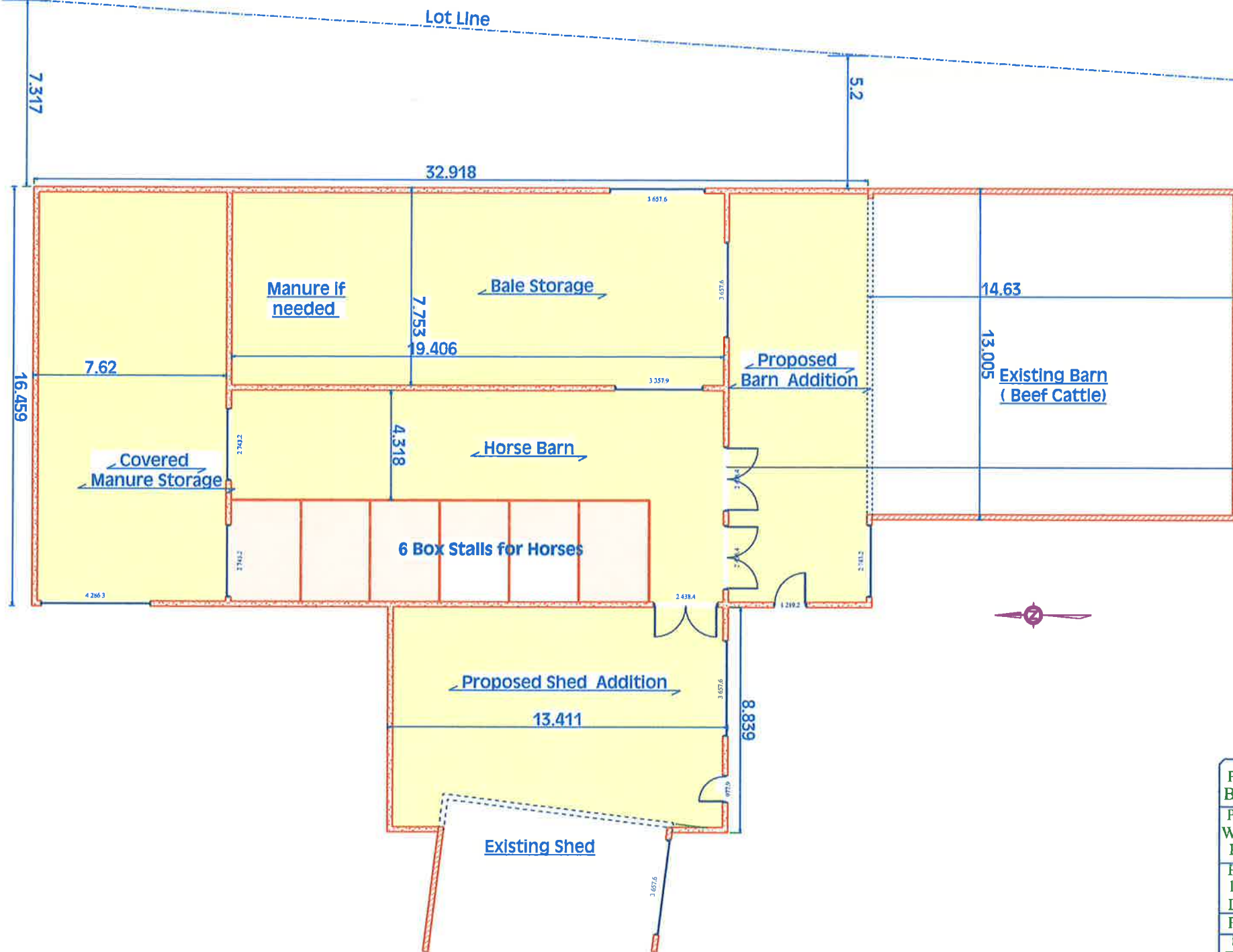
### **Attachments:**

1. Drawing 1
2. Drawing 2





Project Title ; Barn & Shed Addition	
Property Owner; William Martin Phone; 519-292-1147	
Property Address; 146045 Southgate Rd 14 Dundalk Ont. Pt.Lot 23 Con.11S	
Drawing Title: <b>Site Plan</b>	
Drawing Scale; 1:1500	Page; 2 of 3
Drawn By: F.M.S	6/24/20



Project Title ; Barn & Shed Addition	
Property Owner; William Martin Phone; 519-292-1147	
Property Address; 146045 Southgate Rd 14 Dundalk Ont.	
Pt.Lot 23 Con.11S	
Drawing Title; <b>Floor Plan</b>	
Drawing Scale; 1:200	Page; <b>3 of 3</b>
Drawn By; E.M.S	6/24/20





## The Corporation of The Township of Southgate

### Consent application form

#### Instructions:

- Please check all applicable boxes and answer all applicable questions
- Several of the questions are part of the minimum mandatory requirements as prescribed in Schedule 1 to Ontario Regulation 41/95, Planning Act, and must be completed
- Failure to provide adequate, correct information may result in your application being refused
- All measurements MUST be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Applications are not accepted without the required fees

#### For office use only

File No: \_\_\_\_\_

Pre-Consult Date: \_\_\_\_\_

Date received: \_\_\_\_\_

Date accepted: \_\_\_\_\_

Accepted by: \_\_\_\_\_

Roll # 42 07 \_\_\_\_\_

Conservation Authority Fee

Required: \_\_\_\_\_

Other information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

It is strongly advised that any potential applicant pre-consult with the Planning Department prior to submitting any planning application. This could save you money and avoid delays in processing. Staff are available to provide some assistance in completing this application and will help ensure the application is filled out completely.

**The Approval Authority is the Township of Southgate Committee of Adjustment**

#### Required Fees:

Application Fees	\$1,301.00 due with submitted application
	\$ 255.00 due on completion (if approved)
Public Notice Sign Fee	\$ 105.00
Parkland Dedication Fee	\$ 521.00 (all new residential lots)
Deed Stamping	\$ 313.00 due before finalization of approved consent
Conservation Authority Fee	SVCA \$ 240.00 (per each net lot created) GRCA – Call directly for details

#### Note on fees:

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law.

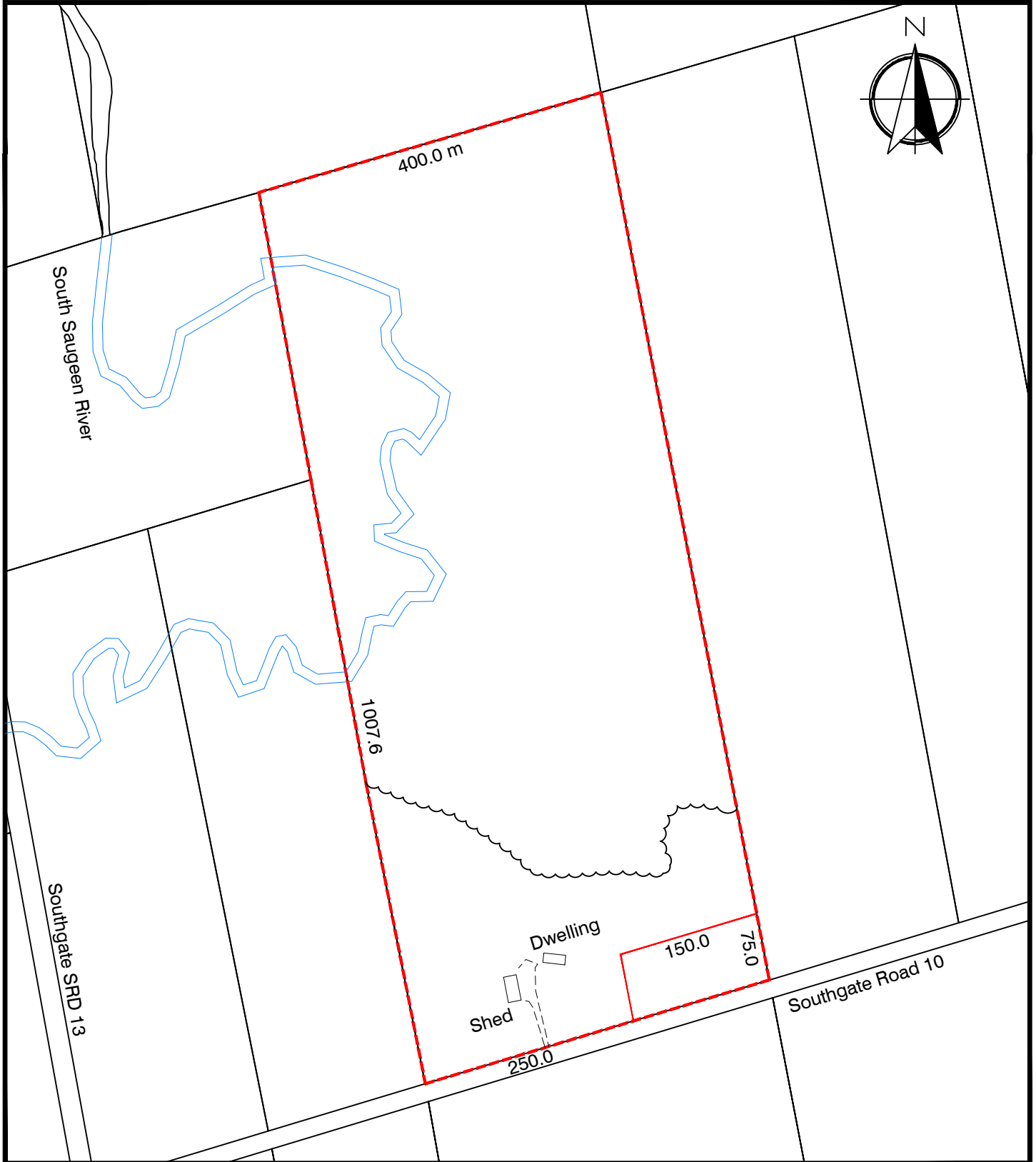
All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of submission of the application.

Please review the required Conservation Authority fees prior to submitting your application. Saugeen Valley Conservation Authority requires their fee to be submitted to the Township of Southgate along with this application.

In the event that all fees are not paid in full at the time of submission, the application shall be deemed incomplete.



Figure 1: Proposed Lot Creation



Proposed Lot Creation  
Ken and Tracey Sivill  
105701 Southgate Road 10

**RD** RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:6000

## Part One

### Owner/Agent/Application Information

\*To be completed by the applicant

1. Name of registered owner: Ken and Tracey Sivill

Mailing address: 105701 Southgate Road 10, RR 1 Conn, ON N0G 1N0

Phone# : (H) (519) 336-5616 (B) \_\_\_\_\_

Email Address: [REDACTED]

2. Name of applicant (if different than above): Ron Davidson Land Use Planning Consultant Inc.

Mailing address: 265 Beattie Street, Owen Sound, ON N4K 6X2

Phone#: (519) 371-6829 Email: ronalddavidson@rogers.com

Applicant's Relationship to Subject Lands:

- ☐ Registered Property Owner  
☐ Holder of Option to Purchase Subject Lands  
☐ Signing Officer of Corporation  
☒ Other (Specify) Planning Consultant

3. Name of agent: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

4. Send all correspondence to: (Choose only ONE) ☒ Applicant ☐ Agent

5. Preferred Method of communication: ☐ Phone ☒ email ☐ Postal Mail

## Part Two

### The Subject Lands

6. Subject Land: (Legal Description)

NOTE: On this form "SUBJECT LAND" means the parcel to be severed & the parcel to be retained.

Former Municipality Township of Proton

Road Name Sideroad 10 Civic Address (911) No. 105701

Lot No. 19 Plan/Concession 7

Part \_\_\_\_\_ Reference Plan No. \_\_\_\_\_

7. Description of Subject Land:

a) Existing use of the subject land:

- ☒ Agricultural ☒ Rural ☐ Commercial/Industrial ☒ Residential  
☐ Other(explain) \_\_\_\_\_

b) Existing buildings Dwelling, shed and 3 sun shelters

c) Is the "subject land" presently subject to any of the following:

- ☐ Easement ☐ Restrictive Covenants ☐ Right of Way

Describe: \_\_\_\_\_

NOTE: all existing easements and right of ways must be shown on the sketch.

### Part Three

#### The Proposal

#### 8. Proposal

Dimensions of land intended  
to be SEVERED

Frontage 75 metres

Depth 150 metres

Area 1.125 hectares

Dimensions of land intended  
to be RETAINED

Frontage 250 metres

Depth 1000 metres

Area 38.87 hectares

*\*These dimensions must be accurate*

#### 9. Reason for severance

(a) Reason for severance Sever non-farm residential lot

i) New Lot ☐

ii) Lot Addition ☐ (Question # 12 to be completed)

iii) Lease/Charge ☐

iv) Easement/Right of Way ☐

<input type="checkbox"/> Bell Canada	<input type="checkbox"/> Hydro
<input type="checkbox"/> Water Access	<input type="checkbox"/> Gas
<input type="checkbox"/> Other (Specify) _____	

v) Correction of Title ☐

vi) Other ☐ Specify \_\_\_\_\_

(b) Name of person(s), if known, to whom land or interest in land is to be transferred,  
leased or charged: Brittany Tessel (daughter)

Address: \_\_\_\_\_

#### 10. Proposed use of land to be severed

Existing buildings None

Proposed buildings Detached dwelling

<input type="checkbox"/> Non-farm residential	<input type="checkbox"/> Surplus farm dwelling
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Agricultural related
<input type="checkbox"/> Hobby Farm	<input type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	

#### 11. Proposed use of land to be retained

Existing buildings Detached dwelling and shed. Plus 3 sun shelters for horses

Proposed buildings None

<input type="checkbox"/> Non-farm residential	<input type="checkbox"/> Surplus farm dwelling
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Agricultural related
<input type="checkbox"/> Hobby Farm	<input type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	



12. Original lot being added to (lot addition only): \_\_\_\_\_

Existing buildings/structures: \_\_\_\_\_

Use: \_\_\_\_\_

Access: \_\_\_\_\_

Servicing: \_\_\_\_\_

13. Road Access:

	Severed Parcel	Retained Parcel
Provincial Highway(Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
County Road (Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
Southgate Road (Provide Road Number)	<input checked="" type="checkbox"/> <i>Sideroad 10</i>	<input checked="" type="checkbox"/>
Non-maintained/seasonally maintained Municipal road allowance	<input type="checkbox"/>	<input type="checkbox"/>
If access is from a non-maintained or seasonally maintained road allowance has an agreement been reached with the municipality regarding upgrading of the road? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Private Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>

14. Servicing:

a) What type of water supply is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Lake/River	<input type="checkbox"/>	<input type="checkbox"/>
Private well - Individual	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Private well - Communal	<input type="checkbox"/>	<input type="checkbox"/>
If proposed water supply is by private well, are the surrounding water well records attached? <input type="checkbox"/> YES <input type="checkbox"/> NO		

b) What type of sewage disposal is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Individual Private Septic	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal Private Septic	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify)	<input type="checkbox"/>	<input type="checkbox"/>

c) Other services (check if any of these services are available to the "subject land")

Electricity ☒ School Bus ☒ Telephone ☒ Garbage Collection ☒

15. Agricultural property history

If this property is Agricultural in nature or located within 450m (1476 feet) of a barn or livestock facility, **you must complete Schedule "A"**, found at the end of this application. (Exception for minor lot line adjustment).

## Part Four

### Statement of Compliance

#### 16. Applicable legislation and policies

a) Is this application consistent with policy statements issued under subsection 3 (1) of Planning Act? ☒ Yes ☐ No

b) Is the subject land within an area of land designated under any provincial plan or plans? ☐ Yes ☒ No

i) If the answer to section b) is yes, does this application conform to, or not conflict with, the applicable provincial plan or plans.

☐ Yes ☐ No

c) Please indicate the existing Southgate Official Plan designation(s) of the subject land:

<input type="checkbox"/>	Agriculture	<input type="checkbox"/>	Space Extensive Industrial/Commercial
<input checked="" type="checkbox"/>	Rural	<input type="checkbox"/>	Mineral Aggregate Extraction
<input type="checkbox"/>	Village Community	<input checked="" type="checkbox"/>	Hazard Lands
<input type="checkbox"/>	Inland Lakes	<input checked="" type="checkbox"/>	Wetlands
<input type="checkbox"/>	Major Open Space	<input type="checkbox"/>	Neighbourhood Area
<input type="checkbox"/>	Arterial Commercial	<input type="checkbox"/>	Downtown Commercial
<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Public Space
<input type="checkbox"/>	Special Policy Area		

d) Please indicate whether any of the following Constraint Areas in Southgate Official Plan apply to the subject land:

<input type="checkbox"/>	Primary Aggregate Resource Areas	<input type="checkbox"/>	ANSI
<input type="checkbox"/>	Existing/known abandoned Land Fill Sites	<input type="checkbox"/>	Deer wintering yard

e) Does the application conform to the Southgate Official Plan?

☒ Yes ☐ No

f) Has any land been previously severed from the original parcel of land?

☐ Yes ☒ No If yes, how many severances? \_\_\_\_\_

Indicate year, file #'s, if known \_\_\_\_\_

g) Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under the Planning Act?

☐ Yes ☒ No ☐ Unknown

h) Is the application being submitted in conjunction with a proposed County Official Plan Amendment? ☐ Yes ☒ No

i) Is the application being submitted in conjunction with a proposed Southgate Official Plan Amendment? ☐ Yes ☒ No

j) Has an application for a zoning by-law amendment, or a minor variance, been submitted to/or approved by the Township of Southgate?

☒ Yes ☐ No

i) If yes, please provide some additional information:

File # TBD Submitted ✓ Approved ✓  
 File # \_\_\_\_\_ Submitted \_\_\_\_\_ Approved \_\_\_\_\_

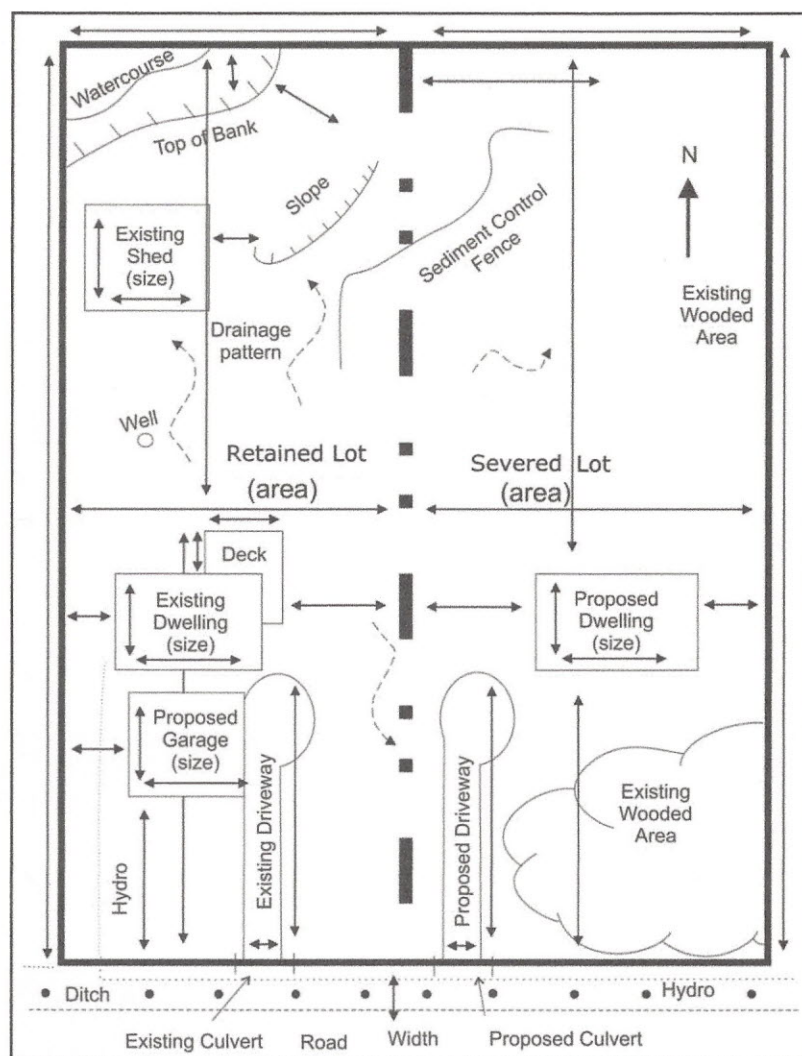


### Additional Requirements

#### 17. Sketch \*\*\*You must show all of the required information\*\*\*

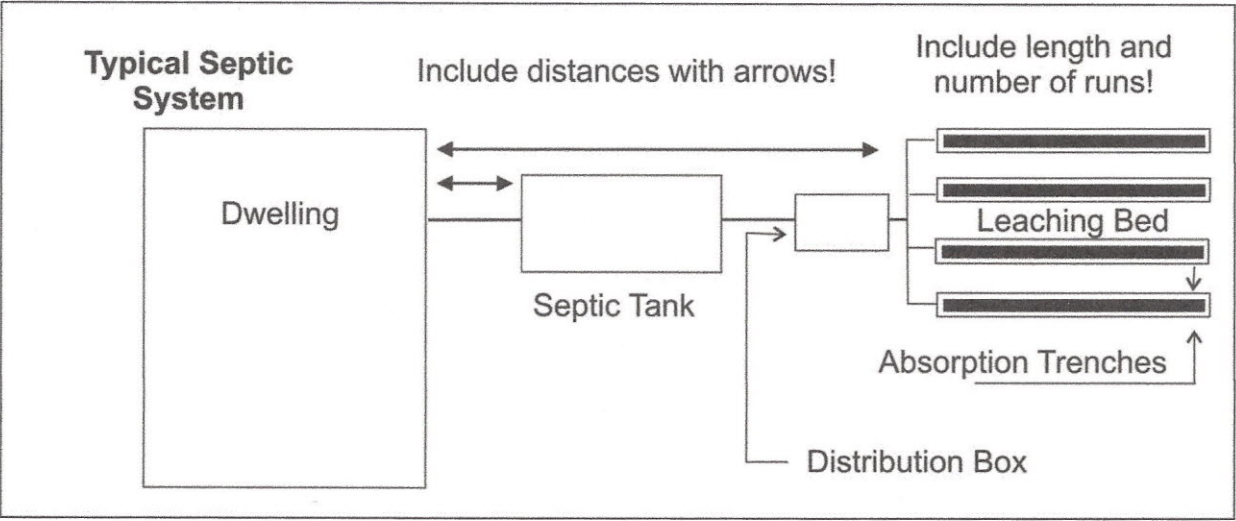
Sketch must be submitted on paper no larger than 8 1/2" x 14". Please review the example sketches to help you with what is required. Sketches must be neat and easy to read.

- a) Clearly label which is the severed parcel and which is the retained parcel
- b) "NORTH ARROW"
- c) "Subject Land" - all land owned by the applicant - boundaries & dimensions
- d) Distance between the applicant's land and the nearest township lot line or appropriate landmark (e.g. bridge, railway crossing, etc.)
- e) Boundaries and dimensions of the subject lands – clearly indicating the part of the parcel that is to be severed, the part that is to be retained and the location of all land previously severed
- f) Approximate location of all natural and artificial features on the subject land (e.g. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, septic tanks) and the location of any of these features on adjacent lands which may affect the application
- g) Use of adjoining land (e.g. residential, agricultural, cottage, commercial, etc.)
- h) Location, width and names of all road allowances, rights-of-way, streets, or highways within or abutting the property, indicating whether they are publicly traveled roads, private roads, rights-of-way or unopened road allowances
- i) Location and nature of any easement affecting the subject land
- j) Location and distances of barns within 450 metres (1476 feet) of severance

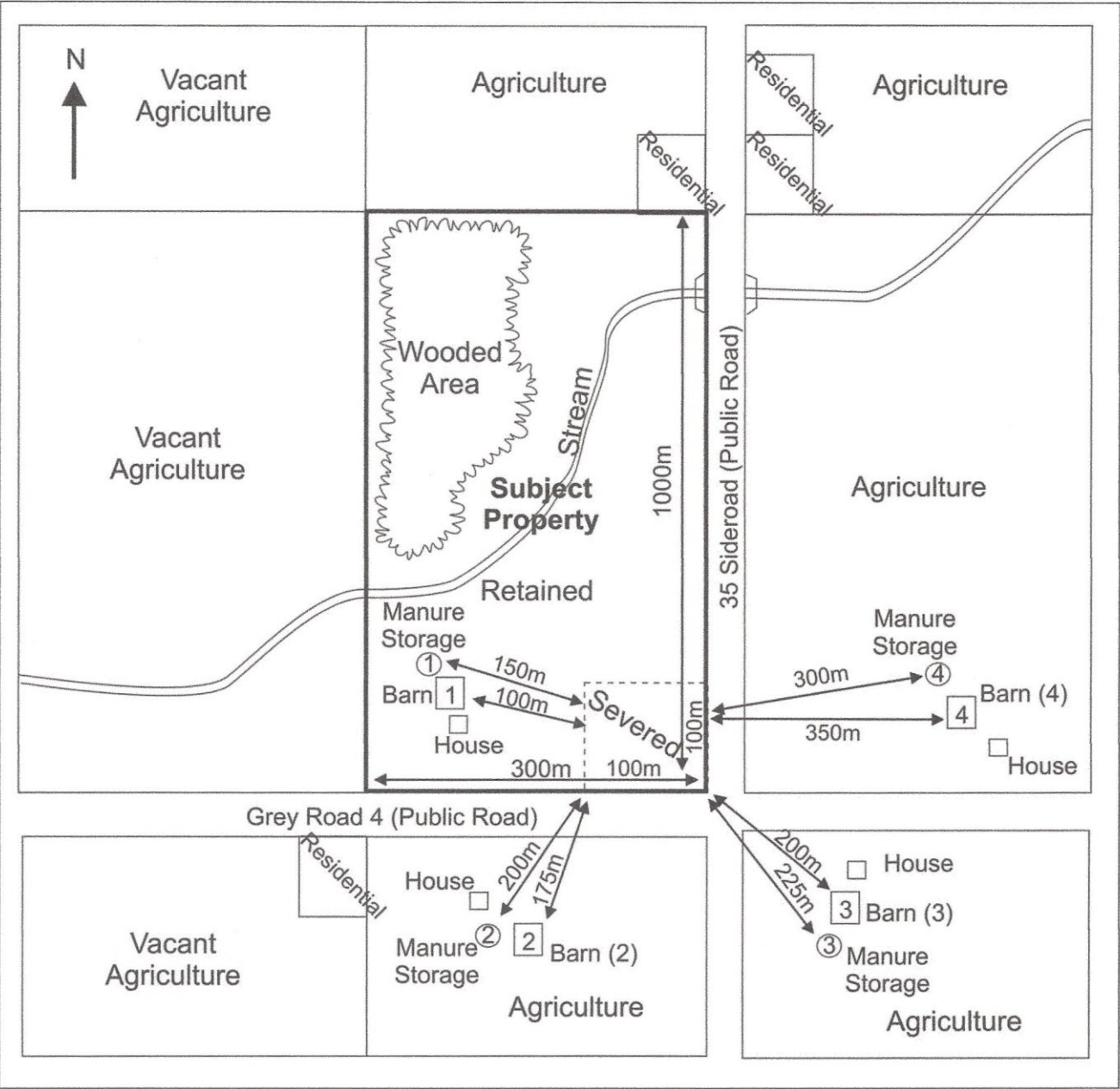


Sample 1 Residential Lot Severance Sketch

\*\*\*Please do not return this page\*\*\*



Sample 2 Septic System Information



Sample 3 Agricultural Severance

**Further Note on Sketches:**  
The above samples are provided for your information. The exact details you will need to provide will depend on your proposal. Agricultural properties **MUST** provide information relating to barns on the subject property *and* the neighbouring properties as shown in Sample 3. Properties inside urban areas do not require agricultural information. Septic information in the urban area of Dundalk is not required if the property is on full municipal services.

\*\*\*Please do not return this page\*\*\*



**Part Five****Authorization and affidavit****18. Owner's Consent (Freedom of Information):**

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation

I(we), Ken Sivill and Tracey Sivill  
*name of owner(s)*

hereby acknowledge the above-noted 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, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

[Redacted Signature]  
*Signature of Owner*

March 6/20  
*date*

[Redacted Signature]  
*Signature of Owner*

March 6/20  
*date*

**19. Owner authorization for agent**

I/we Ken and Tracey Sivill

authorize Ron Davidson

to act as our agent(s) for the purpose of this application.

[Redacted Signature]  
*Signature of Owner*

[Redacted Signature]  
*Signature of Witness*

Dated at the Twp of Southgate,  
 this 6 day of March, 20 20.

**20. Owners authorization for access**

I/we Ken and Tracey Sivill

Hereby do permit Township staff and its representatives to enter upon my/our lands during regular business hours for the purpose of performing inspections of the subject property as it relates to evaluation of this application.

[Redacted Signature]  
*Signature of Owner*

March 6/20  
*date*

[Redacted Signature]  
*Signature of Owner*

March 6/20  
*date*



## 21. Affidavit or sworn declaration

Note: This Affidavit must be signed in the presence of a Commissioner for Taking Oaths.

I/ (We) Ron Davidson

*Name of Owner(s) or Authorized Agent*

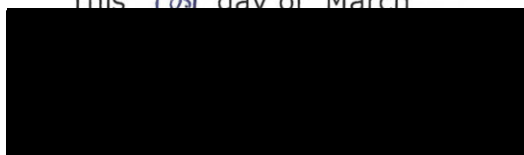
of the City of Owen Sound in the County of Grey  
*city/township/municipality county/region*

Solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the:

City of Owen Sound in the County of Grey  
*city/township/municipality county/region*

This 12 day of March, 2020



*Signature of Owner or Authorized Agent*

March 12  
*Date*

*Signature of Owner*

*Date*



*Signature of Commissioner*

March 12, 2020  
*Date*

Lacey Christina St- Amour, a Commissioner, etc  
 Province of Ontario, for Andrew E. Drury,  
 Barrister and Solicitor. Expires August 4, 2021.

Return this completed form and payment to:

**Attention: Committee of Adjustment**  
**Township of Southgate**  
**185667 Grey Road 9, RR 1**  
**Dundalk Ontario**  
**N0C 1B0**



**TOWNSHIP OF SOUTHGATE COMMITTEE OF ADJUSTMENT**  
**NOTICE OF APPLICATION FOR CONSENT AND PUBLIC HEARING**  
**The Planning Act, RSO 1990, as amended**

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**TAKE NOTICE** that the Township of Southgate Committee of Adjustment has appointed **September 23, 2020 at 9:00 am** for the purpose of a public hearing to be electronically at the following credentials:

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/442563645>

You can also dial in using your phone. Canada: +1 (647) 497-9373 Access Code: 442-563-645 #

**NOTE:** If you wish to speak at the meeting, please register in advance by contacting the Secretary-Treasurer, Elisha Hewgill using the below information.

The meeting will be recorded and uploaded to the Township YouTube Channel:

<https://www.youtube.com/user/SouthgateTownship>

**APPLICATION FOR CONSENT - FILE NO. B5/20**

**OWNERS:** Ken and Tracey Seville

**SUBJECT LAND:** Lot 19 Con 7, Geographic Township of Proton. The lands are further described as 105701 Southgate Road 10.

**THE PURPOSE** of the application is to create a new rural residential lot that is 1.125ha in size.

**THE EFFECT** is to sever a 1.125 ha parcel of land, with 150m of frontage on Southgate Road 10. The retained parcel shall be 38 ha in size with 250mm of frontage.

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**SEE SKETCH ATTACHED (reverse side)**

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Property owners within 60 metres of the subject land are hereby notified of the above application for consent. The property to be severed will be marked by a sign.

**If** a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make **written submission** to: Committee of Adjustment, Township of Southgate office before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.

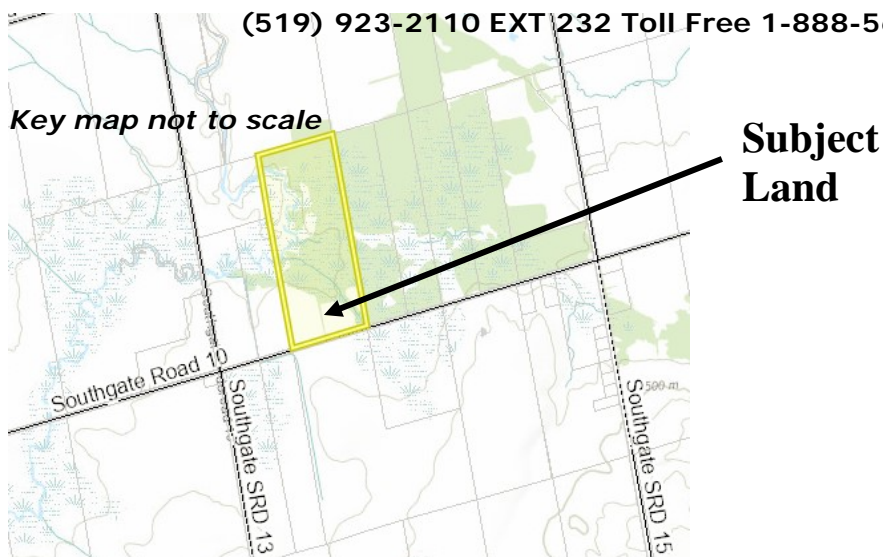
**If** you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must submit a written request to the undersigned.

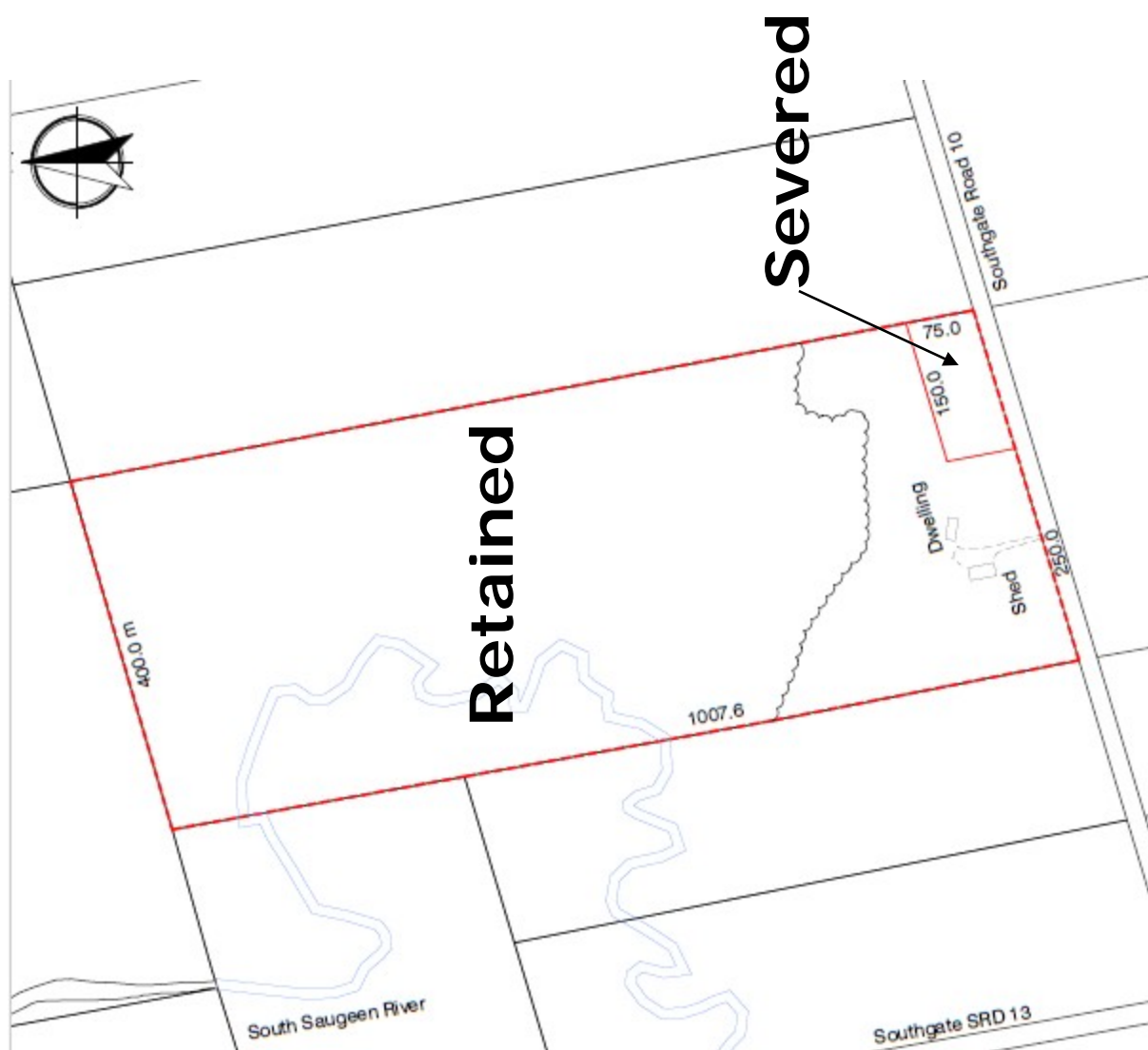
Additional information regarding this application is available for public viewing from Monday to Friday 8:30 am to 4:00 pm at the Township of Southgate Administration office OR by contacting Clinton Stredwick, Planner at 519-923-2110 Ext. 235.

When requesting information please quote File No. **B5-20**

---

**ELISHA HEWGILL, SECRETARY-TREASURER,**  
**COMMITTEE OF ADJUSTMENT FOR THE TOWNSHIP OF SOUTHGATE**  
**185667 GREY RD 9, DUNDALK, ON N0C 1B0**  
**(519) 923-2110 EXT 232 Toll Free 1-888-560-6607 FAX (519) 923-9262**





## Planning Application Comments

### Building Department

Date: September 11, 2020

File No: B5-20

Property Owner: Ken and Tracey Sivill

The Southgate Building Department is aware of the application noted above and at the present time have the following comments.

- ☒ No Concerns or objections with the application.
- ☒ Development will require applicable permits before construction.
- ☐ A Barrier free washroom will be required with Septic system.
- ☐ Recommend the septic design is considered before proceeding.
- ☐ A detailed septic design is required.
- ☐ Road access and Civic number will be required before development proceeds.
- ☐ May require water supply to meet OBC 3.2.5.7 Water requirements for firefighting.
- ☐ Comments:

If I can be of any further assistance, please do not hesitate to contact me.

**Bev Fisher**

**Chief Building Official | Township of Southgate**

185667 Grey County Road 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 240 | Mobile: | Fax 519-923-9262

[bfisher@southgate.ca](mailto:bfisher@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)

September 9<sup>th</sup>, 2020

Elisha Hewgill, Secretary-Treasurer  
Township of Southgate  
185667 Grey County Rd. 9, RR #1  
Dundalk, Ontario N0C 1B0

**RE: Consent B5.2020**  
**Lot 19, Concession 7**  
**Township of Southgate (geographic Township of Proton)**  
**Owner: Ken & Tracey Seville**  
**Agent: Ron Davidson Land Use Planning Consultant Inc.**

Dear Ms. Hewgill,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP), Recolour Grey. We offer the following comments.

The purpose and effect of the subject application is to create a new residential lot that is 1.125ha in size. The effect is to sever a 1.125 ha parcel of land, with 150m of frontage on Southgate Road 10. The retained parcel shall be 38 ha in size with 250mm of frontage.

County planning staff provided comments for the related zoning (C8-2020) June 5<sup>th</sup>, 2020. These comments are still relevant.

Schedule A of the OP designates the subject lands as 'Rural'. Section 5.4.1 of Recolour Grey states,

- 1) The *Rural land use type* on Schedule A shall permit all uses permitted in Section 5.2.1 of this Plan (the *Agricultural land use type*).

Residential uses are permitted in the Rural land use type, County planning staff have no concerns.

Schedule A of Recolour Grey also designates a portion of the subject property as 'Provincially Significant Wetlands'. Section 7.3.1 states,

2) No *development* or *site alteration* may occur within the *adjacent lands* of the Provincially *Significant Wetlands* and *Significant Coastal Wetlands land use type* unless it has been demonstrated through an *environmental impact study*, as per Section 7.11 of this Plan, that there will be no *negative impacts* on the natural features or their *ecological functions*.

*Development* or *site alteration* within the *adjacent lands* of the Provincially *Significant Wetlands* and *Significant Coastal Wetlands land use type* will require a permit from the appropriate *conservation authority*.

Further, Schedule A also indicates that there are 'Hazard Lands' on the subject property. Section 7.2 states,

2) Permitted uses in the *Hazard Lands land use type* are forestry and uses connected with the conservation of water, soil, wildlife and other natural resources. Other uses also permitted are agriculture, passive public parks, public *utilities* and *resource based recreational uses*. The aforementioned uses will only be permitted where site conditions are suitable and where the relevant hazard impacts have been reviewed.

Schedule C of Recolour Grey identifies the existence of 'Core Area and Linkages' on the subject property. Section 7.1 states,

3) *Development* proposed within *Core Areas*, their 120 metre *adjacent lands*, or *Linkages* will be required to undertake an *environmental impact study (EIS)*, unless otherwise exempted by 7.11.3 of this Plan\*. This EIS will assess the natural features, their *adjacent lands* and their connections to other natural features. Table 10 below provides for the permitted uses in *Core Areas* and *Linkages*.

Appendix B indicates that the subject property contains 'Significant Woodlands'. Section 7.4 of Recolour Grey states,

1) No *development* or *site alteration* may occur within *Significant Woodlands* or their *adjacent lands* unless it has been demonstrated through an *environmental impact study*, as per Section 7.11 of this Plan, that there will be no *negative impacts* on the natural features or their *ecological functions*.

Appendix B also indicates that the subject property contains 'Significant Valleylands'. Section 7.7 of Recolour Grey states,

1) No *development* or *site alteration* may occur within *Significant Valleylands* or their *adjacent lands* unless it has been demonstrated through an *environmental*

*impact study* that there will be no *negative impacts* on the natural features or their *ecological functions*. The *adjacent lands* are defined in Section 9.18 of this Plan.

Further, Appendix B also indicates that the subject property is adjacent to a stream. Section 7.9 states,

2) No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with Section 7.11 of this Plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced. Landowners are encouraged to forest the areas within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream, and to increase natural connections.

County planning staff recommend receiving comments from the Conservation Authority regarding the above noted natural heritage features. Staff have also reviewed the associated Environmental Impact Statement submitted by River Stone Environmental Solutions Inc. and staff recommend that the recommended measures by the consultant to minimize the potential for environmental impact are implemented.

Should the applicant seek to injure or destruct trees on lands that extend more than 15 metres from the outer edge of which a Building Permit has been issued, staff recommend consulting the County's Forestry Management By-law - <https://www.grey.ca/forests-trails>. An exemption to the by-law includes the injuring or destruction of trees required in order to install and provide utilities to the construction or use of the building, structure or thing in respect of which a Building Permit has been issued.

Provided positive comments are received from the Conservation Authority regarding the above noted natural heritage features, County planning staff have no further concerns with the subject application.

The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Stephanie", followed by a stylized flourish.

Page 4  
September 9<sup>th</sup>, 2020

Stephanie Lacey-Avon  
Planner  
(519) 372-0219 ext. 1296  
[stephanie.lacey-avon@grey.ca](mailto:stephanie.lacey-avon@grey.ca)  
[www.grey.ca/](http://www.grey.ca/)



## Elisha Hewgill

---

**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** September 8, 2020 11:44 AM  
**To:** Elisha Hewgill  
**Subject:** RE: B5-20 Notice of Public Hearing

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

—  
ENBRIDGE GAS INC. OPERATING AS UNION GAS

TEL: 519-436-4673 | FAX: 519-436-5353

50 Keil Dr N, Chatham ON N7M 5M1

[uniongas.com](http://uniongas.com)

Safety. Integrity. Respect.

---

**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** Thursday, September 3, 2020 3:10 PM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstrlcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jessica Mole <jmole@southgate.ca>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Lindsey Green <lgreen@southgate.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Subject:** [External] RE: B5-20 Notice of Public Hearing

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Further to below, if possible, please supply all comments by **September 16, 2020**.

Thank you.

**Elisha Hewgill**

Administrative & Legislative Assistant

**Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



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**From:** Elisha Hewgill

**Sent:** September 3, 2020 3:08 PM

**To:** Bell Canada ROWCC <[rowcentre@bell.ca](mailto:rowcentre@bell.ca)>; Bev Fisher <[bfisher@southgate.ca](mailto:bfisher@southgate.ca)>; Bluewater District School Board <[shelley\\_crummer@bwdsb.on.ca](mailto:shelley_crummer@bwdsb.on.ca)>; Bluewater District School Board <[jayme\\_bastarache@bwdsb.on.ca](mailto:jayme_bastarache@bwdsb.on.ca)>; Clinton Stredwick <[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)>; Dave Milliner <[dmilliner@southgate.ca](mailto:dmilliner@southgate.ca)>; Enbridge Gas <[municipalplanning@enbridge.com](http://municipalplanning@enbridge.com)>; Fire Chief <[firechief@southgate.ca](mailto:firechief@southgate.ca)>; Group: Planning Dept Emails <[Group\\_PlanningDeptEmails@grey.ca](mailto:Group_PlanningDeptEmails@grey.ca)>; Haudenosaunee Development Institute <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>; Historic Saugeen Metis <[hsmasstrcc@bmts.com](mailto:hsmasstrcc@bmts.com)>; Hydro One <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jessica Mole <[jmole@southgate.ca](mailto:jmole@southgate.ca)>; Jim Ellis <[jellis@southgate.ca](mailto:jellis@southgate.ca)>; Kevin Green <[kgreen@southgate.ca](mailto:kgreen@southgate.ca)>; Krista Youngblood <[k.youngblood@publichealthgreybruce.on.ca](mailto:k.youngblood@publichealthgreybruce.on.ca)>; Lindsey Green <[lgreen@southgate.ca](mailto:lgreen@southgate.ca)>; Martin Leyten - MTO <[Martin.Leyten@ontario.ca](mailto:Martin.Leyten@ontario.ca)>; Metis Nation of Ontario <[consultations@metisnation.org](mailto:consultations@metisnation.org)>; MMAH <[Tyler.Shantz@ontario.ca](mailto:Tyler.Shantz@ontario.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Saugeen Ojibway Nation <[execassistant@saugeenojibwaynation.ca](mailto:execassistant@saugeenojibwaynation.ca)>; Union Gas <[ontugllandsinq@uniongas.com](mailto:ontugllandsinq@uniongas.com)>; William Gott <[wgott@southgate.ca](mailto:wgott@southgate.ca)>; WSP on behalf of Bell <[circulations@wsp.com](mailto:circulations@wsp.com)>

**Subject:** B5-20 Notice of Public Hearing

Good Afternoon,

Please find the below link for the Notice of Public Hearing for Consent Application B5-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B5-20-Ken-Tracey-Sivill-Associated-with-application-C8-20->

The hearing has been scheduled for **September 23, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **August 16, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)

Fax: 519-923-9262 Attn: Elisha Hewgill

Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

**Elisha Hewgill**

Administrative & Legislative Assistant

**Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



## Elisha Hewgill

---

**From:** Chris Hachey <hsmrcc@bmts.com>  
**Sent:** September 9, 2020 2:59 PM  
**To:** Elisha Hewgill  
**Subject:** Request for Comments - Southgate (Sevill) - Proposed Consent to Sever Land

Your File: B5-20

Our File: Southgate Municipality

Ms. Hewgill,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources and Consultation  
Historic Saugeen Métis  
204 High Street  
Southampton, Ontario, N0H 2L0  
Telephone: (519) 483-4000  
Fax: (519) 483-4002  
Email: [hsmrcc@bmts.com](mailto:hsmrcc@bmts.com)

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## Elisha Hewgill

---

**From:** LandUsePlanning@HydroOne.com  
**Sent:** September 3, 2020 3:15 PM  
**To:** Elisha Hewgill  
**Subject:** Southgate - 105701 Southgate Road 10 - B5-20

Hello,

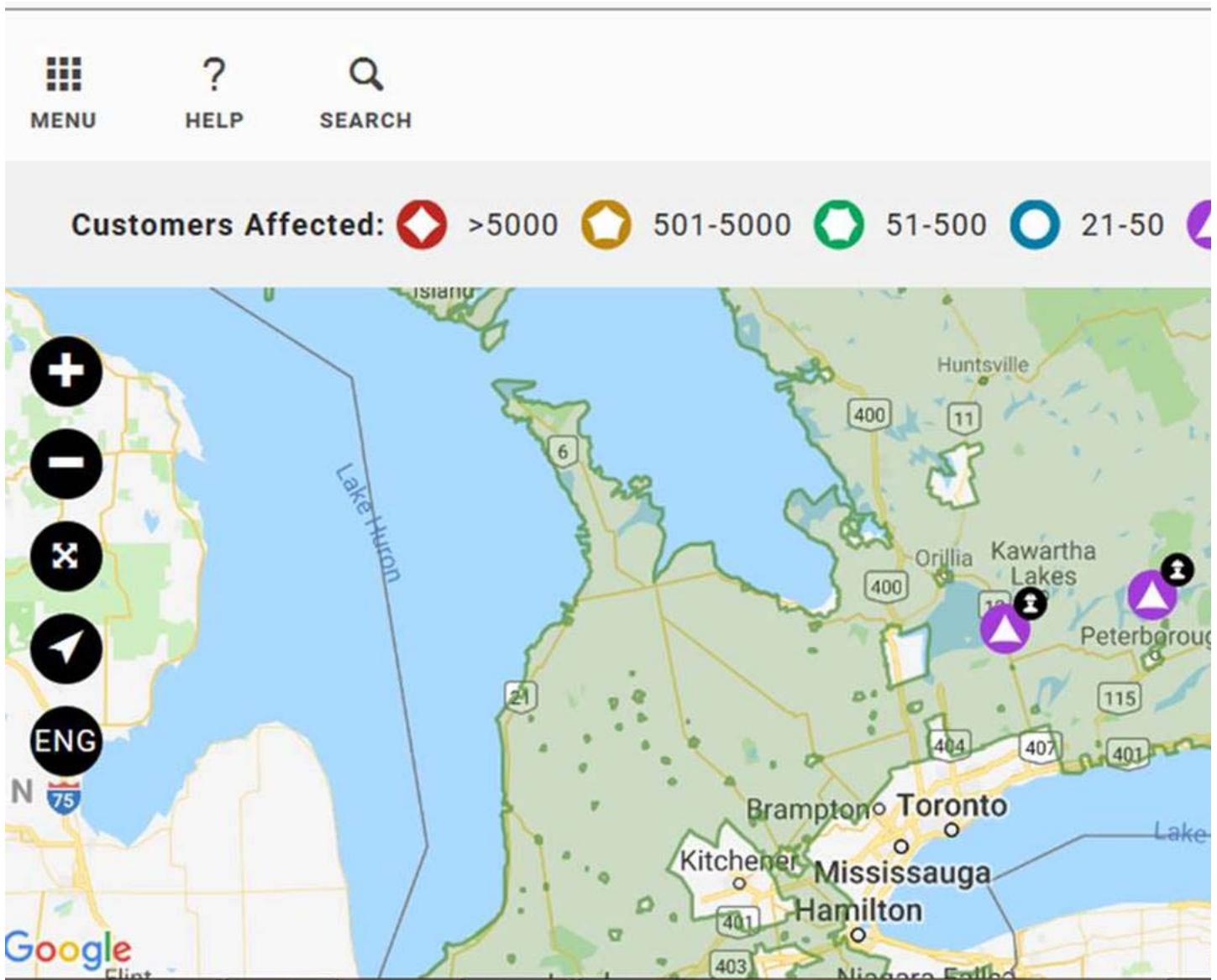
We are in receipt of Application B5-20 dated Sept 3, 2020. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

Thank you,

**Erica de Jesus**

Real Estate Assistant  
Hydro One Networks Inc.

**From:** Elisha Hewgill <ehewgill@southgate.ca>

**Sent:** Thursday, September 3, 2020 3:08 PM

**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Enbridge Gas <municipalplanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstlrcc@bmts.com>; LANDUSEPLANNING <LandUsePlanning@HydroOne.com>; Jessica Mole

<jmole@southgate.ca>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Lindsey Green <lgreen@southgate.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; Union Gas <ontugllandsinq@uniongas.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>

**Subject:** B5-20 Notice of Public Hearing

**\*\*\* Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\***

Good Afternoon,

Please find the below link for the Notice of Public Hearing for Consent Application B5-20.

<https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fwww.southgate.ca%2fen%2fmunicipal%2dservice%2fplanning%2dapplcations%2dpublic%2dnotices.aspx%23B5%2d20%2dKen%2dTracey%2dSivill%2dAssociated%2dwith%2dapplcations%2dC8%2d20%2d&umid=92EE04C1-AE6D-7705-BB46-9D44826900C8&auth=7c4ba316753dc19277b4cd0bdedce6f0c8e9311b-bb2d6dba9be682b3dd8e7e9ff969b22ee09d01b4>

The hearing has been scheduled for **September 23, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **August 16, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

## **Elisha Hewgill**

Administrative & Legislative Assistant

### **Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | <https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.southgate.ca&umid=92EE04C1-AE6D-7705-BB46-9D44826900C8&auth=7c4ba316753dc19277b4cd0bdedce6f0c8e9311b-aa79b5af1cee300d93335469df58bb10b079f2b5>



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## Township of Southgate

185667 Grey County Road 9,  
Dundalk, ON N0C 1B0

**Jim Ellis,**

**Public Works Manager / Risk Management Official**

**jellis@southgate.ca**



**Phone:** 519-923-2110 ext. 250

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Cell:** 519-378-3777

### Public Works Department

Date: September 15, 2020

File No.: B5 - 20

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Rural asphalt

Road Widening Necessary? Yes ☒ No ☐

Entrance Requirements: Will require new entrance

Load Restricted Road: Yes ☒ No ☐

Comments: \_\_\_\_\_

### Risk Management Office

Property is located in a Well Head Protection Area:

- ☐ WHPA "A"
- ☐ WHPA "B"
- ☐ WHPA "C"
- ☐ WHPA "D"
- ☒ Not Applicable

Comments: \_\_\_\_\_

Signed: ***Original Signed By*** \_\_\_\_\_

Jim Ellis, Public Works Manager / Risk Management Official



## **Staff Report PL2020-049**

**Title of Report:** PL2020-049-Report title  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** September 23, 2020

**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-049 for information; and

**That** the severance be approved with the following conditions:

- 1. That** a Zoning by-law is approved and in full force and effect; and
- 2. That** a survey be provided; and
- 3. That** all outstanding taxes, fees and charges are paid, if any.

**Property Location:** 105701 Southgate Road 10



**The Proposal:**

Ken and Tracey Sivill are the owners of a 40 hectare parcel of land where they have their house and accessory buildings.

They propose to sever a 1.125 hectare non-farm residential lot and convey this new

parcel to their daughter who would construct a new dwelling.

**Background:**

The subject property contains a detached dwelling, an accessory building and three sun shelters for horses. The owner keeps two horses on the property. Stalls have been constructed within the accessory building for the horses. Approximately six hectares of the site are actively cash-cropped. The balance of the property is heavily forested. A large portion of the forested area is considered to be a Provincially Significant Woodland. The South Saugeen River meanders through the west side of the property.

An Implementing zoning by-law amendment has been applied for and the file can be found at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C8-20-Ken-Tracey-Sivill-Associated-with-application-B5-20->

A virtual public meeting was held on June 12, 2020 and no negative comments were received. There were no comments from the public. The by-law will be brought forward to the next available Council meeting for consideration.

The Consent application B5-20 can be found at the following link.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#Consent-Applications>

Comments received from the commenting agencies and the public.

The County of Grey indicates that provided positive comments are received from the Conservation Authority regarding the above noted natural heritage features, County planning staff have no further concerns with the subject application.

The Building Department has no concerns and indicates that applicable permits will be required.

The Public Works department require a 3m road widening and the new lot will require an entrance permit.

The Historic Saugeen Metis have no objections

Enbridge Gas has no objections

Hydro One has no comment or concern.

No comments have been received from the public as of writing this report.

**Policy Review:**  
**Provincial Policy Statement:**

The Provincial Policy Statement allows for limited development within the rural areas of the Township not involving prime agricultural land. Compliance with MDS is required. The PPS also serves to protect natural heritage features. In this regard, an EIS has been completed, demonstrating that the proposed development will not negatively impact the natural environment provided development on the property is restricted to the west side of the severed parcel.

The proposed development would appear to be consistent with the PPS.

**County of Grey Official Plan:**

The Comments from the County of Grey have reviewed the proposal from a County plan conformity perspective. The County has no concerns with the application.

**Township Official Plan:**

In a manner very similar to the Grey County Official Plan, the subject lands are designated in the Township of Southgate Official Plan as 'Rural', 'Hazard Lands' and 'Wetlands' on Schedule A.

The 'Rural' policies give consideration to lot creation up to a maximum of two lots per original 40 hectare including the retained parcel.

Lot creation must also comply with the MDS requirements. Development is also prohibited in a 'Wetland' and is only allowed within 120 metres of a wetland feature where an EIS can demonstrate that the development or site alteration would not negatively impact the wetland or its function.

The proposed lot creation would comply with each of these policies and conforms to the Township's Official Plan.

**Zoning By-law:**

The subject lands are zoned 'A1', 'EP and 'W'.

The 'A1' zone requires a 'minimum lot area' of 40 hectares and a 'minimum lot frontage' of 200 metres. The severed and retained parcels would not be in compliance with these provisions and therefore an amendment to the Zoning By-law is required. The requested amendment would reduce the 'minimum lot area' and 'minimum lot frontage' requirements to 1.125 hectares and 150 metres respectively for the severed parcel, and also reduce the lot area requirement for the retained parcel to 38.875 hectares.

Furthermore, the Zoning By-law Amendment would implement the Environmental Impact Study that was prepared for the subject property by rezoning the significant woodland and its recommended 30 metre buffer to an 'EP - exception' zone in order to prohibit development and site alteration on this portion of the property. The recommended mapping is provided as Figure 4 to the EIS and Figure 2 in the Consultants Planning Merit Letter.

**Financial Implications:**

The Township will benefit by a slight increase in assessment growth for the property.

**Concluding Comments:**

Based on the above, the Consultants Merit letter, the EIS prepared and the comments received, Township staff are prepared to recommend that the proposed consent be approved with conditions.

Respectfully Submitted,

**Municipal Planner:** *Original Signed By*  
Clinton Stredwick, BES, MCIP, RPP

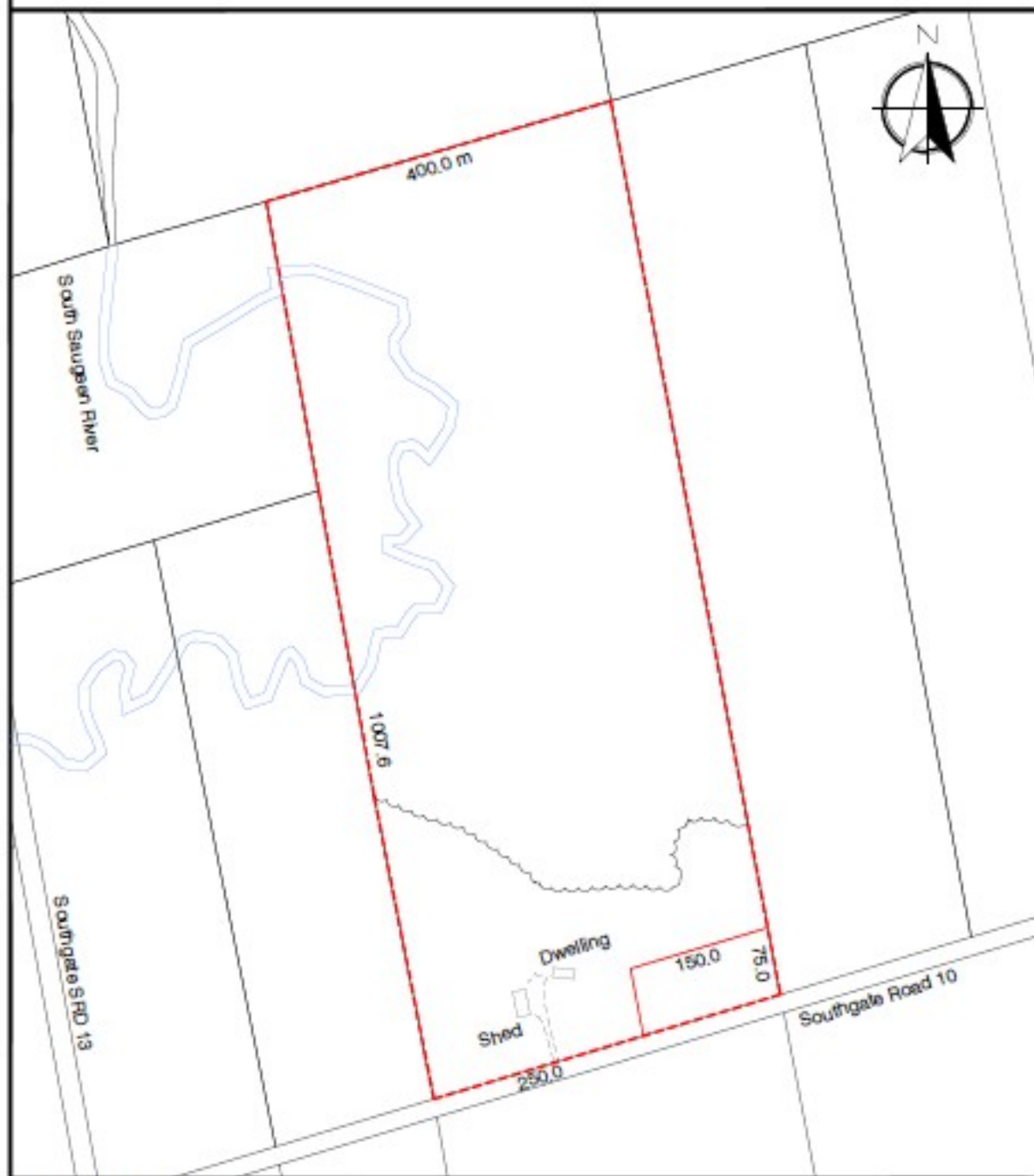


**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:**

1. Drawing 1 the severance.
2. Drawing 2 Developable area of the proposed lot.

Figure 1: Proposed Lot Creation





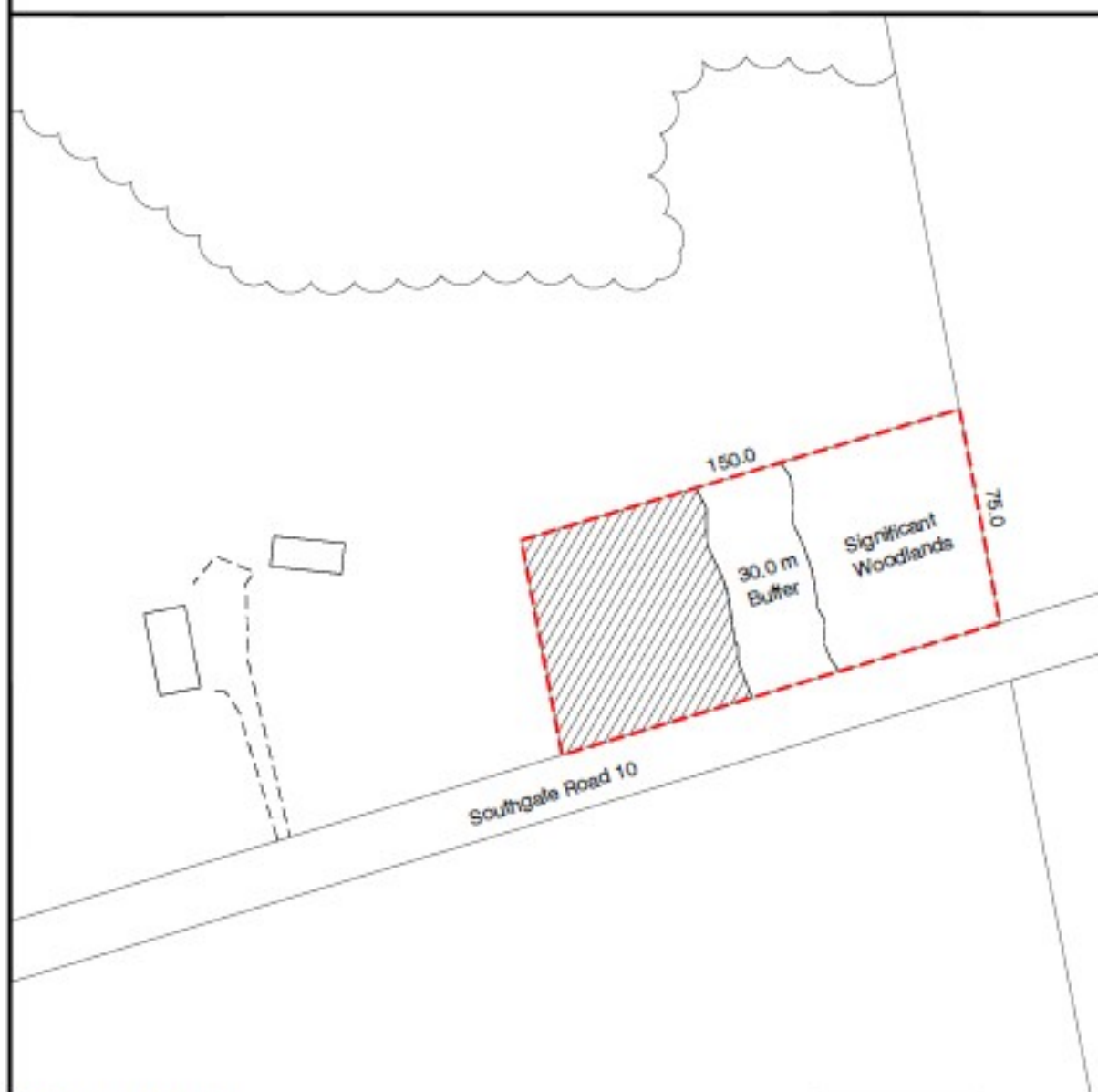
Proposed Lot Creation  
Ken and Tracey Sivill  
105701 Southgate Road 10

**RD** RON DAVIDSON  
LAND USE PLANNING CONSULTING INC.  
ONE SOUTH OCEAN RD.  
SCALE 1:6000



Figure 2: Building Envelope on Severed Lot

-  Severed Lot
-  Developable Area



Proposed Lot Creation  
Ken and Tracey Sivill  
105701 Southgate Road 10

**RD** RON DAVIDSON  
LAND USE PLANNING CONSULTING INC.  
OPEN SOURCE, ON 1480  
SCALE 1:2000



**The Corporation of The  
Township of Southgate**

**Consent application form**

**Instructions:**

- Please check all applicable boxes and answer all applicable questions
- Several of the questions are part of the minimum mandatory requirements as prescribed in Schedule 1 to Ontario Regulation 41/95, Planning Act, and must be completed
- Failure to provide adequate, correct information may result in your application being refused
- All measurements MUST be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Applications are not accepted without the required fees

**For office use only**

File No: B6-20

Pre-Consult Date: \_\_\_\_\_

Date received: May 26, 2020

Date accepted: \_\_\_\_\_

Accepted by: \_\_\_\_\_

Roll # 42 07 060 006 00300

Conservation Authority Fee

Required: \_\_\_\_\_

Other information: \_\_\_\_\_

It is strongly advised that any potential applicant pre-consult with the Planning Department prior to submitting any planning application. This could save you money and avoid delays in processing. Staff are available to provide some assistance in completing this application and will help ensure the application is filled out completely.

**The Approval Authority is the *Township of Southgate Committee of Adjustment***

**Required Fees:**

Application Fees	\$1,301.00 due with submitted application
	\$ 255.00 due on completion (if approved)
Public Notice Sign Fee	\$ 105.00
Parkland Dedication Fee	\$ 521.00 (all new residential lots)
Deed Stamping	\$ 313.00 due before finalization of approved consent
Conservation Authority Fee	SVCA \$ 240.00 (per each net lot created) GRCA – Call directly for details

**Note on fees:**

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law.

All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of submission of the application.

Please review the required Conservation Authority fees prior to submitting your application. Saugeen Valley Conservation Authority requires their fee to be submitted to the Township of Southgate along with this application.

In the event that all fees are not paid in full at the time of submission, the application shall be deemed incomplete.

**PAID**

## Part One

### Owner/Agent/Application Information

\*To be completed by the applicant

1. Name of registered owner: Lawrence Martin

Mailing address: \_\_\_\_\_

Phone# : (H) \_\_\_\_\_ (B) \_\_\_\_\_

Email Address: \_\_\_\_\_

2. Name of applicant (if different than above): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant's Relationship to Subject Lands:

- ☐ Registered Property Owner  
☐ Holder of Option to Purchase Subject Lands  
☐ Signing Officer of Corporation  
☐ Other (Specify) \_\_\_\_\_

3. Name of agent: Ron Davidson Land Use Planning Consultant Inc.

Mailing address: 265 Beattie Street, Owen Sound, ON N4K 6X2

Phone#: (519) 371-6829 Email: ronalddavidson@rogers.com

4. Send all correspondence to: (Choose only ONE) ☒ Applicant ☐ Agent

5. Preferred Method of communication: ☒ Phone ☐ email ☐ Postal Mail

## Part Two

### The Subject Lands

6. Subject Land: (Legal Description)

*NOTE: On this form "SUBJECT LAND" means the parcel to be severed & the parcel to be retained.*

Former Municipality Township of Egremont

Road Name Southgate Sideroad 55 Civic Address (911) No. 551003

Lot No. Part Lot 16 Plan/Concession 4

Part \_\_\_\_\_ Reference Plan No. \_\_\_\_\_

7. Description of Subject Land:

a) Existing use of the subject land:

- ☒ Agricultural ☐ Rural ☒ Commercial/Industrial ☐ Residential  
☐ Other(explain) \_\_\_\_\_

b) Existing buildings Building used as part of the grain drying operation. Second building (barn) to be used as part of the business as well.

c) Is the "subject land" presently subject to any of the following:

- ☐ Easement ☐ Restrictive Covenants ☐ Right of Way

Describe: Not applicable

**NOTE:** all existing easements and right of ways must be shown on the sketch.



### Part Three

#### The Proposal

#### 8. Proposal

Dimensions of land intended to be SEVERED	Dimensions of land intended to be RETAINED
Frontage <u>183</u> metres	Frontage <u>302 +/-</u> metres
Depth <u>110.8</u> metres	Depth <u>825 +/-</u> metres
Area <u>2.0</u> hectares	Area <u>22.72</u> hectares

*\*These dimensions must be accurate*

#### 9. Reason for severance

(a) Reason for severance To sever agricultural-related business from farm land, and merged farm land (retained parcel) with adjacent 6.0 hectare lot.

- i) New Lot ☐
- ii) Lot Addition ☒ (Question # 12 to be completed)
- iii) Lease/Charge ☐
- iv) Easement/Right of Way ☐

<input type="checkbox"/> Bell Canada	<input type="checkbox"/> Hydro
<input type="checkbox"/> Water Access	<input type="checkbox"/> Gas
<input type="checkbox"/> Other (Specify) _____	

v) Correction of Title ☐

vi) Other ☐ Specify \_\_\_\_\_

(b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged: Lawrence Martin

Address: (see Question 1)

#### 10. Proposed use of land to be severed

Existing buildings 2 buildings and grain bins and dryers.

Proposed buildings None proposed at this time. Additional bins will be erected later.

<input type="checkbox"/> Non-farm residential	<input type="checkbox"/> Surplus farm dwelling
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Agricultural related
<input type="checkbox"/> Hobby Farm	<input type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	

#### 11. Proposed use of land to be retained

Existing buildings None

Proposed buildings None. This parcel will be merged with abutting lot containing mobile home.

<input type="checkbox"/> Non-farm residential	<input type="checkbox"/> Surplus farm dwelling
<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> Agricultural related
<input type="checkbox"/> Hobby Farm	<input type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	

12. Original lot being added to (lot addition only): \_\_\_\_\_

Existing buildings/structures: Mobile home

Use: Primarily residential, with some cropped lands and large forested area.

Access: Sideroad 55

Servicing: Private septic and well

13. Road Access:

	Severed Parcel	Retained Parcel
Provincial Highway(Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
County Road (Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
Southgate Road (Provide Road Number)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Non-maintained/seasonally maintained Municipal road allowance	<input type="checkbox"/>	<input type="checkbox"/>
If access is from a non-maintained or seasonally maintained road allowance has an agreement been reached with the municipality regarding upgrading of the road? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Private Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>

14. Servicing:

a) What type of water supply is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Lake/River	<input type="checkbox"/>	<input type="checkbox"/>
Private well - Individual	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Private well - Communal	<input type="checkbox"/>	<input type="checkbox"/>
If proposed water supply is by private well, are the surrounding water well records attached? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

b) What type of sewage disposal is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Individual Private Septic	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal Private Septic	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify)	<input type="checkbox"/>	<input type="checkbox"/>

c) Other services (check if any of these services are available to the "subject land")

Electricity ☒ School Bus ☒ Telephone ☒ Garbage Collection ☒

15. Agricultural property history

If this property is Agricultural in nature or located within 450m (1476 feet) of a barn or livestock facility, **you must complete Schedule "A"**, found at the end of this application. (Exception for minor lot line adjustment).



## Part Four

### Statement of Compliance

#### 16. Applicable legislation and policies

a) Is this application consistent with policy statements issued under subsection 3 (1) of Planning Act? ☒ Yes ☐ No

b) Is the subject land within an area of land designated under any provincial plan or plans? ☐ Yes ☒ No

i) If the answer to section b) is yes, does this application conform to, or not conflict with, the applicable provincial plan or plans.  
☐ Yes ☐ No

c) Please indicate the existing Southgate Official Plan designation(s) of the subject land:

<input checked="" type="checkbox"/>	Agriculture	<input type="checkbox"/>	Space Extensive Industrial/Commercial
<input type="checkbox"/>	Rural	<input type="checkbox"/>	Mineral Aggregate Extraction
<input type="checkbox"/>	Village Community	<input checked="" type="checkbox"/>	Hazard Lands
<input type="checkbox"/>	Inland Lakes	<input type="checkbox"/>	Wetlands
<input type="checkbox"/>	Major Open Space	<input type="checkbox"/>	Neighbourhood Area
<input type="checkbox"/>	Arterial Commercial	<input type="checkbox"/>	Downtown Commercial
<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Public Space
<input type="checkbox"/>	Special Policy Area		

d) Please indicate whether any of the following Constraint Areas in Southgate Official Plan apply to the subject land:

<input type="checkbox"/>	Primary Aggregate Resource Areas	<input type="checkbox"/>	ANSI
<input type="checkbox"/>	Existing/known abandoned Land Fill Sites	<input type="checkbox"/>	Deer wintering yard

e) Does the application conform to the Southgate Official Plan?  
☐ Yes ☒ No OPA application has been filed.

f) Has any land been previously severed from the original parcel of land?  
☒ Yes ☐ No If yes, how many severances? 2 (one has merged with abutting lands.)

Indicate year, file #'s, if known Unknown

g) Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under the Planning Act?  
☐ Yes ☒ No ☐ Unknown

h) Is the application being submitted in conjunction with a proposed County Official Plan Amendment? ☐ Yes ☒ No

i) Is the application being submitted in conjunction with a proposed Southgate Official Plan Amendment? ☒ Yes ☐ No

j) Has an application for a zoning by-law amendment, or a minor variance, been submitted to/or approved by the Township of Southgate?  
☒ Yes ☐ No

i) If yes, please provide some additional information: Filed with this application

File # \_\_\_\_\_ Submitted \_\_\_\_\_ Approved \_\_\_\_\_

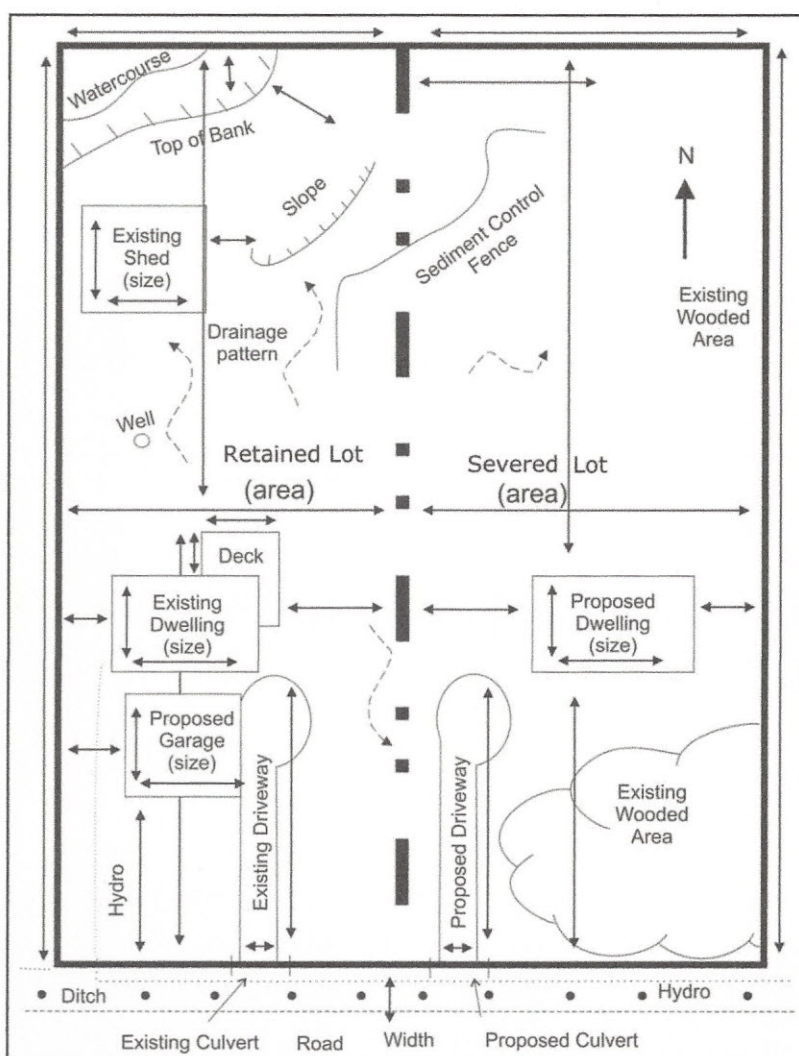
File # \_\_\_\_\_ Submitted \_\_\_\_\_ Approved \_\_\_\_\_

### Additional Requirements

#### 17. Sketch \*\*\*You must show all of the required information\*\*\*

Sketch must be submitted on paper no larger than 8 1/2" x 14". Please review the example sketches to help you with what is required. Sketches must be need and easy to read.

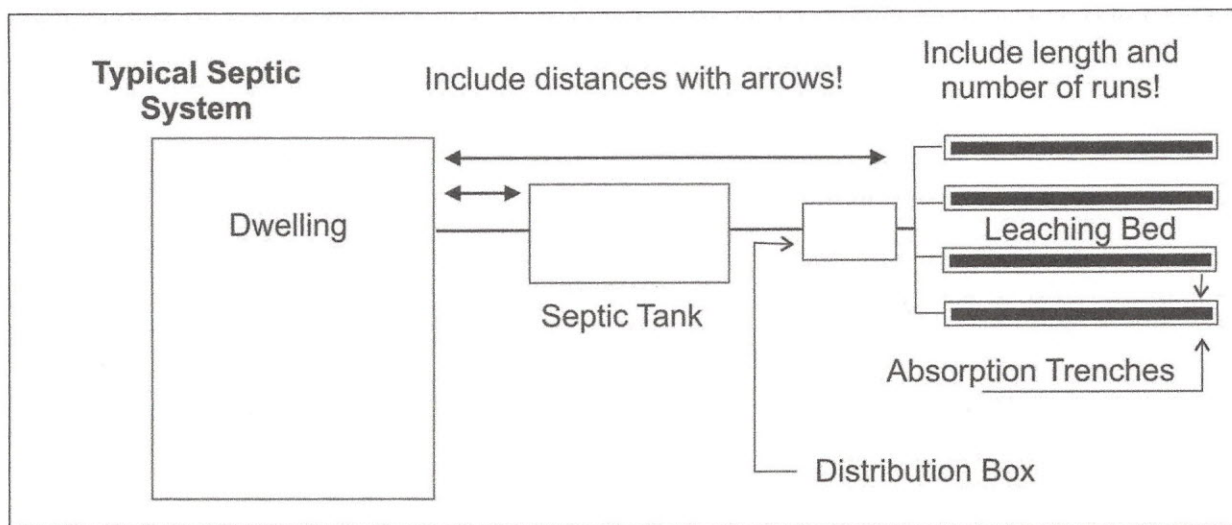
- Clearly label which is the severed parcel and which is the retained parcel
- "NORTH ARROW"
- "Subject Land" - all land owned by the applicant - boundaries & dimensions
- Distance between the applicant's land and the nearest township lot line or appropriate landmark (e.g. bridge, railway crossing, etc.)
- Boundaries and dimensions of the subject lands – clearly indicating the part of the parcel that is to be severed, the part that is to be retained and the location of all land previously severed
- Approximate location of all natural and artificial features on the subject land (e.g. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, septic tanks) and the location of any of these features on adjacent lands which may affect the application
- Use of adjoining land (e.g. residential, agricultural, cottage, commercial, etc.)
- Location, width and names of all road allowances, rights-of-way, streets, or highways within or abutting the property, indicating whether they are publicly traveled roads, private roads, rights-of-way or unopened road allowances
- Location and nature of any easement affecting the subject land
- Location and distances of barns within 450 metres (1476 feet) of severance



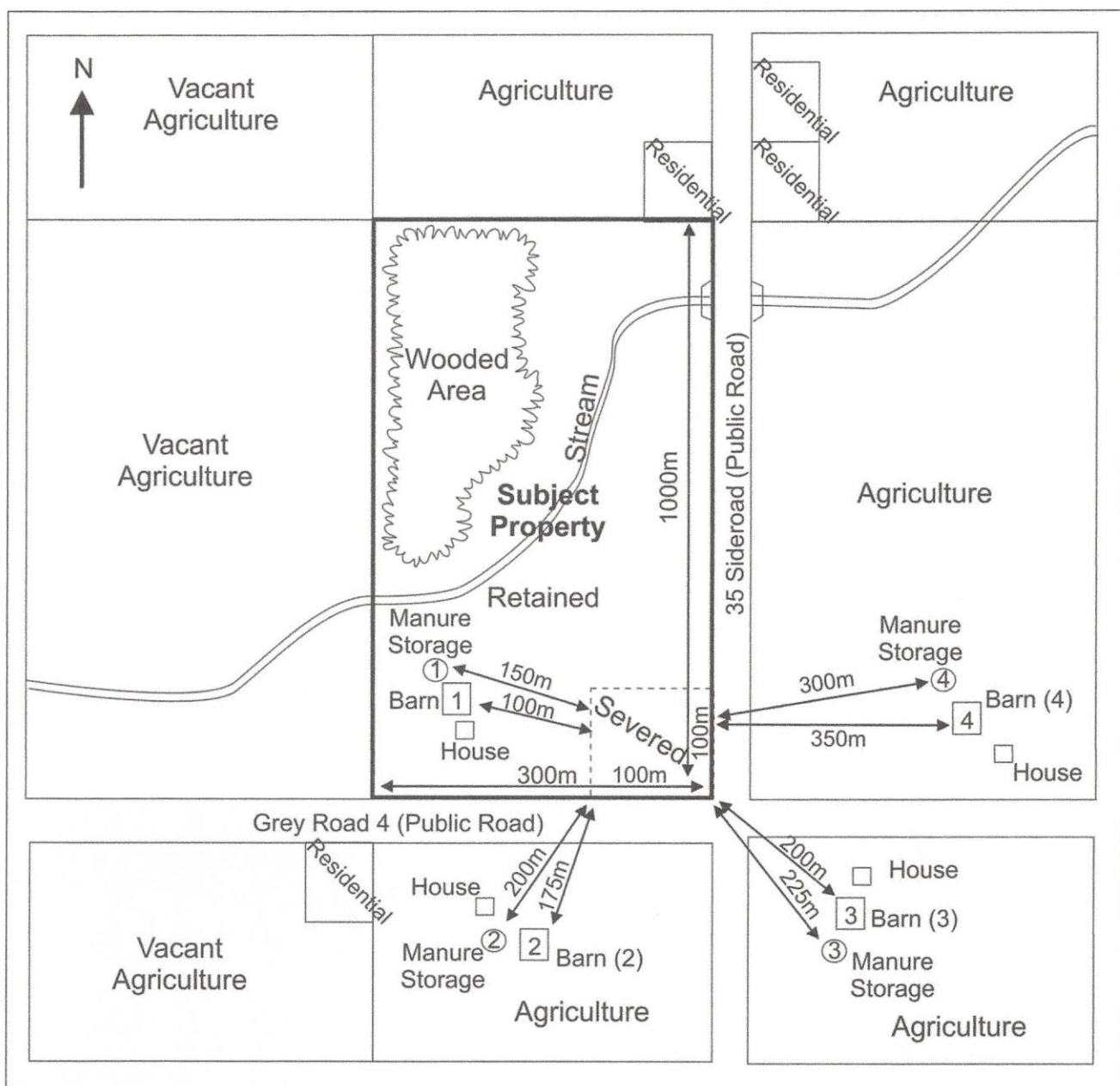
Sample 1 Residential Lot Severance Sketch

\*\*\*Please do not return this page\*\*\*





### Sample 2 Septic System Information



### Sample 3 Agricultural Severance

Further Note on Sketches:

The above samples are provided for your information. The exact details you will need to provide will depend on your proposal. Agricultural properties **MUST** provide information relating to barns on the subject property *and* the neighbouring properties as shown in Sample 3. Properties inside urban areas do not require agricultural information. Septic information in the urban area of Dundalk is not required if the property is on full municipal services.

\*\*\*Please do not return this page\*\*\*

**Part Five****Authorization and affidavit****18. Owner's Consent (Freedom of Information):**

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation

I(we), Lawrence Martin and \_\_\_\_\_  
*name of owner(s)*

hereby acknowledge the above-noted 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, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

\_\_\_\_\_  
*Signature of Owner* \_\_\_\_\_  
*date*

\_\_\_\_\_  
*Signature of Owner* \_\_\_\_\_  
*date*

**19. Owner authorization for agent**

I/we Lawrence Martin

authorize Ron Davidson

to act as our agent(s) for the purpose of this application.

\_\_\_\_\_  
*Signature of Owner* \_\_\_\_\_  
*Signature of Witness*

Dated at the Township of Southgate,

this \_\_\_\_\_ day of April, 20 20\_\_.

**20. Owners authorization for access**

I/we Lawrence Martin

Hereby do permit Township staff and its representatives to enter upon my/our lands during regular business hours for the purpose of performing inspections of the subject property as it relates to evaluation of this application.

\_\_\_\_\_  
*Signature of Owner* \_\_\_\_\_  
*date*

\_\_\_\_\_  
*Signature of Owner* \_\_\_\_\_  
*date*

## 21. Affidavit or sworn declaration

Note: This Affidavit must be signed in the presence of a Commissioner for Taking Oaths.

I/ (We) Ron Davidson

*Name of Owner(s) or Authorized Agent*

of the City of Owen Sound in the County of Grey  
*city/township/municipality* *county/region*

Solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the:

City of Owen Sound in the County of Grey  
*city/township/municipality* *county/region*

This 8 day of May, 2020



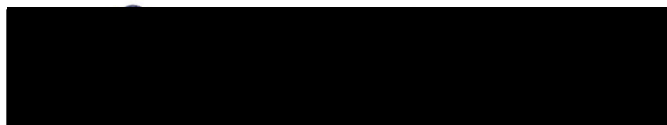
*Signature of Owner or Authorized Agent*

May 8, 2020

*Date*

*Signature of Owner*

*Date*



*Signature of Commissioner*

May 8, 2020

*Date*

Jodi Lynne Potter, a Commissioner, etc.,  
 Province of Ontario, for Andrew E. Drury,  
 Barrister and Solicitor.  
 Expires January 5, 2023.

Return this completed form and payment to:

Attention: Committee of Adjustment  
 Township of Southgate  
 185667 Grey Road 9, RR 1  
 Dundalk Ontario  
 N0C 1B0



## Schedule "A"

### Supplementary Information – Agricultural Lands

#### Agricultural property history

1. What type of farming has been or is currently being conducted?

<input type="checkbox"/> Beef	<input type="checkbox"/> Swine	<input type="checkbox"/> Poultry
<input checked="" type="checkbox"/> Dairy	<input checked="" type="checkbox"/> Cash Crop	<input type="checkbox"/> Sheep
<input type="checkbox"/> None		
<input type="checkbox"/> Other (describe) _____ _____		

a) Describe in detail the size and age of animals, and feed type used for the type of farming conducted: Dairy, 25 heifers. Note: Barn is to be used as part of the grain-drying operation once the Official Plan Amendment and Zoning By-law Amendments are approved.

2. Is there a barn on the *subject property*? ☒ Yes    ☐ No

If yes, answer the questions below:

- a) Indicate the condition of the barn: Good
- b) Size of Barn: 400 m<sup>2</sup>
- c) Present Use of Barn: Dairy
- d) Livestock Capacity of Barn: 60 heifers
- e) MANURE STORAGE:

*Please indicate the manure storage facilities on the subject lands*

- ☐ No storage required (manure/material is stored for less than 14 days)
- ☒ Storage already exists

i) Type of Storage:

- ☐ Liquid
- ☐ inside, underneath slatted floor
  - ☐ outside, with permanent, tight fitting cover
  - ☐ (treated manure/material) outside, no cover
  - ☐ outside, with a permanent floating cover
  - ☐ outside, no cover, straight-walled storage
  - ☐ outside, roof but with open sides
  - ☐ outside, no cover, sloped-sided storage
- ☐ Solid
- ☐ inside, bedded pack
  - ☐ outside, covered
  - ☒ outside, no cover,  $\geq 30\%$  DM
  - ☐ outside, no cover, 18-30% DM, with covered liquid runoff storage
  - ☐ outside, no cover, 18-30% DM, with uncovered liquid runoff storage

3. Are you actively farming the land (or – do you have the land farmed under your supervision)?

- ☒ Yes – For how long? Since it was purchased.
- ☐ No – When did you stop farming? \_\_\_\_\_
- a) If no, for what reason did you stop farming? \_\_\_\_\_

4. How long have you owned the farm? 2007

5. Area of total farm holdings: 24.72

6. Number of tillable hectares: 23.5

7. Do you own any other farm properties? ☒ Yes ☐ No

If yes, indicate locations: Lot: Part Lot 16, Lot 17, Part Lots 18 & 19, Concession: 4

Former Township: Egremont

Total Hectares: 83.4 ha

8. Do you rent any other land for farming purposes? ☐ Yes ☒ No

If yes, indicate locations: Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Former Township: \_\_\_\_\_

Total Hectares: \_\_\_\_\_

9. Adjacent and nearby farms

a) Are there any barns on other properties within 450 m (1500 ft) of the subject lands?

☐ Yes ☒ No

\*\*\*If yes, these barns and distances to the subject property must be shown on the sketch.

The following questions must be answered for each property within 450m containing a barn regardless of current use. Attach a list if necessary.

b) What type of farming has been conducted on the property/properties?

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c) Indicate the number of tillable hectares on other property: \_\_\_\_\_

d) Indicate the size of the barn(s): \_\_\_\_\_

e) Capacity of barn in terms of livestock: \_\_\_\_\_

f) Manure Storage facilities on other property (*see storage types listed in question above*):

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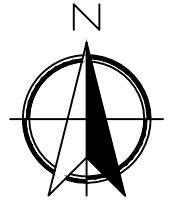


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Additional information may be required for Minimum Distance Separation (MDS) calculations – please discuss this with Planning Staff prior to submitting your application

Figure 4: Proposed Severance (Lot Addition)

 Lands to be Severed



Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate



**RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:7000



**TOWNSHIP OF SOUTHGATE COMMITTEE OF ADJUSTMENT**  
**NOTICE OF APPLICATION FOR CONSENT AND PUBLIC HEARING**  
**The Planning Act, RSO 1990, as amended**

---

**TAKE NOTICE** that the Township of Southgate Committee of Adjustment has appointed **September 23, 2020 at 9:00 am** for the purpose of a public hearing to be electronically at the following credentials:

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/442563645>

You can also dial in using your phone. Canada: +1 (647) 497-9373 Access Code: 442-563-645 #

**NOTE:** If you wish to speak at the meeting, please register in advance by contacting the Secretary-Treasurer, Elisha Hewgill using the below information.

The meeting will be recorded and uploaded to the Township YouTube Channel:

<https://www.youtube.com/user/SouthgateTownship>

**APPLICATION FOR CONSENT - FILE NO. B6/20**

**OWNERS:** Lawrence Martin

**SUBJECT LAND:** Con 4 S Pt Lot 16, Geographic Township of Egremont. The lands are further described as 551003 Sg Sideroad 55.

**THE PURPOSE** of the application is to sever the grain business of approximately 2ha. from the larger agricultural parcel and merge the retained lot with the 6 ha lot to the north.

**THE EFFECT** is to sever a 2ha parcel of land, with 183m of frontage on Southgate Sideroad 55. The retained parcel shall be 22.72ha in size with frontage on Highway 89 as well as Sideroad 55. The retained lot will be merged with the neighboring 6 ha lot to the north being Con 4 N Pt lot 16 RP 17R1261 Pt 1.

**SEE SKETCH ATTACHED (reverse side)**

---

Property owners within 60 metres of the subject land are hereby notified of the above application for consent. The property to be severed will be marked by a sign.

**If** a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make **written submission** to: Committee of Adjustment, Township of Southgate office before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.

**If** you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must submit a written request to the undersigned.

Additional information regarding this application is available for public viewing from Monday to Friday 8:30 am to 4:00 pm at the Township of Southgate Administration office OR by contacting Clinton Stredwick, Planner at 519-923-2110 Ext. 235.

When requesting information please quote File No. **B6-20**

---

**ELISHA HEWGILL, SECRETARY-TREASURER,**  
**COMMITTEE OF ADJUSTMENT FOR THE TOWNSHIP OF SOUTHGATE**  
**185667 GREY RD 9, DUNDALK, ON N0C 1B0**  
**(519) 923-2110 EXT 232 Toll Free 1-888-560-6607 FAX (519) 923-9262**

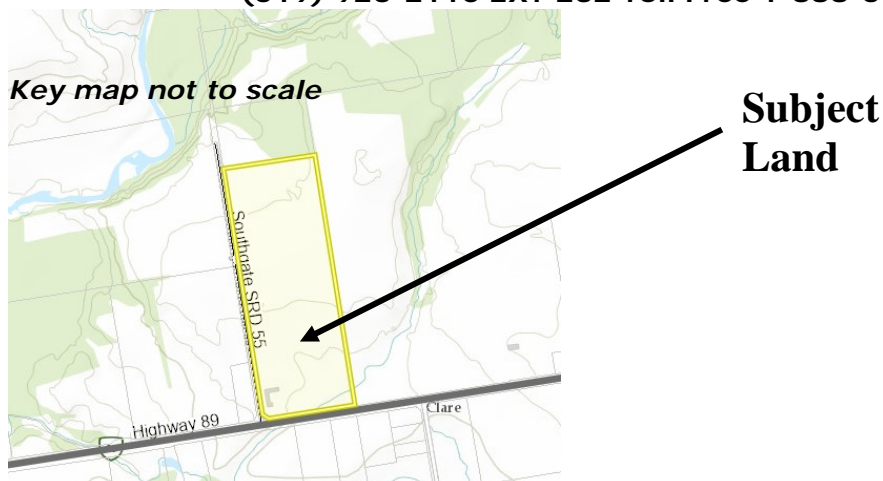
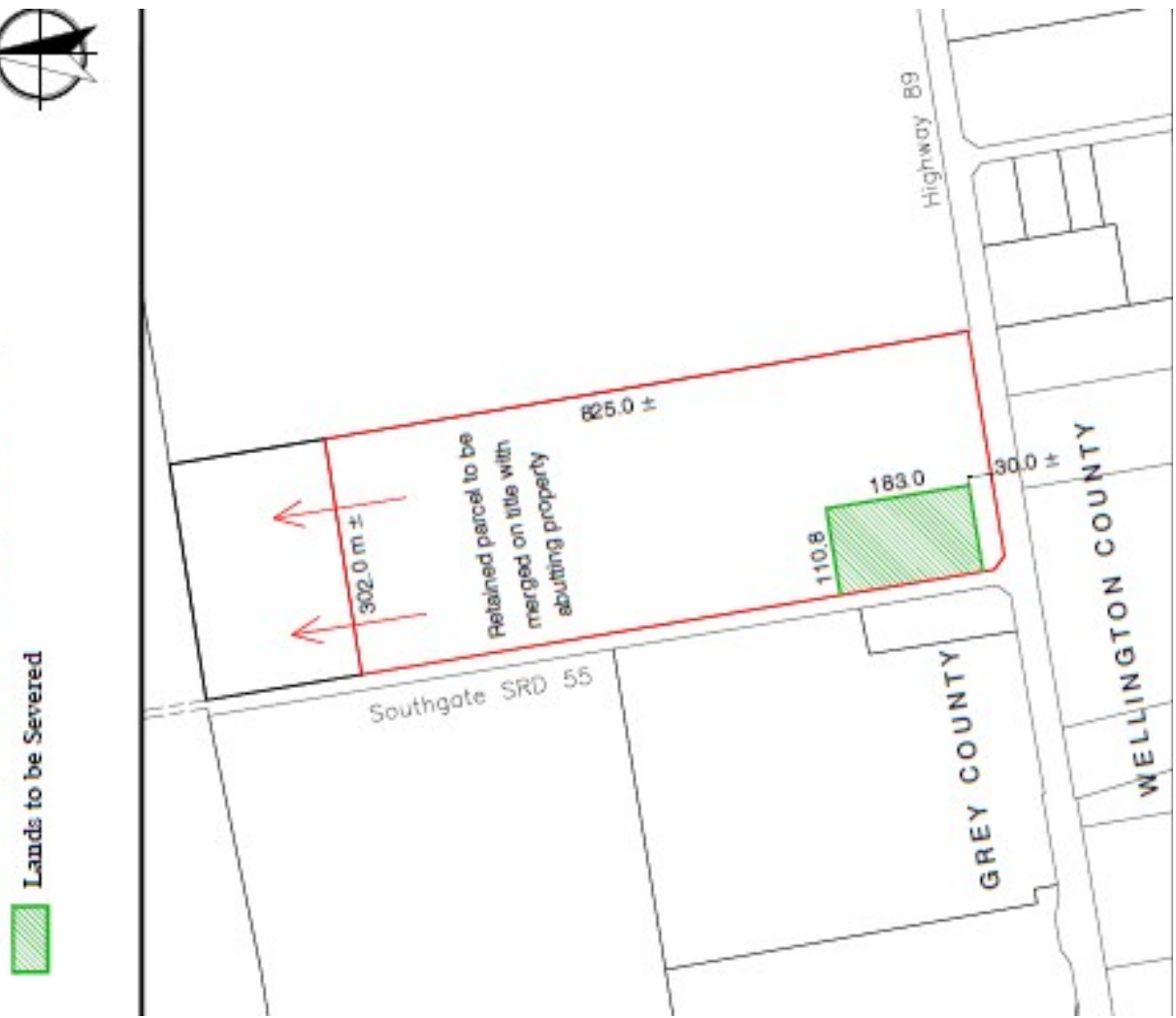






Figure 4: Proposed Severance (Lot Addition)



## Planning Application Comments

### Building Department

Date: September 11, 2020

File No: B6-20

Property Owner: Lawrence Martin

The Southgate Building Department is aware of the application noted above and at the present time have the following comments.

- ☒ No Concerns or objections with the application.
- ☒ Development will require applicable permits before construction.
- ☒ A Barrier free washroom will be required with Septic system.
- ☐ Recommend the septic design is considered before proceeding.
- ☐ A detailed septic design is required.
- ☐ Road access and Civic number will be required before development proceeds.
- ☐ May require water supply to meet OBC 3.2.5.7 Water requirements for firefighting.
- ☐ Comments:

If I can be of any further assistance, please do not hesitate to contact me.

**Bev Fisher**

**Chief Building Official | Township of Southgate**

185667 Grey County Road 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 240 | Mobile: | Fax 519-923-9262

[bfisher@southgate.ca](mailto:bfisher@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)

## Elisha Hewgill

---

**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** September 8, 2020 11:44 AM  
**To:** Elisha Hewgill  
**Subject:** RE: B6-20 Notice of Public Hearing

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

—  
ENBRIDGE GAS INC. OPERATING AS UNION GAS

TEL: 519-436-4673 | FAX: 519-436-5353

50 Keil Dr N, Chatham ON N7M 5M1

[uniongas.com](http://uniongas.com)

Safety. Integrity. Respect.

---

**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** Thursday, September 3, 2020 3:11 PM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstlrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jessica Mole <jmole@southgate.ca>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Lindsey Green <lgreen@southgate.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Subject:** [External] B6-20 Notice of Public Hearing

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Good Afternoon,

Please find the below link for the Notice of Public Hearing for Consent Application B6-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B6-20-Lawrence-Martin-Associated-with-application-C11-20OPA2-20>

The hearing has been scheduled for **September 23, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **September 16, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

### **Elisha Hewgill**

Administrative & Legislative Assistant

#### **Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



## Elisha Hewgill

---

**From:** Chris Hachey <hsmrcc@bmts.com>  
**Sent:** September 9, 2020 3:02 PM  
**To:** Elisha Hewgill  
**Subject:** Request for Comments - Southgate (Martin) - Proposed Consent to Sever Land

Your File: B6-20

Our File: Southgate Municipality

Ms. Hewgill,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources and Consultation  
Historic Saugeen Métis  
204 High Street  
Southampton, Ontario, N0H 2L0  
Telephone: (519) 483-4000  
Fax: (519) 483-4002  
Email: [hsmrcc@bmts.com](mailto:hsmrcc@bmts.com)

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## Elisha Hewgill

---

**From:** LandUsePlanning@HydroOne.com  
**Sent:** September 3, 2020 3:19 PM  
**To:** Elisha Hewgill  
**Subject:** Southgate - 551003 Southgate SRD 55 - B6-20

Hello,

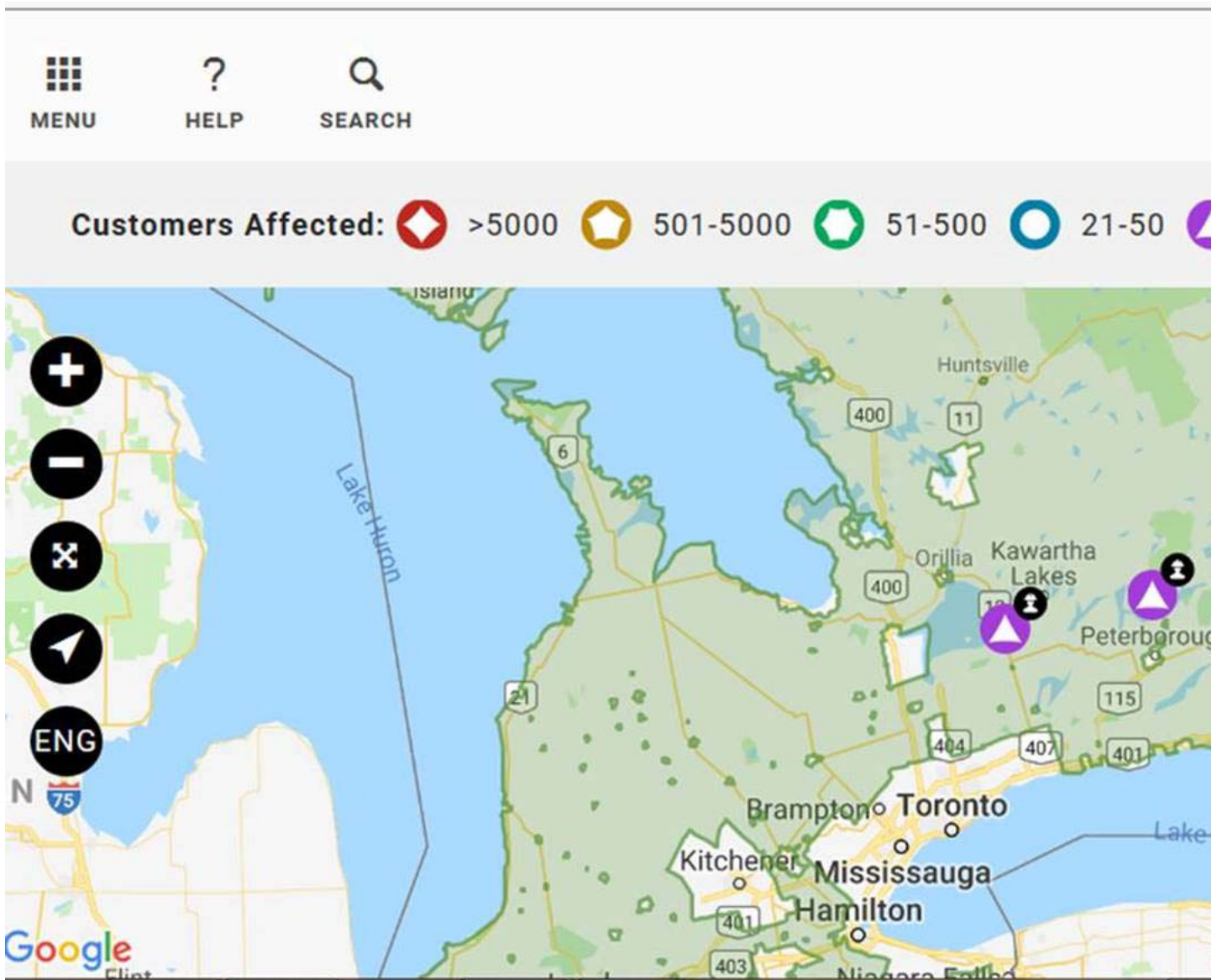
We are in receipt of Application B6-20 dated Sept 3, 2020. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

Thank you,

**Erica de Jesus**

Real Estate Assistant  
Hydro One Networks Inc.

---

**From:** Elisha Hewgill <ehewgill@southgate.ca>

**Sent:** Thursday, September 3, 2020 3:11 PM

**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Enbridge Gas <municipalplanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstlrcc@bmts.com>; LANDUSEPLANNING <LandUsePlanning@HydroOne.com>; Jessica Mole



<jmole@southgate.ca>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Lindsey Green <lgreen@southgate.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenonjibwaynation.ca>; Union Gas <ontugllandsinq@uniongas.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>

**Subject:** B6-20 Notice of Public Hearing

**\*\*\* Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\***

Good Afternoon,

Please find the below link for the Notice of Public Hearing for Consent Application B6-20.

<https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fwww.southgate.ca%2fen%2fmunicipal%2dservice%2fplanning%2dapplcations%2dpublic%2dnotices.aspx%23B6%2d20%2dLawrence%2dMartin%2dAssociated%2dwith%2dapplcations%2dC11%2d20OPA2%2d20&umid=16DC2865-AE6D-8205-B9B5-4DE118C1B021&auth=2d642bc0e91c4252d9fd41a45fae119e296f143e-ca4b63fb4d7923068dc535b8ecfd9b21a16f17a3>

The hearing has been scheduled for **September 23, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **September 16, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

## **Elisha Hewgill**

Administrative & Legislative Assistant

### **Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [https://ddei3-0-](https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.southgate.ca&umid=16DC2865-AE6D-8205-B9B5-4DE118C1B021&auth=2d642bc0e91c4252d9fd41a45fae119e296f143e-27592498f1e9d6a697ff4652229efe1356a27d9e)

[ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.southgate.ca&umid=16DC2865-AE6D-8205-B9B5-4DE118C1B021&auth=2d642bc0e91c4252d9fd41a45fae119e296f143e-27592498f1e9d6a697ff4652229efe1356a27d9e](https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.southgate.ca&umid=16DC2865-AE6D-8205-B9B5-4DE118C1B021&auth=2d642bc0e91c4252d9fd41a45fae119e296f143e-27592498f1e9d6a697ff4652229efe1356a27d9e)



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## Township of Southgate

185667 Grey County Road 9,  
Dundalk, ON N0C 1B0

**Jim Ellis,**

**Public Works Manager / Risk Management Official**

**jellis@southgate.ca**



**Phone:** 519-923-2110 ext. 250

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Cell:** 519-378-3777

### Public Works Department

Date: September 15, 2020

File No.: B6 - 20

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Rural gravel

Road Widening Necessary? Yes ☐ No ☒

Entrance Requirements: Requires Commercial Entrance

Load Restricted Road: Yes ☒ No ☐

Comments:

---

Site plan agreement to pave road section of Southgate Sideroad 55 and then will become unrestricted load and year-round road.

Paving completed, Staff will be bringing report to Council to lift restricted road access fall of 2020

### Risk Management Office

Property is located in a Well Head Protection Area:

- ☐ WHPA "A"
- ☐ WHPA "B"
- ☐ WHPA "C"
- ☐ WHPA "D"
- ☒ Not Applicable

Comments:

---

Signed: ***Original Signed By***

Jim Ellis, Public Works Manager / Risk Management Official



## Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

September 16<sup>th</sup>, 2020

Elisha Hewgill, Secretary-Treasurer  
Township of Southgate  
185667 Grey County Rd. 9, RR #1  
Dundalk, Ontario N0C 1B0

**RE: Consent Application B06.2020**  
**South Part Lot 16, Concession 4 (551003 Southgate Sideroad 55)**  
**Township of Southgate (former geographic Township of Egremont)**  
**Owner: Lawrence Martin**  
**Agent: Ron Davidson**

Dear Ms. Hewgill,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

County planning staff provided comments on the related Zoning By-law Amendment and LOPA 2 application August 7<sup>th</sup>, 2020.

The purpose of the subject application is to sever the grain business of approximately 2ha. from the larger agricultural parcel and merge the retained lot with the 6ha lot to the north. The effect is to sever a 2ha parcel of land, with 183m of frontage on Southgate Sideroad 55. The retained parcel shall be 22.72ha in size with frontage on Highway 89 as well as Sideroad 55. The retained lot will be merged with the neighboring 6ha lot to the north being Con 4 N Pt lot 16, RP 17R1261 Pt 1.

Schedule A of the County OP designates the subject lands as 'Agricultural'. Section 5.2.1(1)(b) states permitted uses include, but are not limited to:

*Agricultural-related uses.*

Section 5.2.2(14) states,

*Agricultural-related uses are not required to be limited in size, whereas on-farm diversified uses are required to be limited to the sizes shown in Table 8.*

Section 5.2.2(5)(d) states,

*MDS I is not required for agricultural-related uses, or for the severance of an existing agricultural-related use.*

County planning staff have no concerns with the proposed size of the grain drying facility, as agricultural-related uses are no longer required to be small scale. MDS I is not required, but the planning consultant noted in their report that the closest barn is almost 800 metres to the east of the lands in question. There are no livestock facilities nearby.

Section 5.2.3(2) states,

*Consents may be permitted to create a new lot for an agricultural-related use, provided the use is as small as possible to permit the use, servicing, and required accessory facilities (e.g. parking, storage, etc.)*

The proposed consent would be for the grain drying facility (agricultural-related use) only, and the area proposed to be severed is 2.0 hectares in size in order to accommodate the existing operation plus additional land for future expansion. The land will be used for a combination of future grain bins and truck/trailer short-term parking. County planning staff have no concerns.

Schedule A of the Official Plan further designates a northern portion of the subject property as 'Hazard Lands'. Policy 7.2(3) states,

*in the Hazard lands designation, buildings and structures are generally not permitted.*

The proposed development site is outside of the hazardous lands. County planning staff have no concerns.

Appendix B of the OP identifies 'Significant Woodlands' adjacent to the subject property on the north end. Section 7.4(1) states,

*No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study, as per section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.*

The proposed expansion of the grain drying facility exceeds the adjacent lands outlined in the County OP; therefore, County planning staff have no concerns with the subject policy.

Appendix B also identifies a 'stream' on the subject property. Section 7.9(2) states,

*No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with Section 7.11 of this Plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced. Landowners are encouraged to forest the areas within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream, and to increase natural connections.*

County planning staff recommend comments are received from the local conservation authority.

An Acoustic Assessment Report was completed February 20<sup>th</sup>, 2019 for related applications C10.2019 & LOPA 24. These applications were proposing an expansion to the existing grain drying facility. General recommendations provided in this report were such that *any future expansion should include the use of noise controls such as silencers, enclosures and/or acoustical wrapping on future aeration fans and/or corn impact areas in grain elevator(s) (i.e. elevator heads). Additionally, the use of existing and potential future structures (i.e. buildings, bins, barriers, etc.) to shield (break line of sight) future significant equipment (i.e. secondary grain dryer) and the neighbouring noise sensitive receptors should be considered.*

Generally, as per policy 4.3(1), efforts should be made to *minimize adverse health effects (such as respiratory inflammation) of odour, air pollution, water pollution, noise or vibration, and other contaminants with sensitive land uses.* Section 5.1 further states, *Grey County supports normal farm practices and this Plan must meet the Farming and Food Production Protection Act (or any successor thereto). The County recognizes that normal farm practices create noise, dust, light, vibration, smoke, flies, and odours; from livestock, heavy machinery, and/or harvesting.*

Section 5.2.2(19) also states,

*Ministry of the Environment, Conservation and Parks (MECP) D-6 Guidelines, or any successor thereto, shall be considered for any new agricultural-related uses or on-farm diversified uses or any industrial nature in the Agricultural, Special Agricultural, or Rural land use types, to guide the separation of industrial uses from nearby dwellings, institutional uses, or other sensitive non-agricultural uses. Uses which are covered as normal farm practices by the Farming and Food Practices Protection Act (FFPPA) shall not be required to meet the D-6 Guidelines, provided they meet all required Provincial noise, air, water, and wastewater standards.*

County planning staff recommend review and follow-up measures are put in place to ensure the recommended noise mitigation controls outlined as part of the *Acoustic Assessment Report* (February 20<sup>th</sup>, 2019) sections 6.1 and 6.2 are implemented at the time of expansion. Staff also recommend Pinchin consultants provide an update to the acoustic assessment report to better clarify what will be required in terms of any additional recommendations for noise mitigation measures, given staff are now in receipt of specific design plans for the proposed future expansion. As noted in the conclusion (section 7.0) of the Acoustic report: *it should be noted these recommendations are generic in nature and don't reflect any modeling results as no specific design plans exist for a future expansion.*

County planning staff generally recommend an update to the *Acoustic Assessment Report* to determine whether additional noise mitigation measures will be required given there is further clarity on the proposed agricultural-related use expansion. Staff also recommend comments are received from the local conservation authority, specifically for the identified stream on the subject property.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Stephanie' followed by a stylized surname.

Stephanie Lacey-Avon  
Planner  
(519) 372-0219 ext. 1296  
[stephanie.lacey-avon@grey.ca](mailto:stephanie.lacey-avon@grey.ca)  
[www.grey.ca](http://www.grey.ca)





## **Staff Report PL2020-050**

**Title of Report:** PL2020-050-B6-20 Lawrence Martin  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** September 23, 2020

**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-050 for information; and

**That** the severance be approved with the following conditions:

- 1. That** the Township Official Plan Amendment and Zoning By-law Amendment Be Approved and in full force and Effect.
- 2. That** the retained lot is consolidated with the lot to the north.
- 3. That** a survey be provided; and
- 4. That** a development agreement is registered on the severed lot to insure that the noise mitigation measures are addressed.
- 5. That** all outstanding taxes, fees and charges are paid, if any.

**Property Location:** 551003 Southgate Sideroad 55



**The Proposal:**

The applicant owns a 24.7 hectare parcel of land located at the northeast corner of the Provincial Highway No. 86 / Southgate Sideroad 55 intersection, and shown above. The site is located approximately seven kilometres east of Mount Forest. The property contains the applicants custom grain-drying business - operating as Southgate Grains - which involves a series of grain bins, a dryer, parking and loading areas for farm trucks and trailers, two weigh scales, a small office building, a building used for office and storage, and a parking area for the storage of grain trailers. A portion of the property was rezoned to in 2013 to allow for this business; and, in 2020, an Official Plan Amendment and Zoning By-law Amendment were approved to allow for an expansion.

The purpose of the application is to sever the grain business of approximately 2ha. from the larger agricultural parcel and merge the retained lot with the 6 ha lot to the north.

The effect is to sever a 2ha parcel of land, with 183m of frontage on Southgate Sideroad 55. The retained parcel shall be 22.72ha in size with frontage on Highway 89 as well as Sideroad 55. The retained lot will be merged with the neighboring 6 ha lot to the north being Con 4 N Pt lot 16 RP 17R1261 Pt 1.

**Background:**

A Township Official Plan Amendment and Zoning by-law amendment are associated with this file and can be found at the following link.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C11-20-OPA2-20-Lawrence-Martin-Associated-with-application-B6-20->

A virtual public meeting was recently held on August 26<sup>th</sup> at 1pm. The application has not yet come to Council for a decision.

Application B6-20 can be found at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B6-20-Lawrence-Martin-Associated-with-application-C11-20OPA2-20>

Public and Agency comments received.

Public Works indicated that paving of the road has been completed, staff will be bringing a report to Council to lift restricted road access for fall of 2020.

County of Grey generally recommend an update to the Acoustic Assessment Report to determine whether additional noise mitigation measures will be required given there is further clarity on the proposed agricultural-related use expansion. Staff also recommend comments are received from the local conservation authority, specifically for the identified stream on the subject property. The County requests notice of any decision rendered with respect to this file.

Building Department indicate a Barrier free washroom will be required with Septic system.

Hydro One has no objection.

Historic Saugeen Metis has no objection.

Enbridge case has no concerns.

At the time of writing this report there are no comments from the SVCA.

There are no comments received from the public.

## **Policy Review:**

### **Provincial Policy Statement 2020:**

Section 4.1 of the Consultants planning report has reviewed the application with respect to the PPS. The Township agrees with the findings of the report that the proposal is consistent with the Provincial Policy Statement.

### **County of Grey Official Plan:**

The County of Grey has reviewed the proposal in relation to the Official Plan as well as the applicants Planning Consultant and found the proposal to be in conformity with the County of Grey Official Plan.

### **Township Official Plan:**

5.1.3 states:

5. Commercial and industrial development must be supportive and related to the agricultural operation and located in close proximity to the farm operations in the area. In addition, buildings used for small scale commercial and industrial uses shall be located in close proximity (cluster) to the existing farm buildings on the property.

Staff Comments: Southgate Grains provides a service for farmers and it is important that this business be located in close proximity to other farming operations and customers. The buildings and structures on the site are clustered together.

6. The maximum structure size for new or expanding small scale commercial and industrial uses shall be 750 square metres, with a maximum outdoor storage size of 500 square meters. Where the maximum structure size is less than 750 square metres, more outdoor storage space will be permitted up to a combined maximum of 1250 square metres. Such uses will only be permitted on farm parcels greater than 20 hectares, all subject to satisfying the Development Policies as outlined in this Section. Council may, in the future, limit the commercial or industrial use through the implementing Zoning Bylaw Amendment.

It is important to note that this policy was recently amended through Official Plan Amendment No. 24 to facilitate an expansion of the operation. The new site-specific policy for this property now reads:

Notwithstanding the provisions of subsection 5.1.3 (6) for the lands described as S Pt Lot 16, Concession 4, Geographic Township of Egremont, in the Township of Southgate, and indicated on the attached Schedule "A", the following shall apply:

- i. A custom grain drying operation shall be permitted subject to the following:
  - a. The area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 0.94 hectares of land;
  - b. The combined floor area of all buildings shall not exceed 1000 m<sup>2</sup>.

The applicants proposal does not conform to the Township Official Plan provisions above because of the size restrictions which are no longer a part of the County Official Plan. The applicant must therefore, apply for another site-specific Official Plan Amendment for the site.

The Official Plan Consent policies of Section 5.1.2 also do not permit more than one severance per 40ha. The property to the north, also owned by the applicant has made it so that an official plan amendment is required based on lot density. The proposal also hopes to alleviate the need for this amendment by merging the northern lot with the retained lands. This would result in the overall lot density remaining the same.

### **Zoning By-law:**

The portion of the applicants property that contains the grain drying operation is approximately 0.93 hectares and is currently zoned 'A1-306' (Agricultural Exception) in the Township's Zoning By-law. The wording of this exception is as follows:

"Notwithstanding the provisions of Section 6, or any other provisions to the contrary, the lands zoned A1-306 shall be subject to the following regulations in relation to an additional permitted use being a custom grain-drying and similar uses provided:

- a) The area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 0.94 ha of land;
- b) The combined floor area of all buildings shall not exceed 1000 m<sup>2</sup>;
- c) Noise related to the operation shall remain with the acceptable limits as set out by the Ministry of the Environment, Conservation and Parks.

These provisions would need to be amended in order to implement the Official Plan Amendment and recognize the increased area of the expanding grain elevator.

**Financial Implications:**

There are no significant financial implications for this proposal.

**Concluding Comments:**

The review above, the submission of comments and the consultants planning report indicate that provided an Official Plan Amendment and Zoning by-law amendment are approved, the proposal is consistent with Policy and should be approved. It is therefore staff's recommendation that the application be conditionally approved.

Respectfully Submitted,

**Municipal Planner:** Original Signed By  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** Original Signed By  
Dave Milliner, CAO

**Attachments:**

1. Consultants planning report
2. Proposed Consent

# **PLANNING REPORT**

## ***CUSTOM GRAIN DRYING EXPANSION AND SEVERANCE***

***“SOUTHGATE GRAINS”  
c/o Lawrence Martin***

**PART LOT 16, CONCESSION 4  
GEOGRAPHIC TOWNSHIP OF EGREMONT  
TOWNSHIP OF SOUTHGATE  
COUNTY OF GREY**

Prepared by:



**Ron Davidson**  
**Land Use Planning Consultant Inc.**  
265 Beattie Street  
Owen Sound, ON. N4K 6X2

May 5, 2020



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# 1. BACKGROUND

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## 1.1 The Proposal

Lawrence Martin owns a 24.7 hectare parcel of land located at the northeast corner of the Provincial Highway No. 86 / Southgate Sideroad 55 intersection, illustrated on Figure 1 to this Planning Report. The site is situated approximately seven kilometres east of Mount Forest.

Situated on the property is Mr. Martin's custom grain-drying business - operating as *Southgate Grains* - which involves a series of grain bins, a dryer, parking and loading areas for farm trucks and trailers, two weigh scales, a small office building, a building used for office and storage, and a parking area for the storage of grain trailers.

A portion of the property was rezoned to in 2013 to allow for this business; and, in 2020, an Official Plan Amendment and Zoning By-law Amendment were approved to allow for an expansion.

Mr. Martin now wishes to sever the business from his farming operation. The parcel would comprise 2.0 hectares of land, which would include all of the aforementioned buildings and structures, in addition to the existing barn plus additional land that could accommodate parking and additional grain bins. The business would be sold to another party; however, Mr. Martin would remain as an employee.

The proposed expansion area is illustrated in Figure 2.

A Site Plan showing the existing and proposed use of the site is provided in Figure 3.

## 1.2 Approvals Required

In order to sever a parcel containing the existing business, approval of the following is required:

- an application to amend the Township of Southgate Official Plan;
- an application to amend the Township of Southgate Zoning By-law; and,
- a Consent (to sever) application.

The new County of Grey Official Plan now allows for the severance of an agricultural-related use on lands designated 'Agricultural', as explained in detail later in this

Planning Report; and, a grain-drying operation is considered to be an agricultural-related use. This particular policy is in keeping with the Provincial Policy Statement (PPS). Given, however, that the County Official Plan only came into effect approximately six months ago, the Township has not yet had an opportunity to update its own Official Plan to reflect the various changes to the upper-tier document; and, rather than wait for the Township to undertake a review of its Official Plan, a site-specific Official Plan Amendment application is being filed on behalf of Mr. Martin to facilitate this severance in a more expeditious manner.

The lands must also be rezoned to facilitate the severance.

Additional details regarding the Official Plan Amendment and Zoning By-law Amendment are provided later in this Planning Report.

The proposed severance will not actually result in the creation of a new lot. As recommended during the preconsultation discussions, Mr. Martin will be merging the retained farm parcel with a 4.86 hectare lot located to the immediate north, which he also currently owns. The lot line adjustment is shown on Figure 4.

### **1.3 Purpose of this Report**

Ron Davidson Land Use Planning Consultant Inc. has been retained by Lawrence Martin to submit the above-noted Planning Act applications to the Township of Southgate and to prepare a Planning Report that evaluates the proposal within the context of sound land use planning principles.

## 2. SUBJECT LANDS AND SURROUNDING LAND USES

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### 2.1 Property Description

The subject property comprises 24.7 hectares of land of which approximately 23.6 hectares are actively cash-cropped by Mr. Martin. Situated in the southwest corner of the site are the aforementioned grain bins and industrial building. Also located within this cluster of buildings and structures is a barn that is currently used to accommodate livestock. The barn will be converted to storage as part of the grain-drying operation.

Please note that another large farm building is shown on the 2015 aerial photograph provided on the County's GIS website; however, that structure has been removed. All buildings and structures currently situated on the site are illustrated in Figure 3.

### 2.2 Surrounding Land Uses

The lands located in the general vicinity of the subject property are used as follows:

- A 4.86 hectare property used partially for cash-cropping is located to the north. This parcel is also owned by Mr. Martin, contains a mobile home and will be merged on title with the retained parcel. The mobile home is leased to another party.
- A farm comprising 205 hectares is located to the immediate east. The lot is owned by Mr. Martin and his wife and contains the family home and a livestock barn.
- A 1.1 hectare non-farm residential lot is located to the west, along the opposite side of Southgate Sideroad 55. This property is also owned by Mr. Martin and the dwelling is leased to another party.
- A 19.2 hectare property, mostly used for cash-cropping, is also situated to the west. No buildings or structures exist on this lot.
- Several non-farm residential lots occupied by detached dwellings are located to the south, along the opposite side of Provincial Highway No. 86.



### 3. OFFICIAL PLANS

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The subject lands fall within the Planning jurisdiction of the County of Grey Official Plan and the Township of Southgate Official Plan.

#### 3.1 County of Grey Official Plan

##### 3.1.1 Land Use Designations

The majority of the Martin farm, including the lands subject to the proposed amendments, is designated 'Agricultural' on Schedule A to the County Official Plan, as illustrated on Figure 5 to this Planning Report. A small area at the north end of the property is designated 'Hazard Lands'.

##### 3.1.2 'Agricultural' Designation

Section 5.2 *Agricultural Land Use Type* of the Official Plan states the following:

###### 5.2.1 *Uses Permitted Policies*

(1) *Permitted uses in the Agricultural land use type include* (edited for relevancy):

b) *Agricultural-related uses (see Table 7).*

Comment: Table 7 is entitled "*Permitted Use Examples in Agricultural and Rural Land Use Types*" and lists "grain dryer / storage for multiple farmers" as an example of a permitted use within the 'Agricultural-related Use' category.

The new Grey County Official Plan uses the term "agricultural-related use", along with "agricultural use" and "on-farm diversified use", all of which are similar to the broader term "small-scale commercial/industrial" which was used in the previous Official Plan to describe certain land uses within the 'Rural' and 'Agricultural' designations. Under the former Official Plan, limitations were placed on the amount of land and the size of the building that can be used for such uses; however, the new Official Plan does not place numerical restrictions on the size of "agricultural uses" or "agricultural-related uses. As such, the Grey County Official Plan would now give consideration to a 2.0 hectare grain-drying operation, as proposed.

With regard to the setbacks from adjacent livestock facilities, Section 5.2.2, paragraph 5) states:

- d) *MDS I is not required for agricultural-related uses, or for the severance of an existing agricultural-related use.*

Comment: Regardless of this exemption from the MDS requirement, it's worth noting that there are no livestock facilities nearby. The closest barn is almost 800 metres to the east of the lands in question.

The consent policies found in Section 5.2.3 *Consent Policies* of the County Official Plan state (edited for relevancy):

- 2) *Consent may be permitted to create a new lot for an agriculture-related use, provide the use is as small as possible to permit the use, servicing, and required accessory facilities (e.g. parking, storage, etc.)*

Comment: The buildings, structures and outdoor storage and parking areas - plus the existing barn that will be converted to a storage building - currently occupy about 70% of the 2.0 hectare area proposed to be severed. (It should be noted that lands along the east side of the proposed lot, which are currently beyond the boundary of the lands zoned for the grain-drying operation, appear to have already been excavated in anticipation of being used for this business.) This leaves about 0.6 hectares of land – all of which is currently farmed – for future expansion of the business. As shown on the site plan provided in Figure 3, this additional land will be used for a combination of future grain bins and truck/trailer short-term parking. There is no doubt that on-site parking is definitely needed for vehicles waiting in line. At the present time, some vehicles park on the side of the Township Road during the fall's busy season, and whereas this road is seldom used by anyone else, onsite parking is always ideal. It should also be noted that Township staff were insistent during preconsultation discussions that a lot created for an agricultural-related use in the 'Agricultural' designation comprise at least 2.0 hectares.

Based on the foregoing, it is evident that the proposed expansion of the existing agricultural-related operation and the severance of these lands from the balance of the farm property conform to the 'Agricultural' policies of Grey County Official Plan.

Merging the retained farm parcel with the 4.86 hectare property to the north, also owned by Mr. Martin, is strongly supported by the Official Plan. The intent of the 'Agricultural' policies is generally for farm parcels to maintain at least 40 hectares of land and to limit the number of lots within this designation. Whereas the existing farm holding is

currently only 24.7 hectares in size and severing 2.0 hectares makes the holding even smaller, Mr. Martin's farm holding will increase in size to 27.56 hectares if this matter is treated as a lot addition. As well, the number of lots will not change.

### **3.1.3 Other Considerations**

Appendix B of the Official Plan (not provided in this Planning Report) identifies the forested lands on Mr. Martin's abutting property (which are to be merged with the retained parcel) as 'Significant Woodland'. Section 7.4 *Significant Woodlands* (edited for relevancy) states:

- (1) *No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study, as per section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Adjacent lands are defined in Section 7 and 9.18 of this Plan.*

Comment: The Official Plan defines "Adjacent lands" as those lands situated within 120 metres of this type of natural heritage feature. In this regard, please note two things: Firstly, the area being developed is over 600 metres from the woodland feature; and secondly, the merging of this parcel containing the woodlands with the retained parcel will not impact this feature, as no changes to these lands are proposed.

### **3.1.4 Official Plan Review Summary**

Based on the foregoing, the proposed amendments to the Township's Official Plan and Zoning By-law, along with the proposed lot addition, will conform to the County of Grey Official Plan.

## **3.2 Township of Southgate Official Plan**

### **3.2.1 Land Use Designation**

The subject property is designated 'Agriculture' and 'Hazard Lands' on Schedule A (Land Use) to the Township of Southgate Official Plan, as shown on Figure 6 to this Planning Report. This mapping for the property appears to be identical to Schedule A of the County Official Plan (Figure 6).

### 3.2.2 'Agriculture' Designation

Section 5 *Agriculture* of the Township Official Plan identifies the following as a permitted use:

- v. *small scale commercial and industrial uses directly supportive and related to the agricultural operation and required in close proximity to the farm operations in the area. (including bulk seed, transportation of agricultural products or livestock, sawmills, woodworking shops, metal works shops and the production of forest products);*

With regard to this type of use, the *Development Policies* of Section 5.1.3 states:

- 5. *Commercial and industrial development must be supportive and related to the agricultural operation and located in close proximity to the farm operations in the area. In addition, buildings used for small scale commercial and industrial uses shall be located in close proximity (cluster) to the existing farm buildings on the property.*

Comment: Southgate Grains provides a service for farmers and it is imperative that this business be located in close proximity to the customers. The buildings and structures on the site are clustered together.

- 6. *The maximum structure size for new or expanding small scale commercial and industrial uses shall be 750 square metres, with a maximum outdoor storage size of 500 square meters. Where the maximum structure size is less than 750 square metres, more outdoor storage space will be permitted up to a combined maximum of 1250 square metres. Such uses will only be permitted on farm parcels greater than 20 hectares, all subject to satisfying the Development Policies as outlined in this Section. Council may, in the future, limit the commercial or industrial use through the implementing Zoning Bylaw Amendment.*

Note: This policy was recently amended through Official Plan Amendment No. 24 to facilitate an expansion of the operation. The new site-specific policy for this property now reads:

*Notwithstanding the provisions of subsection 5.1.3 (6) for the lands described as S Pt Lot 16, Concession 4, Geographic Township of Egremont, in the Township of Southgate, and indicated on the attached Schedule "A", the following shall apply:*

- i. *A custom grain drying operation shall be permitted subject to the following:*

- a. *The area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 0.94 hectares of land;*
- b. *The combined floor area of all buildings shall not exceed 1000 m<sup>2</sup>.*

Comment: Presumably, Section 5.1.3 (6) will be deleted when the Township updates its Official Plan in order to make the lower tier Official Plan consistent with the new Grey County Official Plan and the Provincial Policy Statement; and when that occurs, there will be no specific (i.e. numerical) limitation on the amount of land and the size of the buildings associated with agricultural-related uses. In the mean time, Mr. Martin's proposal does not conform to the Township Official Plan, as amended. He has received an offer from another party to acquire his business; and, therefore, he doesn't want to wait for the Township to initiate the Official Plan update. As such, another site-specific Official Plan Amendment application is being submitted. The suggested wording of the proposed Official Plan Amendment is provided in Section 3.2.5 of this Planning Report.

7. *All new commercial, industrial, institutional and recreational development will require an amendment to the implementing Zoning By-law and may be subject to Site Plan Control.*

Comment: If deemed necessary by the Township, Mr. Martin will enter into a Site Plan Agreement.

The severance policies for the 'Agricultural' designation contained in Section 5.1.2 Section 5.1.2 *Consent Policies* of the Official Plan state the following:

1. *Consent for lots may be permitted to create new farm parcels, provided both severed and retained parcels are generally a minimum of 40 hectares.*
2. *Consents may be considered where the land being conveyed is to be added to an existing farm or non-farm use or to provide for minor lot line adjustments or correct lot boundaries. The granting of such a consent shall not be permitted if it results in the creation of an undersized remnant lot.*
3. *New lots for institutional uses such as churches, schools, cemeteries and community halls are permitted only for the segment of the Township's society whose primary means of transportation is horse drawn vehicles and where it has been demonstrated that there is a need, there are no reasonable alternative locations which avoid the Agricultural designation, and there are no reasonable alternative locations with a lower priority ranking under the Canada Land Inventory*

*and where the land is not improved land. In all cases, the establishment of more than one institutional use shall be clustered with other institutional uses.*

4. *New lots created for a residence surplus to a farming operation as a result of a farm consolidation is permitted, provided an implementing zoning by-law is passed which ensures that new residential dwellings are prohibited on any vacant remnant parcel.*
5. *In addition to Sections 7.4, 8.0 and 9.0, the following conditions must be met:*
  - i. *the lot severed for the non-farm use shall be rezoned for the appropriate use;*
  - ii. *the lot severed for the non-farm use is no larger than necessary but large enough to accommodate the use and on-site servicing;*
  - iii. *the minimum distance separation distance can be met; and,*
  - iv. *the lot severed for the non-farm use, will not create more than two lots per original township lot.*
6. *Consents shall not be in conflict with Section 5.1.3.*

Comment: The above policies do not give consideration to the severance of an agricultural-related use, unlike the new County of Grey Official Plan and the Provincial Policy Statement. Whereas it's highly likely that these consent policies will be amended during the next Official Plan review/update exercise, the owner of the subject lands wishes to proceed now with the severance as stated above, given that an offer has been made to acquire his business operation. As such, an amendment to the consent policies is necessary. The suggested wording of the proposed Official Plan Amendment is provided in Section 3.2.5 of this Planning Report.

### **3.2.3 Other Considerations**

Unlike the County Official Plan, the Township's Official Plan does not contain 'Significant Woodland' mapping. In any regard, there would be no impact on the woodland located on the property to the north, as explained earlier in this Planning Report.



### 3.2.4 Official Plan Amendments

With regard to the Official Plan Amendment application, Section 3.2.3 *Official Plan Amendments* states:

*In considering an amendment to this Plan, Council shall be guided by the following, in addition to the requirements of the County of Grey Official Plan:*

- (a) *The need for the proposed change save and except those amendments to permit mineral aggregate resource operations.*

Comment: The success of Mr. Martin's grain-drying business over the last few years has warranted another expansion to the current operation. It has also attracted the interest of another party hoping to acquire the business.

It is important to keep in mind that this amendment would not be required if the owner could wait for the Township Official Plan to be updated.

- (b) *The effect of the proposed change on the demand for services and facilities.*

Comment: The Official Plan Amendment will not increase the demand for any municipal services.

- (c) *The physical suitability of the land for such proposed use as it relates to the following:*

- i. environmental and/or physical hazards;*
- ii. natural heritage features;*
- iii. traffic impacts and safety, accessibility and convenience;*
- iv. adequacy of the potable water supply and suitability of the site for sewage disposal facilities;*
- v. the compatibility and potential affects of the proposed use on the surrounding area; and*
- vi. environmental, engineering, hydrogeological or other studies that may be required to determine the suitability of the site.*

Comment: Expanding the business slightly beyond the existing cluster of buildings and structures should present no concerns with regard to physical hazards or natural heritage features.

The existing business involves unloading and loading approximately four to six feed trucks per day and one semi-transport truck during the less-busy winter months, and up to 25 trucks during the peak harvest time which is spread out over a 24 hour period. (The business operates 24 hours per day, six days a week during the busy period). Mr. Martin believes that there should only be a minimal increase in traffic. With the expansion of the area to be used for such use, a larger onsite parking area will be provided, thereby allowing for more onsite parking and fewer and smaller lineups, if any, on the Township Road.

The expansion will have no impact from a potable water and septic system perspective.

An Acoustic Assessment Report was prepared in support of the previous Official Plan Amendment / Zoning By-law Amendment request. The noise expert recommended three minor improvements to the existing operation, which were only necessary because of the existence of the detached dwelling located on the residential lot to the west (which is owned by Mr. Martin). The Acoustic Assessment Report also stated that any future expansion should include the use of noise controls such as silencers, enclosures and/or acoustical wrapping on future aeration fans and/or corn impact areas in grain elevator(s), i.e. elevator heads. Additionally, the use of existing and potential future structures (i.e. buildings, bins, barriers, etc.) to shield (break line of sight) future significant equipment (i.e. secondary grain dryer) and the neighbouring noise sensitive receptors should be considered. The intended purchaser is aware of these recommendations and intends to follow the consultant's advice.

No other studies should be required to demonstrate the suitability of the site for this business expansion.

- (d) *The potential effects of the proposed use on the financial position of the municipality, particularly the demand for services and facilities.*

Comment: The proposed development should not affect the financial position of the Township in any negative manner.

### **3.2.5 Proposed Official Plan Amendment**

The following text is suggested for the requested Official Plan Amendment:

*Notwithstanding Section 5.1.3 (6) of the Township of Southgate Official Plan, on those lands identified as "Land Subject to Official Plan Amendment" on Schedule A, a custom grain-drying operation shall be permitted subject to the following:*

- (i) *the area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 2.0 hectares of land;*

Limiting the amount of land or the building size to a specific numerical amount is no longer required for agricultural-related uses under the County of Grey Official Plan or the Provincial Policy Statement as long as the parcel is kept as small as possible to permit the use, servicing and required accessory facilities (e.g. parking, storage, etc.). As such, the requested Official Plan Amendment does not include a specified maximum building area. The amount of land to be occupied by this activity is only mentioned because the severed lot itself will only comprise 2.0 hectares.

## 4. PROVINCIAL POLICY STATEMENT (2020)

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Section 3 of the Planning Act (PPS) requires all decisions made under the Act by an approval authority to “be consistent with” the Provincial Policy Statement (PPS). The PPS provides a number of policies that are designed to protect planning matters of interest to the Ontario Government. The following is an evaluation of the proposed development within the context of the relevant PPS (2020) policies:

### 4.1 Prime Agricultural Lands

The land use designations that apply to the subject lands in both the Township and County Official Plans would qualify the site as ‘Prime Agricultural Lands’ under the PPS.

In this regard, Section 2.3 *Agriculture* of the PPS states:

2.3.3.1 *In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.*

The PPS provides the following definition:

*Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.*

Comment: A grain-drying operation is clearly directly related to farm operations in the area, supports agriculture, benefits from being in close proximity to farm operations and provides a direct service to farm operations as a primary activity.

It is very important to note that the Ontario Government has developed criteria for agricultural uses, agriculture-related uses and on-farm diversified uses in the Province’s *Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas*. This document served as the basis for the recent changes to the County Official Plan policies with regard to permitted uses in the ‘Agricultural’ designation. It also specifically lists “grain dryer farm operations” as an example of an agricultural-related activity. Furthermore,

this provincial publication does not place limitations on the floor size of agricultural-related uses, an approach that is replicated in the new County Official Plan.

With regard to severing prime agricultural land, Section 2.3.4 *Lot Creation and Lot Adjustments* states the following (edited for relevancy):

- 2.3.4.1 *Lot creation in prime agricultural areas is discouraged and may only be permitted for:*
- b) *agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;*

Comment: The proposed 2.0 hectare lot is large enough to accommodate the existing development, a new parking area and a few more grain bins. It is not an excessively large lot. A 2.0 hectare lot was recommended by Township staff during the preconsultation discussions.

## 4.2 **Natural Heritage**

The wooded lands on the property to the immediate north (which are to be consolidated with the retained farm parcel) are identified as 'Significant Woodland' in the County Official Plan, as explained earlier in this Planning Report. In this regard, Section 2.1 *Natural Heritage* states:

- 2.1.5 *Development and site alteration shall not be permitted in:*
- b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);*
- unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

Comment: There will be no impact on the forested area since no development will be occurring within 120 metres of this natural heritage feature and no other physical changes will be made to any of the subject lands as a result of the land merger.

## 4.3 **PPS Review Summary**

Based on the foregoing, the proposal should be deemed consistent with the PPS.

## 5. ZONING BY-LAW

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### 5.1 Current Zoning

An area of the Martin farm property comprising approximately 0.93 hectares and containing all of the existing buildings and structures, except for the barn, is currently zoned 'A1-306' (Agricultural Exception) in the Township's Zoning By-law, as illustrated on Figure 7 to this Planning Report. The text associated with the 'A1-306' zone states:

*Notwithstanding the provisions of Section 6, or any other provisions to the contrary, the lands zoned A1-306 shall be subject to the following regulations in relation to an additional permitted use being a custom grain-drying and similar uses provided:*

- a) *The area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 0.94 ha of land;*
- b) *The combined floor area of all buildings shall not exceed 1000 m<sup>2</sup>.;*
- c) *Noise related to the operation shall remain with the acceptable limits as set out by the Ministry of the Environment, Conservation and Parks.*

The remainder of the Martin farm, including the livestock barn, is zoned predominantly 'A1' (Agricultural) in the Township's Zoning By-law. A small area along the northern boundary of the property is zoned 'EP' (Environmental Protection).

It should be noted that the mobile home located on Mr. Martin's abutting parcel – which is to be merged with the retained parcel – was legally recognized in 2002 through approval of a Minor Variance (file no. 42-2002) that allowed for the expansion of the existing mobile home.

### 5.2 Proposed Zoning

The proposed Zoning By-law Amendment would expand the area zoned 'A1-306' to include 2.0 hectares of land. It is recommended that the existing text of the 'A1-306' be replaced with the following:

*Notwithstanding the provisions of Section 6, or any other provisions to the contrary, the lands zoned A1-306 shall be subject to the following regulations in relation to an additional permitted use being a custom grain-drying and similar uses provided:*



- a) *The area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 2.0 ha of land;*
- b) *Noise related to the operation shall remain with the acceptable limits as set out by the Ministry of the Environment, Conservation and Parks.*

The balance of the property will be merging on title with the abutting lot to the north to form a 27.56 hectare property. Even though Mr. Martin's farm parcel will be increasing in size as a result of this lot line adjustment involving his two parcels, the expanding lot will not comply with the 'A1' zone's minimum lot area requirement of 40 hectares and it would no longer qualify as an existing, undersized lot (as per Section 5.5 of the Zoning By-law), and therefore the Zoning By-law Amendment should acknowledge non-compliance matter – albeit a technicality - by reducing the lot area requirement for this expanding parcel. The suggesting word is:

*Notwithstanding the provisions of Section 6.2 (a), or any other provisions to the contrary, the lands zoned A1-XXX shall be used in accordance with the provisions of 6 excepting however that the 'minimum lot area' shall be 27.5 hectares.*

## 6. PLANNING DISCUSSION

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The proposed severance and expansion of the custom grain drying operation is clearly permitted by the Provincial Policy Statement (PPS) and the PPS's associated Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

The new County of Grey Official Plan follows the approach of the above-noted Guidelines by allowing for commercial grain-drying operations and other agriculture-related uses in the 'Agricultural' designation, and does not place any numerical limitation on the size of the operation in terms of floor area or outside display/storage area. The Official Plan also allows for the severance of an agricultural-related use. As such, the proposal conforms to the new County Official Plan.

Presumably, the Township of Southgate will amend its own Official Plan in the future in order to make it consistent with the upper tier Official Plan and the Province's guidelines pertaining to prime agricultural land. If Mr. Martin could wait for this to occur, he wouldn't need to file an Official Plan Amendment; however, he has received an offer from another party to purchase the business and therefore proceeding with the severance at this time now is necessary.

In terms of land use compatibility, the neighbours should not notice much of an increase in traffic as a result of this business expansion. The main reason for the amendments is to facilitate a severance. With additional land, more onsite parking for trucks waiting in line and a lesser amount of parking on the road, which is ideal.

## 7. RECOMMENDATION

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Given the merit of this proposed development, the requested amendments to the Township's Official Plan and Zoning By-law should be given favourable consideration, and the severance should be granted.

The merging of the retained parcel with Mr. Martin's property to the north may require a "spoiling" of the original severance of that abutting property, depending on when and how that parcel was created. This is a minor issue and will be addressed prior to the stamping of the deed.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized, cursive script.

Ron Davidson, BES, MCIP, RPP

## **APPENDIX A: FIGURES**

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Figure 1: Location Map

Figure 2: Proposed Expansion Of Custom Grain-Drying Operation

Figure 3: Site Plan

Figure 4: Proposed Severance (Lot Addition)

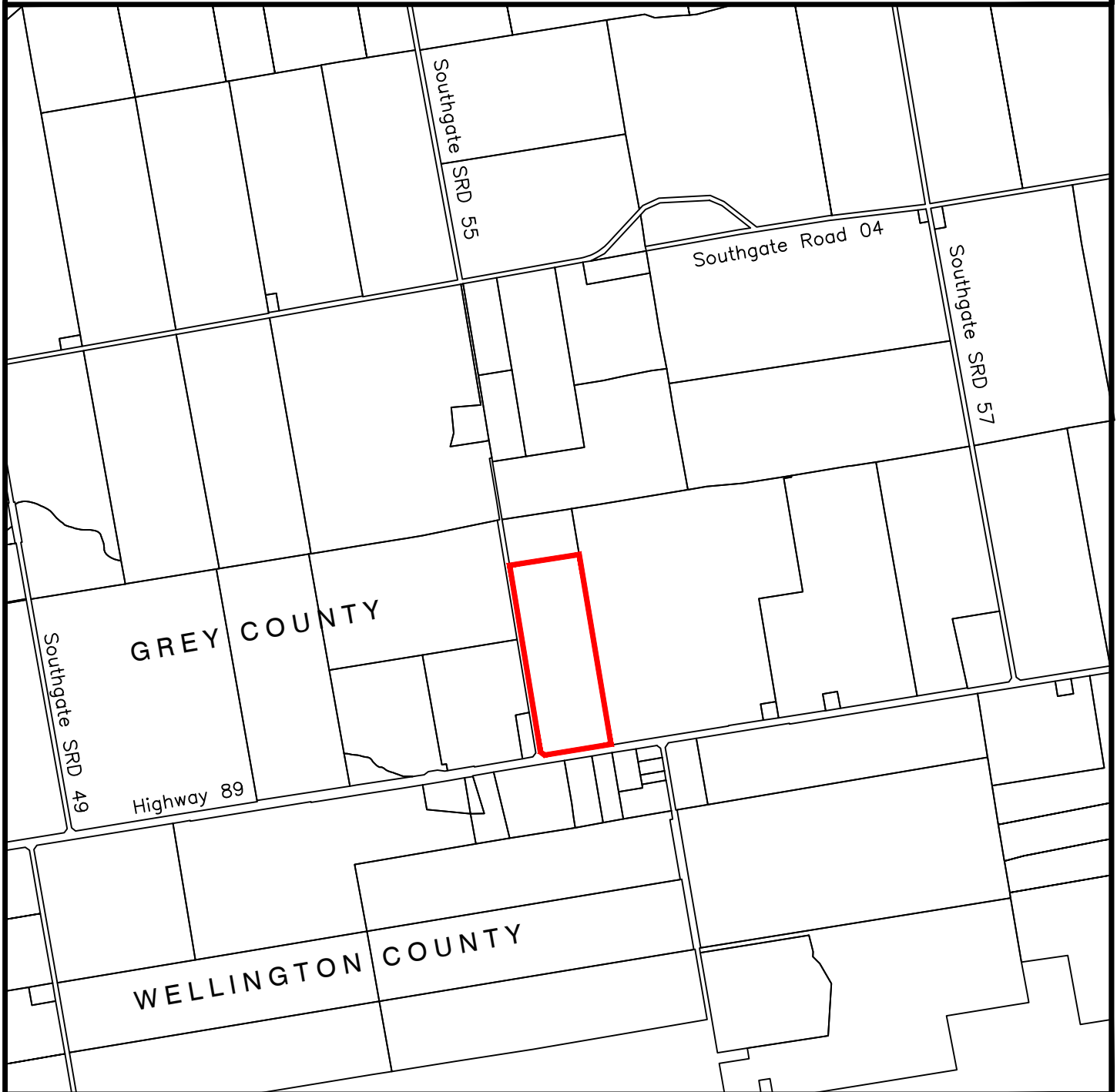
Figure 5: County of Grey Official Plan Schedule A

Figure 6: Township of Southgate Official Plan Schedule A

Figure 7: Township of Southgate Zoning By-law Schedule

Figure 1: Location Map



 Lands Owned By Lawrence Martin

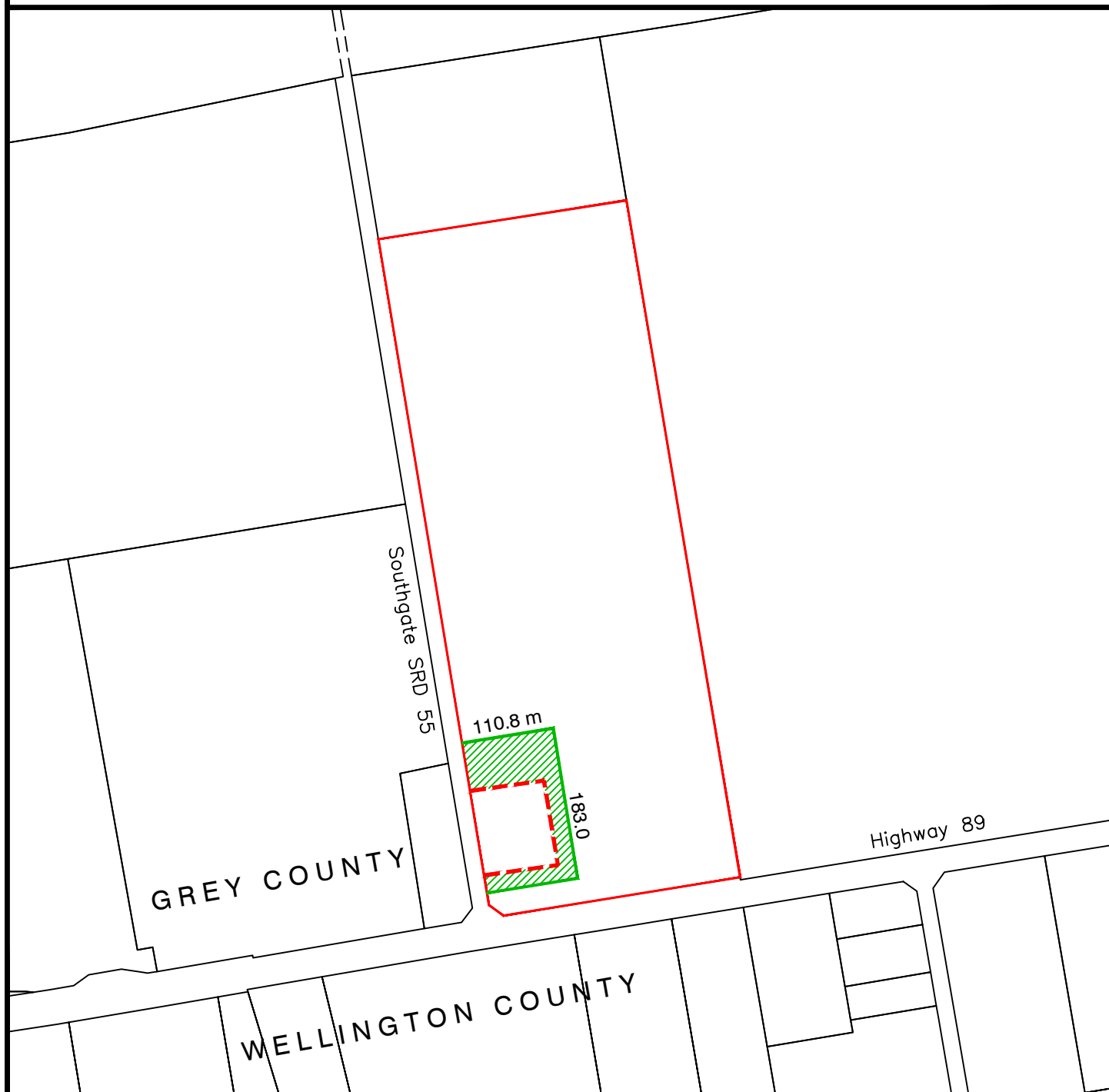


Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:25 000

# Figure 2: Proposed Expansion of Custom Grain Drying Operation

-  Existing Area Approved for Custom Grain Drying Operation
-  Proposed Expansion Area




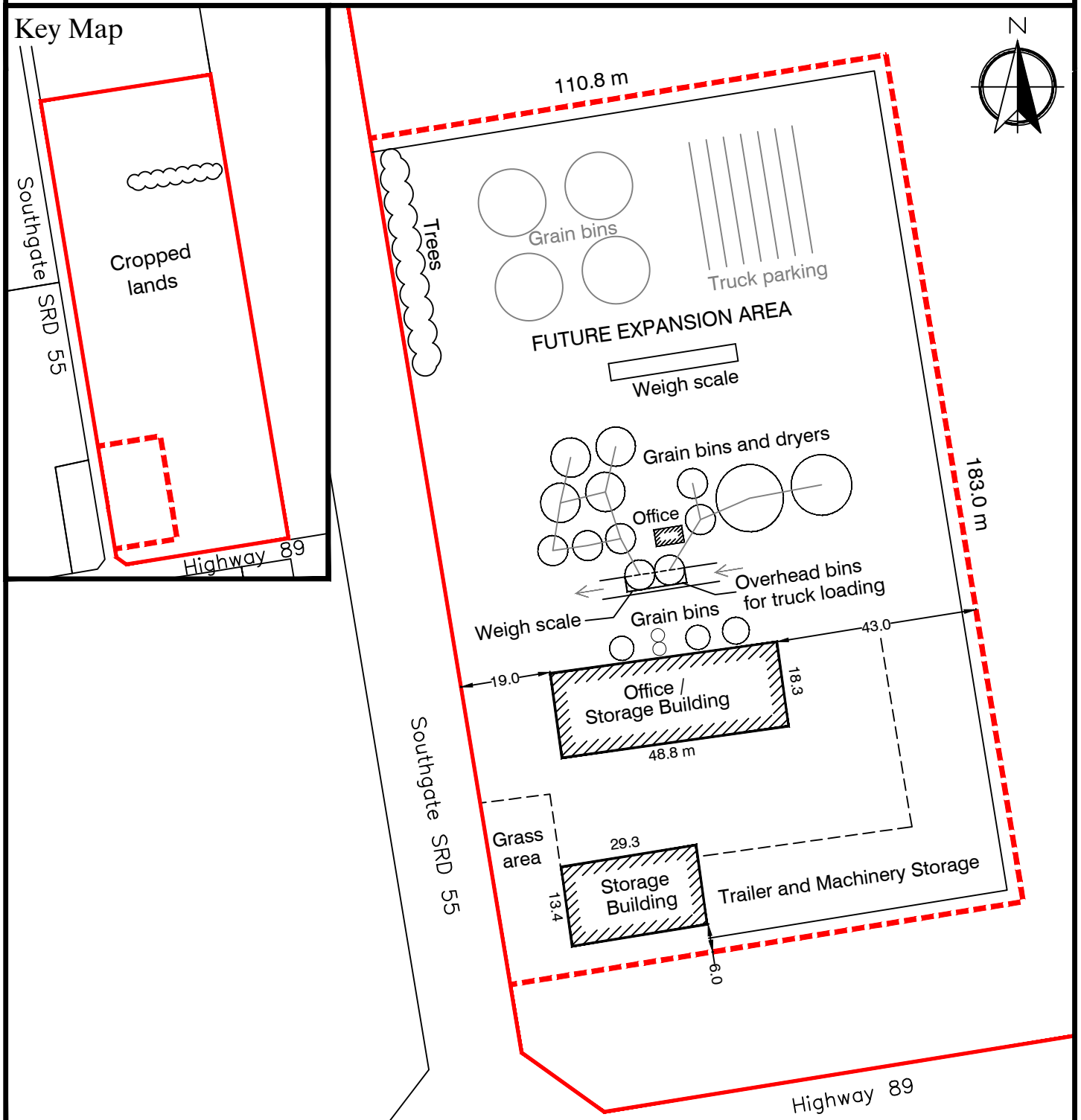
Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:7000



Figure 3: Site Plan


 Subject Lands

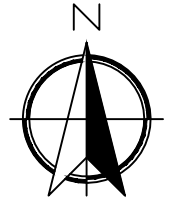


Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:1200

Figure 4: Proposed Severance (Lot Addition)

 Lands to be Severed



Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate



**RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:7000

Figure 5: County of Grey Official Plan Schedule A



Subject Lands



Agricultural




Hazard Lands



Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate

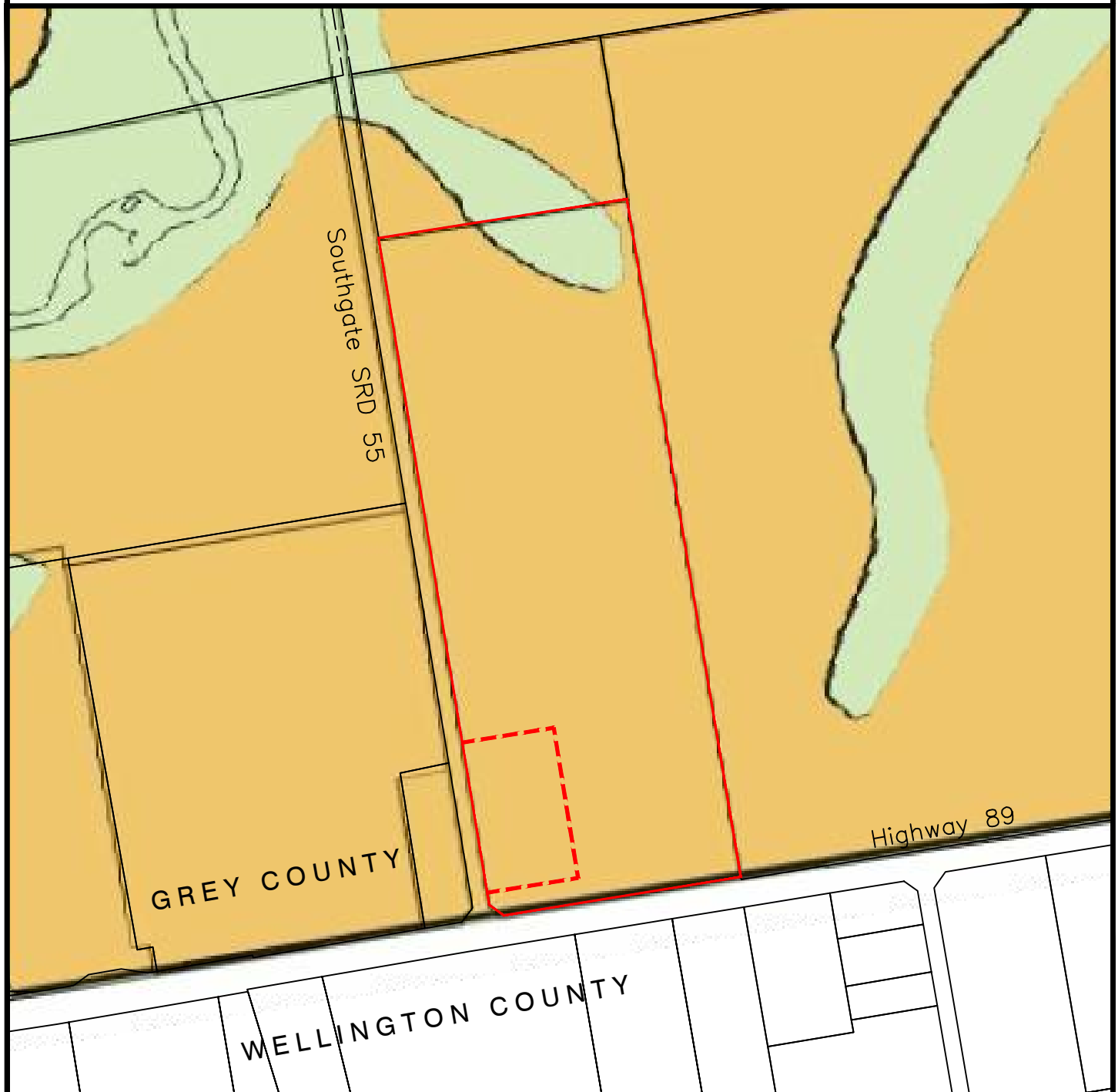
**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:7000

Figure 6: Township of Southgate Official Plan Schedule A

 Subject Lands

 Agriculture


 Hazard Lands

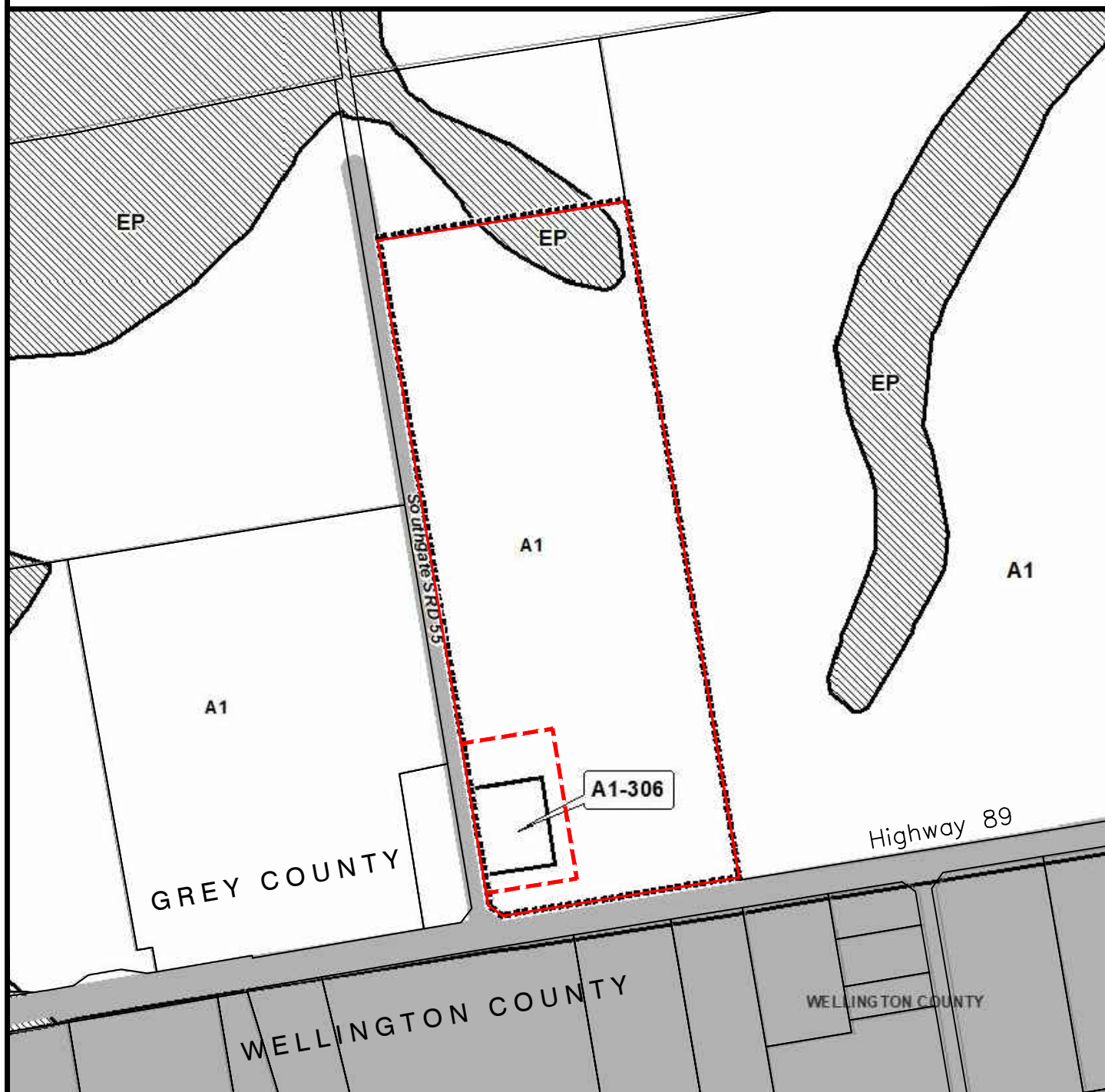


Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:7000

Figure 7: Township of Southgate Zoning By-law


 Subject Lands



Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:7000

Figure 4: Proposed Severance (Lot Addition)

 Lands to be Severed



Southgate Grains  
551003 Southgate SRD 55  
Township of Southgate

**RD** RON DAVIDSON  
LAND USE PLANNING CONSULTING  
GATHERED, ONTARIO  
SCALE 1:7000





## The Corporation of The Township of Southgate

### Consent application form

#### Instructions:

- Please check all applicable boxes and answer all applicable questions
- Several of the questions are part of the minimum mandatory requirements as prescribed in Schedule 1 to Ontario Regulation 41/95, Planning Act, and must be completed
- Failure to provide adequate, correct information may result in your application being refused
- All measurements **MUST** be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Applications are not accepted without the required fees

#### For office use only

File No: B8-20

Pre-Consult Date: \_\_\_\_\_

Date received: June 15, 2020

Date accepted: \_\_\_\_\_

Accepted by: \_\_\_\_\_

Roll # 42 07

Conservation Authority Fee

Required: \_\_\_\_\_

Other information: \_\_\_\_\_

It is strongly advised that any potential applicant pre-consult with the Planning Department prior to submitting any planning application. This could save you money and avoid delays in processing. Staff are available to provide some assistance in completing this application and will help ensure the application is filled out completely.

**The Approval Authority is the *Township of Southgate Committee of Adjustment***

#### Required Fees:

Application Fees	\$1,3301.00 due with submitted application
	\$ 255.00 due on completion (if approved)
Public Notice Sign Fee	\$ 105.00
Parkland Dedication Fee	\$ 521.00 (all new residential lots)
Deed Stamping	\$ 313.00 due before finalization of approved consent
Conservation Authority Fee	SVCA \$ 240.00 (per each net lot created) GRCA – Call directly for details

#### Note on fees:

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law.

All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of submission of the application.

Please review the required Conservation Authority fees prior to submitting your application. Saugeen Valley Conservation Authority requires their fee to be submitted to the Township of Southgate along with this application.

In the event that all fees are not paid in full at the time of submission, the application shall be deemed incomplete.

## Part One

### Owner/Agent/Application Information

\*To be completed by the applicant

1. Name of registered owner: Murray and Brenda Calder  
 Mailing address: 12330 Southgate Road 12, RR 1 Holstein, ON N0G 2A0  
 Phone# : [REDACTED] (B) \_\_\_\_\_  
 Email Address: \_\_\_\_\_
2. Name of applicant (if different than above): Kyle Calder  
 Mailing address: [REDACTED]  
 Phone#: [REDACTED]  
 Email: [REDACTED]
3. Name of agent: Ron Davidson Land Use Planning Consultant Inc.  
 Mailing address: 265 Beattie Street, Owen Sound, ON N4K 6X2  
 Phone#: (519) 371-6829 Email: ronalddavidson@rogers.com

Applicant's Relationship to Subject Lands:

- ☐ Registered Property Owner  
☐ Holder of Option to Purchase Subject Lands  
☐ Signing Officer of Corporation  
☒ Other (Specify) Planning Consultant

4. Send all correspondence to: (Choose only ONE) ☒ Applicant ☐ Agent
5. Preferred Method of communication: ☐ Phone ☒ email ☐ Postal Mail

## Part Two

### The Subject Lands

6. Subject Land: (Legal Description)

*NOTE: On this form "SUBJECT LAND" means the parcel to be severed & the parcel to be retained.*

Former Municipality Township of Egremont

Road Name Southgate Road 12 Civic Address (911) No. 123330

Lot No. Part Lot 43 Plan/Concession Con 3 EGR

Part \_\_\_\_\_ Reference Plan No. \_\_\_\_\_

7. Description of Subject Land:

a) Existing use of the subject land:

- ☒ Agricultural ☐ Rural ☐ Commercial/Industrial ☐ Residential  
☐ Other(explain) \_\_\_\_\_

b) Existing buildings See drawing

c) Is the "subject land" presently subject to any of the following:

- ☐ Easement ☐ Restrictive Covenants ☐ Right of Way

Describe: \_\_\_\_\_

**NOTE:** all existing easements and right of ways must be shown on the sketch.



Part Three  
The Proposal

8. Proposal

Dimensions of land intended to be SEVERED		Dimensions of land intended to be RETAINED	
Frontage	<u>119 &amp; 156 +/-</u> metres	Frontage	<u>256 +/-</u> metres
Depth	<u>Irregular</u> metres	Depth	<u>1016 +/-</u> metres
Area	<u>8.74 +/-</u> hectares	Area	<u>28.86 +/-</u> hectares

*\*These dimensions must be accurate*

9. Reason for severance

(a) Reason for severance Lot addition (see explanation in Planning Report)

- i) New Lot ☐
- ii) Lot Addition ☒ (Question # 12 to be completed)
- iii) Lease/Charge ☐
- iv) Easement/Right of Way ☐

<input type="checkbox"/> Bell Canada	<input type="checkbox"/> Hydro
<input type="checkbox"/> Water Access	<input type="checkbox"/> Gas
<input type="checkbox"/> Other (Specify) _____	

v) Correction of Title ☐

vi) Other ☐ Specify \_\_\_\_\_

(b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged: RBC

Address: 287 10<sup>th</sup> Street, Hanover, ON N4N 1P1

10. Proposed use of land to be severed

Existing buildings See drawing

Proposed buildings None proposed at this time

<input type="checkbox"/> Non-farm residential	<input type="checkbox"/> Surplus farm dwelling
<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> Agricultural related
<input type="checkbox"/> Hobby Farm	<input type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	

11. Proposed use of land to be retained

Existing buildings See drawing

Proposed buildings None proposed at this time

<input type="checkbox"/> Non-farm residential	<input type="checkbox"/> Surplus farm dwelling
<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> Agricultural related
<input type="checkbox"/> Hobby Farm	<input type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	

12. Original lot being added to (lot addition only): 123342 Southgate Road 12

Existing buildings/structures: See drawing

Use: Poultry barns

Access: Southgate Road 12

Servicing: None

13. Road Access:

	Severed Parcel	Retained Parcel
Provincial Highway(Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
County Road (Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
Southgate Road (Provide Road Number)	Southgate Rd 12 <input checked="" type="checkbox"/>	Southgate Rd 12 <input checked="" type="checkbox"/>
Non-maintained/seasonally maintained Municipal road allowance	<input type="checkbox"/>	<input type="checkbox"/>
If access is from a non-maintained or seasonally maintained road allowance has an agreement been reached with the municipality regarding upgrading of the road? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Private Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>

14. Servicing:

a) What type of water supply is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated water supply	<input type="checkbox"/>	<input type="checkbox"/>
Lake/River	<input type="checkbox"/>	<input type="checkbox"/>
Private well - Individual	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Private well - Communal	<input type="checkbox"/>	<input type="checkbox"/>
If proposed water supply is by private well, are the surrounding water well records attached? <input type="checkbox"/> YES <input type="checkbox"/> NO		

b) What type of sewage disposal is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
Individual Private Septic	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Communal Private Septic	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify)	<input type="checkbox"/>	<input type="checkbox"/>

c) Other services (check if any of these services are available to the "subject land")

Electricity ☒ School Bus☒ Telephone ☒ Garbage Collection ☒

15. Agricultural property history

If this property is Agricultural in nature or located within 450m (1476 feet) of a barn or livestock facility, **you must complete Schedule "A"**, found at the end of this application. (Exception for minor lot line adjustment).



Part Four  
Statement of Compliance

16. Applicable legislation and policies

a) Is this application consistent with policy statements issued under subsection 3 (1) of Planning Act?    ☒ Yes    ☐ No

b) Is the subject land within an area of land designated under any provincial plan or plans?                    ☐ Yes    ☒ No

                  i) If the answer to section b) is yes, does this application conform to, or not conflict with, the applicable provincial plan or plans.  
                              ☐ Yes    ☐ No

c) Please indicate the existing Southgate Official Plan designation(s) of the subject land:

<input checked="" type="checkbox"/>	Agriculture	<input type="checkbox"/>	Space Extensive Industrial/Commercial
<input type="checkbox"/>	Rural	<input type="checkbox"/>	Mineral Aggregate Extraction
<input checked="" type="checkbox"/>	Village Community	<input checked="" type="checkbox"/>	Hazard Lands
<input type="checkbox"/>	Inland Lakes	<input type="checkbox"/>	Wetlands
<input type="checkbox"/>	Major Open Space	<input type="checkbox"/>	Neighbourhood Area
<input type="checkbox"/>	Arterial Commercial	<input type="checkbox"/>	Downtown Commercial
<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Public Space
<input type="checkbox"/>	Special Policy Area		

d) Please indicate whether any of the following Constraint Areas in Southgate Official Plan apply to the subject land:

<input type="checkbox"/>	Primary Aggregate Resource Areas	<input type="checkbox"/>	ANSI
<input type="checkbox"/>	Existing/known abandoned Land Fill Sites	<input type="checkbox"/>	Deer wintering yard

e) Does the application conform to the Southgate Official Plan?  
                              ☒ Yes    ☐ No

f) Has any land been previously severed from the original parcel of land?  
                              ☒ Yes    ☐ No    If yes, how many severances? \_\_\_\_\_

Indicate year, file #'s, if known    Information is unknown

g) Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under the Planning Act?  
                              ☐ Yes    ☒ No    ☐ Unknown

h) Is the application being submitted in conjunction with a proposed County Official Plan Amendment?    ☐ Yes    ☒ No

i) Is the application being submitted in conjunction with a proposed Southgate Official Plan Amendment?    ☐ Yes    ☒ No

j) Has an application for a zoning by-law amendment, or a minor variance, been submitted to/or approved by the Township of Southgate?  
                              ☒ Yes    ☐ No

                  i) If yes, please provide some additional information:

                              File #    TBD            Submitted    Yes            Approved    \_\_\_\_\_

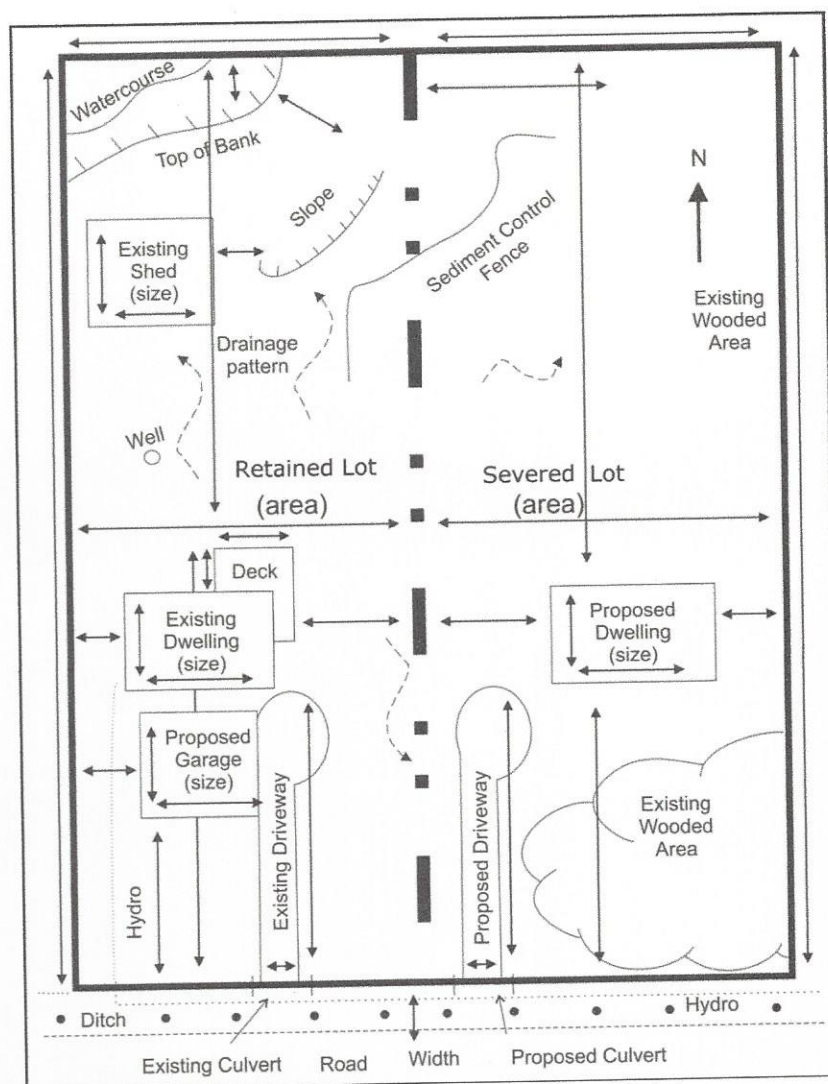
                              File #    \_\_\_\_\_            Submitted    \_\_\_\_\_            Approved    \_\_\_\_\_

### Additional Requirements

17. Sketch \*\*\*You must show all of the required information\*\*\*

Sketch must be submitted on paper no larger than 8 1/2" x 14". Please review the example sketches to help you with what is required. Sketches must be need and easy to read.

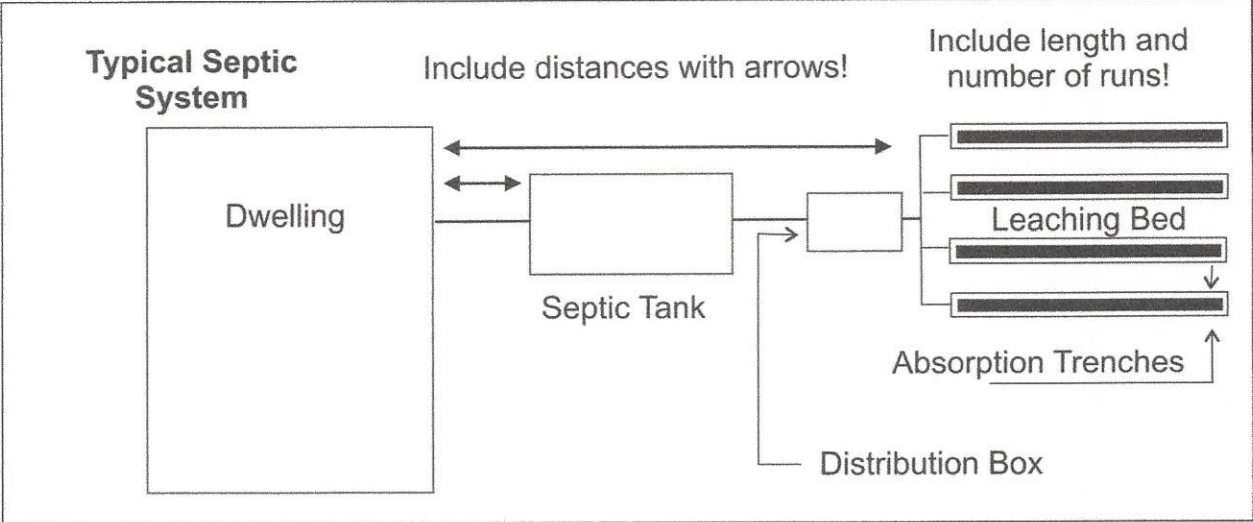
- a) Clearly label which is the severed parcel and which is the retained parcel
- b) "NORTH ARROW"
- c) "Subject Land" - all land owned by the applicant - boundaries & dimensions
- d) Distance between the applicant's land and the nearest township lot line or appropriate landmark (e.g. bridge, railway crossing, etc.)
- e) Boundaries and dimensions of the subject lands – clearly indicating the part of the parcel that is to be severed, the part that is to be retained and the location of all land previously severed
- f) Approximate location of all natural and artificial features on the subject land (e.g. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, septic tanks) and the location of any of these features on adjacent lands which may affect the application
- g) Use of adjoining land (e.g. residential, agricultural, cottage, commercial, etc.)
- h) Location, width and names of all road allowances, rights-of-way, streets, or highways within or abutting the property, indicating whether they are publicly traveled roads, private roads, rights-of-way or unopened road allowances
- i) Location and nature of any easement affecting the subject land
- j) Location and distances of barns within 450 metres (1476 feet) of severance



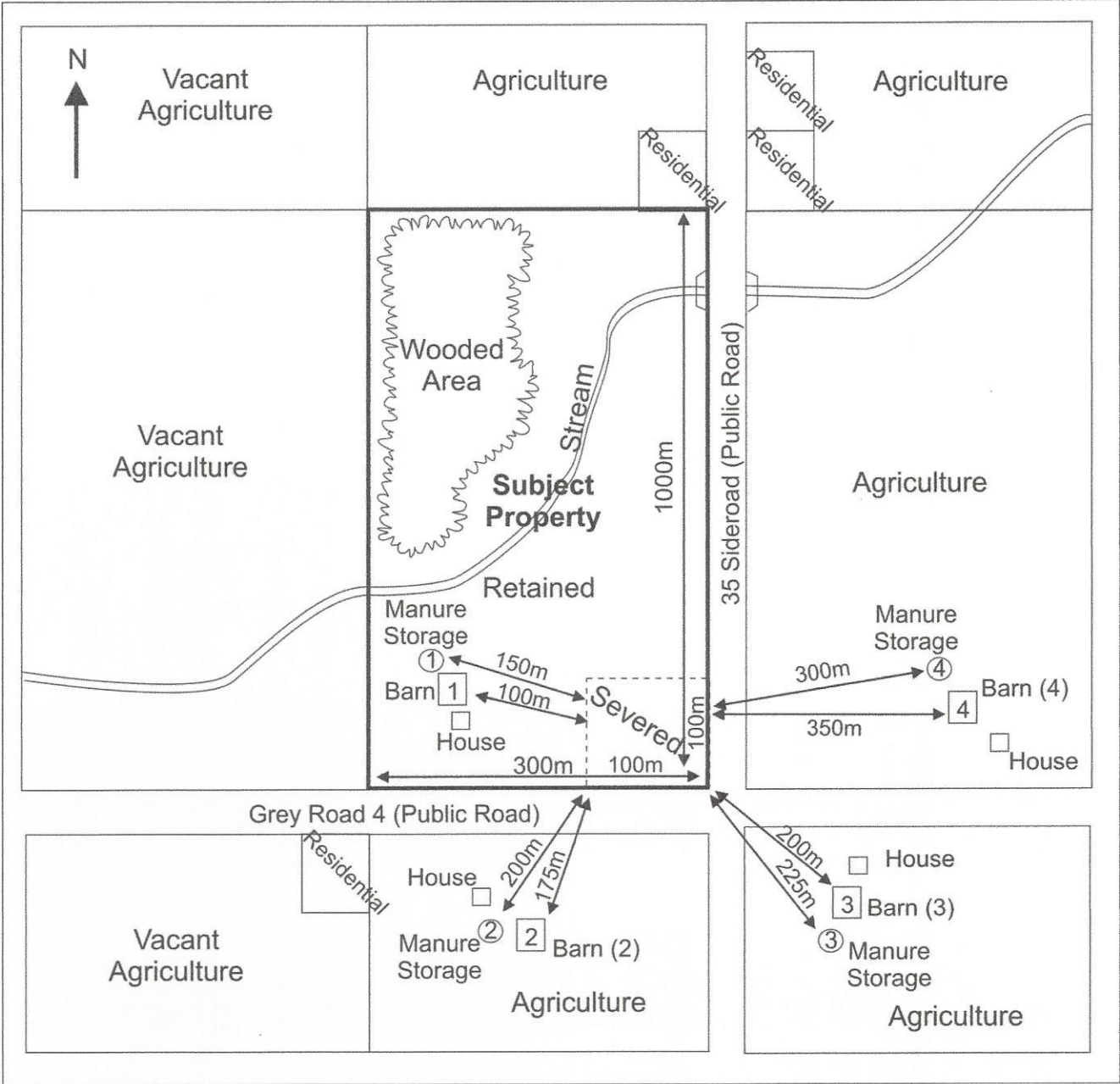
Sample 1 Residential Lot Severance Sketch

\*\*\*Please do not return this page\*\*\*





Sample 2 Septic System Information



Sample 3 Agricultural Severance

Further Note on Sketches:

The above samples are provided for your information. The exact details you will need to provide will depend on your proposal. Agricultural properties **MUST** provide information relating to barns on the subject property *and* the neighbouring properties as shown in Sample 3. Properties inside urban areas do not require agricultural information. Septic information in the urban area of Dundalk is not required if the property is on full municipal services.

\*\*\*Please do not return this page\*\*\*

## Part Five

## Authorization and affidavit

## 18. Owner's Consent (Freedom of Information):

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation

We, Murray and Brenda Calder, hereby acknowledge the above-noted and provide 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, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

\_\_\_\_\_  
Signature of Owner

AUG 2/19  
date

\_\_\_\_\_  
Signature of Owner

August 2/19  
date

## 19. Owner authorization for agent

We, Murray and Brenda Calder, authorize Ron Davidson to act as our agent for the purpose of this application.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

Dated at the Township of Southgate,  
this 2 day of August, 20 19.

## 20. Owners authorization for access

We, Murray and Brenda Calder, hereby do permit Township staff and its representatives to enter upon our lands during regular business hours for the purpose of performing inspections of the subject property as it relates to evaluation of this application.

\_\_\_\_\_  
Signature of Owner

AUG 2/19  
date

\_\_\_\_\_  
Signature of Owner

August 2/19  
date

21. Affidavit or sworn declaration

Note: This Affidavit must be signed in the presence of a Commissioner for Taking Oaths.

I, Ron Davidson, of the City of Owen Sound in the County of Grey solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the:

City of Owen Sound in the County  
of Grey

this 1 day of June, 2020

  
\_\_\_\_\_  
Signature of Ron Davidson

June 1/20  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Commissioner

June 1/2020  
\_\_\_\_\_  
Date

Jodi Lynne Potter, a Commissioner, etc.,  
Province of Ontario, for Andrew E. Drury,  
Barrister and Solicitor.  
Expires January 5, 2023.

Return this completed form and payment to:  
Attention: Committee of Adjustment  
Township of Southgate  
185667 Grey Road 9, RR 1  
Dundalk Ontario  
N0C 1B0



## Schedule "A"

## Supplementary Information – Agricultural Lands

## Agricultural property history

1. What type of farming has been or is currently being conducted?

<input type="checkbox"/> Beef	<input type="checkbox"/> Swine	<input checked="" type="checkbox"/> Poultry
<input type="checkbox"/> Dairy	<input type="checkbox"/> Cash Crop	<input type="checkbox"/> Sheep
<input type="checkbox"/> None		
<input type="checkbox"/> Other (describe) _____ _____		

a) Describe in detail the size and age of animals, and feed type used for the type of farming conducted: Broiler chickens. 36,000 in the barn on the severed lands.

2. Is there a barn on the *subject property*? ☒ Yes ☐ No

If yes, answer the questions below:

a) Indicate the condition of the barn: Excellent

b) Size of Barn: 1389 square metres (approximately)

c) Present Use of Barn: Chickens

d) Livestock Capacity of Barn: 36,000 broilers

e) MANURE STORAGE:

*Please indicate the manure storage facilities on the subject lands*

☐ No storage required (manure/material is stored for less than 14 days)

☐ Storage already exists

i) Type of Storage:

☐ Liquid

☐ inside, underneath slatted floor

☐ outside, with permanent, tight fitting cover

☐ (treated manure/material) outside, no cover

☐ outside, with a permanent floating cover

☐ outside, no cover, straight-walled storage

☐ outside, roof but with open sides

☐ outside, no cover, sloped-sided storage

☐ Solid

☐ inside, bedded pack

☐ outside, covered

☒ outside, no cover,  $\geq 30\%$  DM

☐ outside, no cover, 18-30% DM, with covered liquid runoff storage

☐ outside, no cover, 18-30% DM, with uncovered liquid runoff storage

3. Are you actively farming the land (or – do you have the land farmed under your supervision)?

☒ Yes – For how long? Purchased the farm parcel in 2013

☐ No – When did you stop farming? \_\_\_\_\_

a) If no, for what reason did you stop farming?

4. How long have you owned the farm? 2013

5. Area of total farm holdings: 37.6 hectares

6. Number of tillable hectares: 17 hectares (approximately)

7. Do you own any other farm properties? ☐ Yes ☐ No

If yes, indicate locations: Lot: Part Lot 43 Concession: 3 EGR

Former Township: Egremont

Total Hectares: 1.89 hectare

8. Do you rent any other land for farming purposes? ☐ Yes ☒ No

If yes, indicate locations: Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Former Township: \_\_\_\_\_

Total Hectares: \_\_\_\_\_

9. Adjacent and nearby farms

a) Are there any barns on other properties within 450 m (1500 ft) of the subject lands?

☒ Yes ☐ No

\*\*\*If yes, these barns and distances to the subject property must be shown on the sketch.

The following questions must be answered for each property within 450m containing a barn regardless of current use. Attach a list if necessary.

b) What type of farming has been conducted on the property/properties?

Two barns (broiler chickens) exist on the adjacent lands to which the retained parcel is being conveyed.

c) Indicate the number of tillable hectares on other property: Zero

d) Indicate the size of the barn(s): 550 square metres and 1050 square metres (approx).

e) Capacity of barn in terms of livestock: 11,000 broilers and 27,000 broilers respectively

f) Manure Storage facilities on other property (see storage types listed in question above):

Outside, no cover, >= 30% DM

Additional information may be required for Minimum Distance Separation (MDS) calculations – please discuss this with Planning Staff prior to submitting your application.

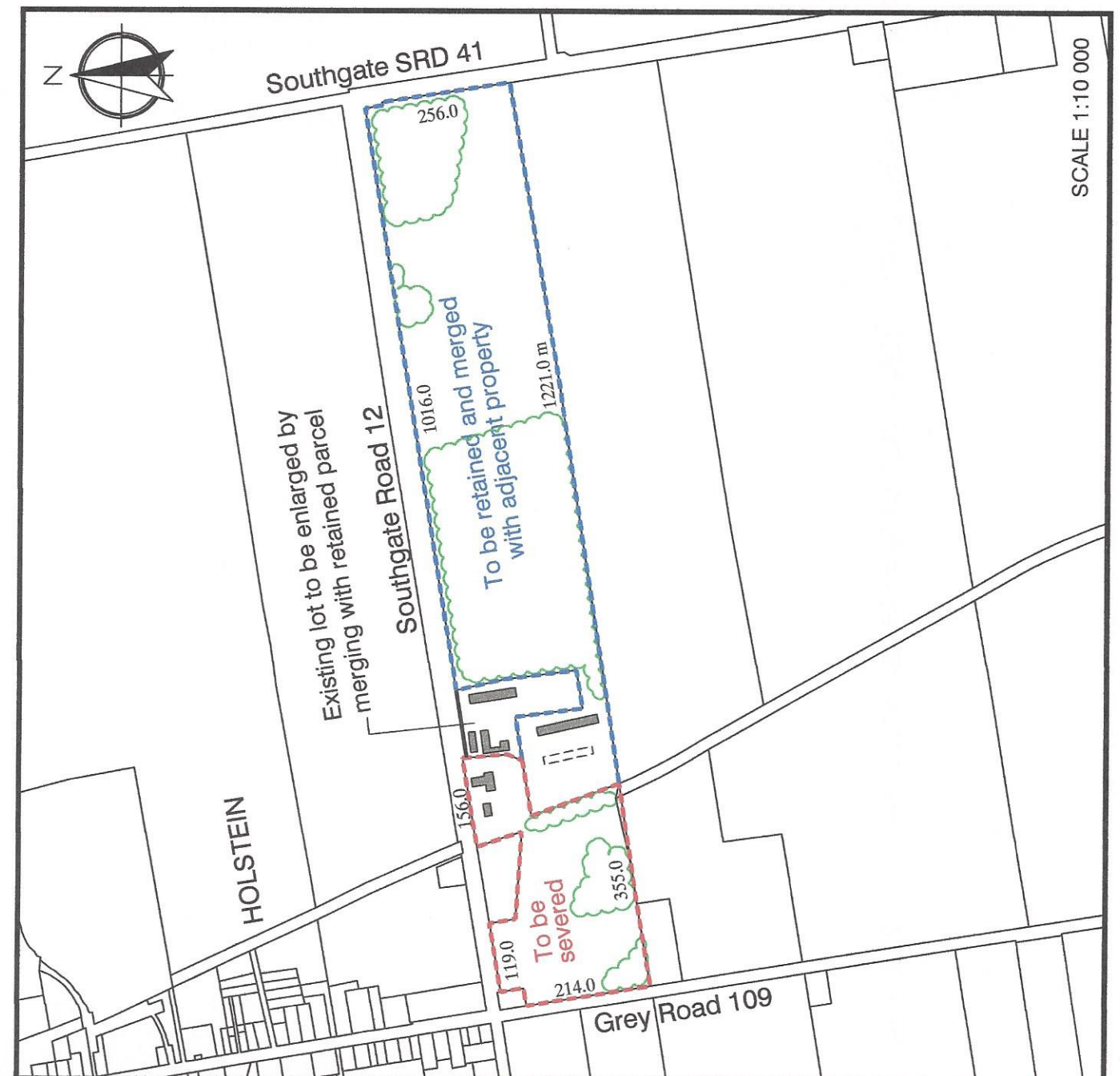


# Proposed Lot Line Adjustment and Zoning By-law Amendment

Murray and Brenda Calder  
Part Lot 43, Concession 3 EGR  
Geographic Township of Egremont  
Township of Southgate



INSET







**TOWNSHIP OF SOUTHGATE COMMITTEE OF ADJUSTMENT**  
**NOTICE OF APPLICATION FOR CONSENT AND PUBLIC HEARING**  
**The Planning Act, RSO 1990, as amended**

---

**TAKE NOTICE** that the Township of Southgate Committee of Adjustment has appointed **September 23, 2020 at 9:00 am** for the purpose of a public hearing to be electronically at the following credentials:

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/442563645>

You can also dial in using your phone. Canada: +1 (647) 497-9373 Access Code: 442-563-645 #

**NOTE:** If you wish to speak at the meeting, please register in advance by contacting the Secretary-Treasurer, Elisha Hewgill using the below information.

The meeting will be recorded and uploaded to the Township YouTube Channel:

<https://www.youtube.com/user/SouthgateTownship>

**APPLICATION FOR CONSENT - FILE NO. B8/20**

**OWNERS:** Murray and Brenda Calder

**SUBJECT LAND:** Con 3 EGR Pt lot 43, Geographic Township of Egremont. The lands are further described as 123330 Southgate Road 12.

**The Purpose** is to sever 8.29 hectares of land containing the house, repair shop and accessory building from the larger farm holding. The retained parcel, comprising 28.62 hectares and containing one poultry barn, would be merged on title with the adjacent 1.89 hectare lot containing the other two poultry barns and accessory building, thereby forming a 31.52 hectare parcel. No new lot would be created as a result of this lot line adjustment.

**The Effect** would be to reorganize the lot lines to have one parcel form 31.52 ha that contains all of the barns and a separate 8.29 ha parcel that would contain the house, repair shop and accessory building. No new lots would be created.

**SEE SKETCH ATTACHED (reverse side)**

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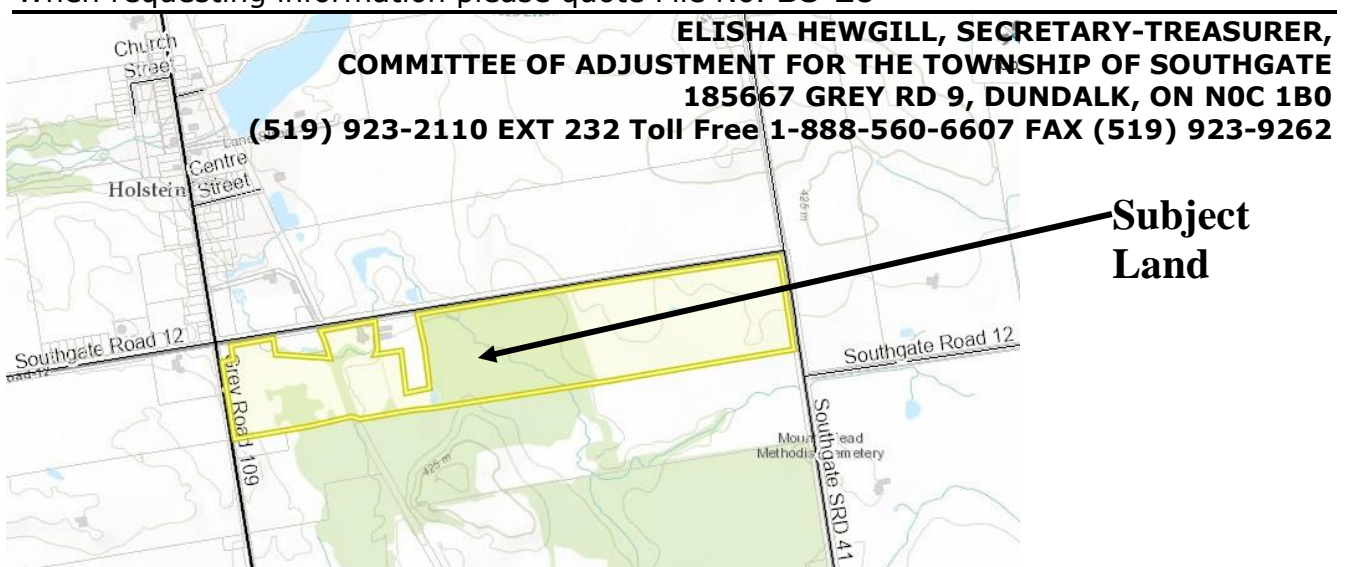
Property owners within 60 metres of the subject land are hereby notified of the above application for consent. The property to be severed will be marked by a sign.

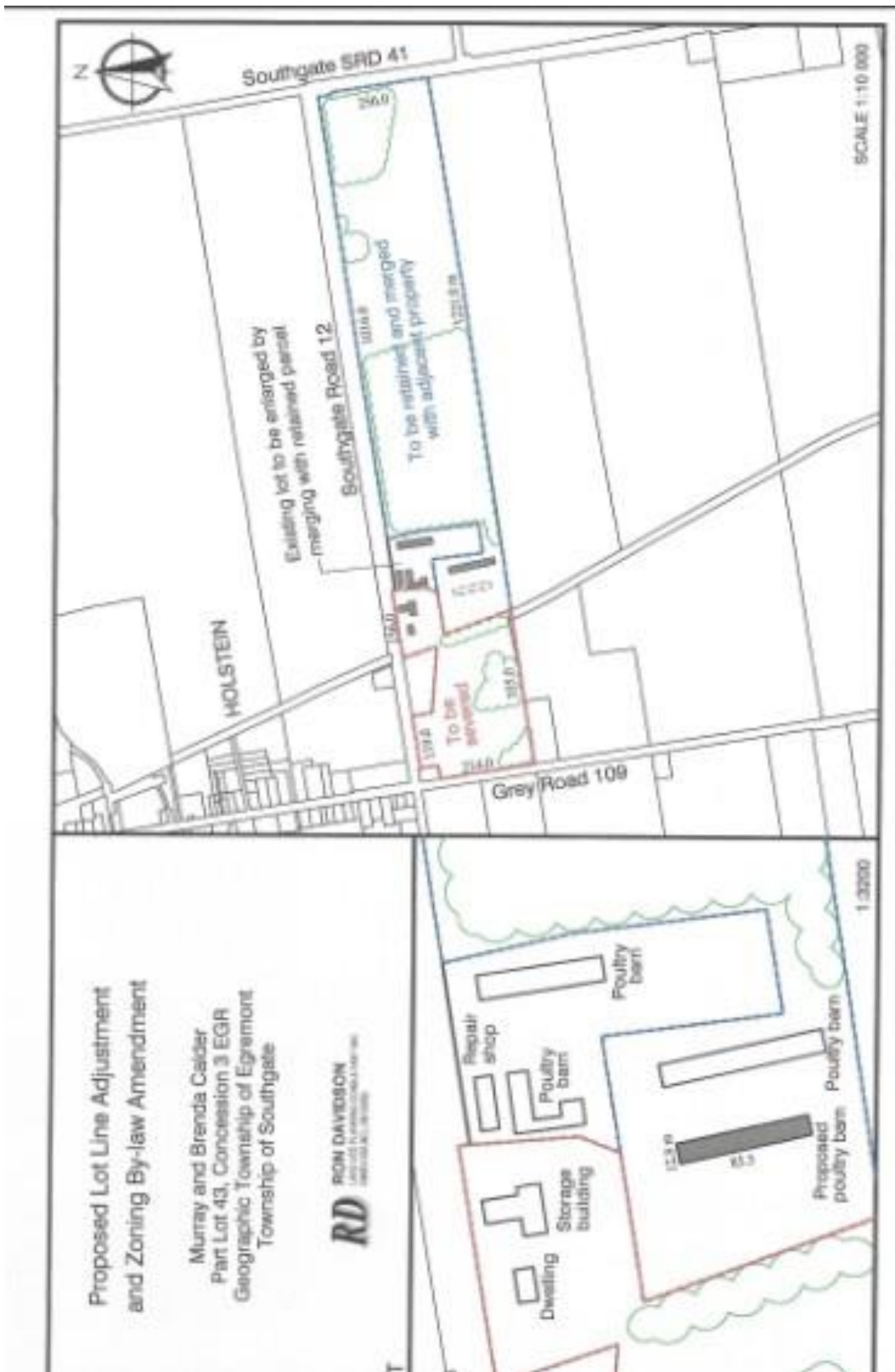
**If** a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make **written submission** to: Committee of Adjustment, Township of Southgate office before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.

**If** you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must submit a written request to the undersigned.

Additional information regarding this application is available for public viewing from Monday to Friday 8:30 am to 4:00 pm at the Township of Southgate Administration office OR by contacting Clinton Stredwick, Planner at 519-923-2110 Ext. 235.

When requesting information please quote File No. **B8-20**





## Planning Application Comments

### Building Department

Date: September 11, 2020

File No: B8-20

Property Owner: Murray & Brenda Calder

The Southgate Building Department is aware of the application noted above and at the present time have the following comments.

- ☒ No Concerns or objections with the application.
- ☒ Development will require applicable permits before construction.
- ☐ A Barrier free washroom will be required with Septic system.
- ☐ Recommend the septic design is considered before proceeding.
- ☐ A detailed septic design is required.
- ☐ Road access and Civic number will be required before development proceeds.
- ☐ May require water supply to meet OBC 3.2.5.7 Water requirements for firefighting.
- ☒ Comments: Farm Nutrient Management may require review.

If I can be of any further assistance, please do not hesitate to contact me.

### Bev Fisher

**Chief Building Official | Township of Southgate**

185667 Grey County Road 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 240 | Mobile: | Fax 519-923-9262

[bfisher@southgate.ca](mailto:bfisher@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)

## Elisha Hewgill

---

**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** September 8, 2020 11:44 AM  
**To:** Elisha Hewgill  
**Subject:** RE: B8-20 Notice of Public Hearing

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

—  
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**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** Thursday, September 3, 2020 3:20 PM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jessica Mole <jmole@southgate.ca>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Lindsey Green <lgreen@southgate.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Subject:** [External] B8-20 Notice of Public Hearing

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Good Afternoon,

Please find the below link for the Notice of Public Hearing for Consent Application B8-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B8-20-Murray-Brenda-Calder-Associated-with-application-C12-20->

The hearing has been scheduled for **September 23, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **September 16, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

### **Elisha Hewgill**

Administrative & Legislative Assistant

#### **Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)





## Elisha Hewgill

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**From:** Chris Hachey <hsmrcc@bmts.com>  
**Sent:** September 9, 2020 3:04 PM  
**To:** Elisha Hewgill  
**Subject:** Request for Comments - Southgate (Calder) - Proposed Consent to Sever Land

Your File: B8-20

Our File: Southgate Municipality

Ms. Hewgill,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources and Consultation  
Historic Saugeen Métis  
204 High Street  
Southampton, Ontario, N0H 2L0  
Telephone: (519) 483-4000  
Fax: (519) 483-4002  
Email: [hsmrcc@bmts.com](mailto:hsmrcc@bmts.com)

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## Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

September 14<sup>th</sup>, 2020

Elisha Hewgill, Secretary-Treasurer  
Township of Southgate  
185667 Grey Road 9  
Dundalk, ON N0C 1B0

**RE: Consent Application B08.2020**  
**Concession 3, Part Lots 43 (123330 & 123342 Sg Rd 12)**  
**Township of Southgate (geographic township of Egremont)**  
**Owner: Murray & Brenda Calder**  
**Applicant: Kyle Calder**  
**Agent: Ron Davidson**

Dear Ms. Hewgill,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the subject application is to sever 8.29 hectares of land containing the house, repair shop and accessory building from the larger farm holding. The retained parcel, comprising 28.62 hectares and containing one poultry barn, would be merged on title with the adjacent 1.89 hectare lot containing the other two poultry barns and accessory building, thereby forming a 31.52 hectare parcel. No new lot would be created as a result of this lot line adjustment.

County planning staff provided comments on the related zoning by-law amendment application C12.2020, August 21<sup>st</sup>, 2020. These comments are still applicable to the subject application.

Schedule A of the OP designates the subject property as 'Agricultural', 'Secondary Settlement Area' and 'Hazard Lands'. Section 5.2.2(2) of the County OP states,

*In the Agricultural land use type, newly created farm lots should generally be 40 hectares (100 acres) in size, in order to reduce the breakup of farmland. New lot creation shall be in accordance with section 5.2.3 of the Plan.*

Section 5.2.3(5) states,

*Where a non-farm sized consent is being proposed on a split land use type property (e.g. a split Agricultural and Rural land use type), the consent may only be supported if;*

- a) The entirety of the Agricultural land use type lands remain intact, and*
- b) The lands outside of the Agricultural land use type meet the policies and criteria for a severance in the other land use type.*

In this case, the subject property currently comprises of only ~28.62 hectares of Agricultural, whereas the remainder of the lands are designated secondary settlement area. Through this proposal, there will be a consolidation of all agricultural lands on Lot 43, Concession 3, with the merger of the retained parcel being 28.62 hectares and the adjacent 1.89 hectare lot, forming a 31.42 hectare parcel. The Agricultural designated lands forming part of the retained parcel were already undersized, and through this proposal all agricultural lands will be consolidated. As noted in the split land use consent policy, the secondary settlement area lands meet the policies and criteria for the proposed severance. County planning staff generally have no concerns with the proposed severance.

Section 5.2.2(5) states, *new land uses, including the creation of lots and new or expanding livestock facilities shall comply with the Provincial MDS formulae.* In this regard, the proposed new poultry barn will be situated entirely in the secondary settlement area. Section #36 of the Minimum Distance Separation Document (2016) states *MDS II setbacks are NOT required where municipalities permit first or altered livestock facilities (e.g., urban agriculture) or anaerobic digesters within approved settlement area designations, as MDS II was not designed to be used in an urban setting. However, because other issues could be considered when raising livestock in settlement areas, municipalities may choose to establish local approaches governing urban agriculture.*

Staff are aware that the proposed new poultry facility will be situated in the secondary settlement area where MDS does not applied. *The Minimum Distance Separation Document (2016)* section #36 states MDS II setbacks are not required where municipalities permit first or altered livestock facilities (e.g., urban agriculture) or anaerobic digesters within approved settlement area designations, as MDS II was not designed to be used in an urban setting. With the proposed new poultry facility, aiming to house ~23,000 (a net increase of 12,000 when factoring in the removal of an old barn on the subject property), there is anticipated to be potential impacts to the surrounding neighbors. The consultant has shared that there will never be outdoor manure stored on the subject lands. This is hauled to a different area of the property, approximately 700 metres east of the most easterly barn. The farmer also intends to situate the exhaust fans within the existing and new barns to the east, away from the neighbouring houses

and Holstein. It is unclear as to whether the proposed mitigation measures will adequately address any potential odour concerns with the proposed expansion. Because the new poultry barn will be located within the secondary settlement area, there is limited opportunity to adequately address these concerns, as MDS does not apply.

Schedule A of the County OP identifies 'hazard lands' on the subject property. Section 7.2(3) states,

*In the hazard lands land use type, buildings and structures are generally not permitted. Minor extensions or enlargements of existing buildings and structures may be permitted subject to the policies of section 7. Non-habitable buildings connected with public parks, such as picnic shelters, may be permitted.*

Comments were received from the local conservation authority, and approval has been granted (as of April 2, 2020) for the proposed construction of a barn, with driveway/loading area, and swale. Should development take place outside of the conditions included as part of the approval from the local CA, the local CA has requested being notified.

Section 3.6(2) states,

*Permitted uses in the areas designated as Secondary Settlement Areas are residential uses, bed and breakfast establishments, home/rural occupations, commercial and dry industrial uses, public, recreational, and institutional uses intended to support the surrounding agricultural community.*

Generally, secondary settlement areas are intended to provide a limited opportunity for growth and provide a range of living styles and employment locations. The proposed use would appear to fall outside of what would be permitted under this land use designation type and staff are considering whether the proposal conforms with the County OP.

Schedule B of the County OP identifies an 'aggregate resource area' on a portion of the subject lands. Section 5.6.2(8) states,

*Non-farm sized lot creation of lots less than 20 hectares in size will not be permitted in Aggregate Resource Areas.*

The subject proposal will be creating a retained parcel being 31.52 hectares, forming entirely of the agricultural lands. This conforms with the above noted policy.

Appendix B of the County OP identifies 'significant woodlands', ponds and a stream on the subject property. Comments were received from the local conservation authority. A

September 14<sup>th</sup>, 2020

development permit has been issued by SVCA with general conditions outlining the proposal. Provided there are no further comments from SVCA, County planning staff have no concerns.

County planning staff recommend deferral of the subject application until such time as further assessment can be completed for - the potential location of the poultry barn (i.e. is there an opportunity to have this situated entirely in the Agricultural designated lands?), potential impacts to the neighboring residential units of the proposed development, and County OP conformity.

The County requests notice of any decision rendered with respect to these files.

If you wish to discuss this matter further, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Stephanie' followed by a stylized surname.

Stephanie Lacey-Avon  
Planner

(519) 372-0219 ext. 1296

[stephanie.lacey-avon@grey.ca](mailto:stephanie.lacey-avon@grey.ca)

[www.grey.ca](http://www.grey.ca)



## Township of Southgate

185667 Grey County Road 9,  
Dundalk, ON N0C 1B0

**Jim Ellis,**

**Public Works Manager / Risk Management Official**  
**jellis@southgate.ca**



**Phone:** 519-923-2110 ext. 250

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Cell:** 519-378-3777

### Public Works Department

Date: September 15, 2020

File No.: B8 - 20

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Rural asphalt

Road Widening Necessary? Yes ☐ No ☒

Entrance Requirements: None

Load Restricted Road: Yes ☒ No ☐

Comments:

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As this was a former Grey County road, it appears road widening has already been taken

### Risk Management Office

Property is located in a Well Head Protection Area:

- ☐ WHPA "A"
- ☐ WHPA "B"
- ☐ WHPA "C"
- ☐ WHPA "D"
- ☒ Not Applicable

Comments:

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Signed: ***Original Signed By***

Jim Ellis, Public Works Manager / Risk Management Official



## **Staff Report PL2020-052**

**Title of Report:** PL2020-052-B8-20Murray and Brenda Calder  
**Department:** Clerks  
**Branch:** Planning Services  
**Council Date:** September 23, 2020

### **Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-052 for information; and

**That** the severance be approved with the following conditions:

- 1. That** a zoning by-law amendment be approved and in full force and effect.
- 2. That** the large agricultural severed piece be consolidated with the lot 123342 Southgate Road 12.
- 3. That** a survey be provided; and
- 4. That** all outstanding taxes, fees and charges are paid, if any.

### **Property Location: 123330 Southgate Road 12**



### **The Proposal:**

The purpose of the proposal is to sever 8.29 hectares of land containing the house, repair shop and accessory building from the larger farm holding. The retained parcel, comprising 28.62 hectares and containing one poultry barn, would be merged on title with the adjacent 1.89 hectare lot containing the other two poultry barns and accessory building, thereby forming a 31.52 hectare parcel. No new lot would be created as a result of this lot line adjustment.

The effect of the proposal would be to reorganize the lot lines to have one parcel form 31.52 ha that contains all of the barns and a separate 8.29 ha parcel that would contain the house, repair shop and accessory building. No new lots would be created.

**Background:**

A Zoning By-law amendment application has been applied for and the file C12-20 can be found at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C12-20-Murray-Brenda-Calder-Calweb-Holdings-Ltd-Associated-with-application-B8-20->

A virtual public meeting was held on August 26<sup>th</sup> and the application has not come before council for a decision.

The Consent application B8-20 was submitted and the file can be viewed at the following line:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B8-20-Murray-Brenda-Calder-Associated-with-application-C12-20->

Comments received from commenting agencies include:

County planning staff recommend deferral of the subject application until such time as further assessment can be completed for -the potential location of the poultry barn (i.e. is there an opportunity to have this situated entirely in the Agricultural designated lands?), potential impacts to the neighboring residential units of the proposed development, and County OP conformity.

Public Works indicates that the road is a rural asphalt standard and that a road widening appears to have been taken.

Building Department indicates that Farm Nutrient Management may require review.

Historic Saugeen Metis have concerns or objections

Enbridge Gas has no concerns.

Comment: County comments suggest that the location of the poultry barn a determining factor for the consent application. The consent should be viewed on its own as far as whether or not the consent represents good planning. It should not be view as to where the location of buildings should go. The consent makes a lot of sense separating the settlement area portion from the agricultural portion of the lot. The location of the barn however can be reviewed at a later date with the

review of the Zoning By-law amendment application. If the justification does not support the location of the barn there is still an option to locate the barn further away from the settlement area.

### **Policy Review:**

#### **Provincial Policy Statement:**

The Planning Merit Letter prepared by the applicants Consultant Ron Davidson has reviewed the Provincial Policy Statement and concluded that the proposed consent to sever is consistent with Provincial Policy. The Township concurs with this assessment.

#### **County of Grey Official Plan:**

The County of Grey in their comments indicate that there may be some conformity issues with the proposed location of the barn and therefore the application should be deferred.

The location and orientation of the barn is not what this application is evaluating and so on that basis the application should be approved. The location of the barn will be determined with the review of the Zoning amendment and ultimately with the building permit which is required to meet applicable law.

The applicant's consultant has reviewed the County of Grey Official Plan and concluded that the proposed consent to sever meets the policies of the official plan.

The Township agrees with the conclusion.

#### **Township Official Plan:**

The Township Official Plan has the subject lands partially within the settlement area of Holstein and designated as village community. The Eastern portion of the lands is designated as Agricultural and Hazard lands. The proposed lot line adjustment proposes to sever the lot approximately along the Settlement area boundary. The Severed portion would then be added to the backward P shaped lot as indicated in the drawing attached to this report. The result is that no new lots will be created.

The Consent policies in the Official Plan state in section 5.1.2 that:

2. Consents may be considered where the land being conveyed is to be added to an existing farm or non-farm use or to provide for minor lot line adjustments or correct lot boundaries. The granting of such a consent shall not be permitted if it results in the creation of an undersized remnant lot.

The retained lot will be entirely within the Settlement area and therefore will not be considered an undersized remnant lot. The lot line adjustment would be supported by this policy.

Based on the above, and the consultants letter of merit the consent to sever meets the intent of the policies of the Official Plan and should be approved.

### **Zoning By-law:**

The existing 1.89 hectare lot containing the two barns and repair shop is currently zoned 'A2-40' and 'EP'. The 'A2-40' permits, in addition to those uses typically allowed in the 'A2' zone, a "welding and hydraulic shop".

The existing 37.91 hectare parcel, which is occupied by a house, barn and accessory building, is zoned 'A2-248', 'A2', 'A1' and 'EP'. The 'A2-248' zoning applies to the area near Southgate Road 12 where the dwelling and accessory building exist and allows for a front yard of 11.5 metres.

The 'A2' zone permits agricultural uses and buildings, but does limit new or expanding livestock operations. Section 7.1 states:

The provisions of Section 6 - Agricultural Zone (A1) shall apply hereto, except that no new livestock operations or no expansion to the livestock operation shall be permitted if:

The number of nutrient units on the farm is 100 or more and the ratio of nutrient units to tillable acres on the farm unit is 2 or greater, where nutrient unit equivalency is defined on the attached Table "1" of Sub-section 32.

OR

The number of nutrient units on the farm unit is 150 or more and the ratio of 1 units to tillable acres is greater than one.

If the proposed barn was to be located on lands zoned 'A2', then relief from this particular provision would be necessary since the expanded livestock facility would exceed these maximum standards. The chosen site for the barn is not zoned 'A2'; however, the intent of the 'A2' zone should still be considered.

The zoning by-law amendment will dictate not only where the lot sizes but where the proposed barn will be located and it may end up having to be located in the A1 zone near Side Road 41. The important part to remember is that the consent in and of itself is a sound planning decision. The location of the barn can be determined during the rezoning process.

### **Financial Implications:**

There are no financial implications with the approval of the consent application.

**Concluding Comments:**

Based on the above and the attached planning reports, provided that there are no negative comments received it is the Township staff's recommendation that the consent be conditionally approved.

Respectfully Submitted,

**Municipal Planner:** *Original Signed By*  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:**

1. Consultants Planning Letter
2. Proposed Consent drawing.





**RON DAVIDSON**  
**LAND USE PLANNING CONSULTANT INC.**

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June 8, 2020

Township of Southgate  
185667 Grey County Rd 9  
RR 1  
Dundalk, ON  
N0C 1B0

Attention: Clint Stredwick  
Planner

Dear Sir:

**Re: Applications for Consent and Zoning By-law Amendment  
Part Lot 43, Concession 3 EGR, Geographic Township of Egremont,  
Township of Southgate  
123330 and 123342 Southgate Road 12  
(Murray and Brenda Calder / Calweb Holdings Ltd.)**

Further to recent preconsultation discussions with your office, enclosed please find completed applications for Consent and Zoning By-law Amendment. A cheque covering the Township's application fees and the Saugeen Valley Conservation Authority review has been mailed directly to your office by the owner.

To assist your office in the evaluation of these two applications, I offer the following:

**Proposal:**

Murray and Brenda Calder own a 37.91 hectare property, a portion of which is located within the boundaries of the Holstein settlement area. Situated on this parcel are their residence, a poultry barn, a farm machinery (hydraulics) repair shop / storage building, and an accessory building.

The Calders, through their company Calweb Holdings Ltd., also own the adjacent 1.89 hectare property containing two poultry barns and an accessory building. A welding shop is located in the rear portion of the one poultry barn.

Mr. and Mrs. Calder wish to adjust the boundaries between these properties such that all three poultry barns are situated on the same property, along with an accessory building. This parcel would end up comprising 31.52 hectares of land. The other

property would contain the Calder's house, farm machinery repair shop and an accessory building.

Following the lot line adjustment, the Calders would then erect a fourth poultry barn comprising 1092.5 square metres of floor area.

The proposed lot line adjustment is illustrated on the attached drawing, as well as the location of the existing buildings and the new poultry barn.

### **Approvals Required:**

A Consent application requesting the boundary adjustment has been filed with the Township. Specifically, the application proposes to sever 8.29 hectares of land containing the house, repair shop and accessory building from the larger farm holding. The retained parcel, comprising 28.62 hectares and containing one poultry barn, would be merged on title with the adjacent 1.89 hectare lot containing the other two poultry barns and accessory building, thereby forming a 31.52 hectare parcel. No new lot would be created as a result of this lot line adjustment.

A Zoning By-law Amendment application is also being submitted to the Township, requesting the following:

1. A reduction in the 'minimum lot area' requirement of the 'A2' zone from 40 hectares to 8.29 hectares and 31.52 hectares respectively, which would reflect the size of the two reconfigured parcels following the lot line adjustment;
2. Permission to erect the above-noted poultry barn in the 'EP' zone, as conditionally-approved by the Saugeen Valley Conservation Authority;
3. A correction to the current zoning to acknowledge the existing farm equipment repair shop on the severed parcel. Whereas the current zoning of the existing 1.89 hectare parcel allows for a "welding and hydraulic repair shop"; the hydraulic repair shop is actually located in a separate building on the 37.91 hectare property.

### **Preconsultation Discussions**

Prior to the applications being filed, the owners had extensive discussions with the Township and the Saugeen Valley Conservation Authority (SVCA), and also

corresponded with the County Planning Department.

**Applicant's Letter of Merit:**

The applicant has prepared a letter (see attached) identifying the merit of the proposed lot line adjustment and proposal to erect another barn on the property. The letter has explained:

1. why a lot line adjustment that would result in all poultry barns being located on one property is necessary;
2. how clustering the poultry buildings in one location as opposed to locating the new barn elsewhere provides for safer and higher quality food operation;
3. how clustering the buildings provides for a more cost-efficient and energy-efficient operation;
4. how clustering the buildings results in the loss of a lesser amount of tillable land;
5. why the ventilation system associated with the existing barns and the proposed barn significantly reduces the chances of an odour issue for the neighbours; and,
6. how the continuation of the current practice of shipping the manure directly from the barns to a remote area of the property (approximately 700 metres east of the most easterly barn on the site) significantly reduces the chances of an odour issue for any neighbours.

**Engineering:**

The applicant's Engineer has prepared a report that justifies how the new barn can be constructed within the area currently zoned 'EP' and within the SVCA's Regulated Area without creating any risks. The SVCA has accepted the Engineer's report and has issued a permit to *Alter a Regulated Area*. The Engineer's report and the SVCA's permit are attached.

### **Grey County Official Plan**

The County of Grey Official Plan designates the subject lands as 'Secondary Settlement Area', 'Agricultural' and 'Hazard Lands' on Schedule A. Following the lot line adjustment, all of the lands designated 'Agricultural' will belong to just one property, which is generally considered from a planning perspective to be ideal. This particular parcel will also contain a small section of land designated 'Secondary Settlement Area', and the new barn will be erected within that area. (It should be noted that the site chosen for the new poultry barn is not designated 'Hazard Lands'; and such mapping isn't consistent with the Township's Official Plan nor the Comprehensive Zoning By-law.)

Schedule B of the Official Plan identifies an area of the subject property as 'Aggregate Resource Area'. New non-farm development is generally prohibited within these areas of constraint. The lot line adjustment should have no impact on whether or not aggregate extraction will occur in this area.

As well, Appendix B of the Official Plan identifies some of the forested lands on the site as 'Significant Woodland'. Development and site alteration is not permitted in a woodland feature or within 120 metres unless it can be demonstrated that the woodland feature or its function would not be impacted. Whereas the new barn will be erected closer than 120 metres from the 'Significant Woodland' boundary, the SVCA has approved the development in this precise location.

In view of the foregoing, the proposal would appear to conform to the County Official Plan.

### **Township of Southgate Official Plan**

The Township's Official Plan designates the two subject properties as 'Agriculture', 'Village Community' and 'Hazard Lands'.

The intent of the Southgate Official Plan is identical to the County Official Plan as it pertains to trying to keep 'Agriculture' parcels as large as possible. The lot line adjustment would be supported by this policy.

Schedule C shows a swath of 'Primary Aggregate Resource Area' traversing the property. As stated above, adjusting the lot line between the two existing lots should have no impact on the intent of these aggregate policies.

Based on the above, it is apparent that the proposed lot line adjustment and rezoning conform to the Township's Official Plan.

**Provincial Policy Statement:**

The Provincial Policy Statement (PPS) protects prime agricultural land for long-term use for agriculture. In this regard, please note that the portions of the subject properties that are not designated 'Secondary Settlement Area' or Village Community in the County and Township Official Plans respectively or designated 'Hazard Lands' in either document are considered to be prime agricultural land. Adjusting the lot lines such that all of the prime agricultural land is situated on one property would clearly be consistent with this policy.

The PPS also states that new land uses in prime agricultural areas, including new or expanding livestock facilities, shall comply with the minimum distance separation formulae. On this note, please note that the new livestock facility will be situated within the settlement area boundaries of both Official Plans and therefore not on prime agricultural lands.

The PPS also contains policies concerning natural hazards. Whereas it is the general intent to discourage development within such areas, development and site alteration may be permitted on hazardous lands where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

In this regard, an Engineer has prepared a report illustrating that the new poultry barn would meet the above criteria; and, furthermore, the SVCA has accepted the report and issued a permit to *Alter a Regulated Area*.

Furthermore, the PPS protects natural heritage features such as Significant Woodlands. As explained earlier in this Planning Report, portions of the subject lands are designated 'Significant Woodland' (Grey County Official Plan); however, the SVCA finds the development proposal acceptable, as they've already issued a permit.

Moreover, the PPS also protects areas that have potential aggregate extraction capabilities. As noted earlier, both Official Plans show a possible aggregate deposit on a portion of the site. It is doubtful, however, that the land owner's proposal could have an impact on whether or not these lands could be used in the future for extraction purposes, given the large number of buildings that already exist on the site and the fact that the proposed development lands are actually within a designated settlement area where aggregate extraction is strongly discouraged.

Based on the foregoing, it is evident that the proposal is consistent with the Provincial Policy Statement.

### **Township of Southgate Zoning By-law:**

#### **Current Zoning:**

The existing 1.89 hectare lot containing the two barns and repair shop is currently zoned 'A2-40' and 'EP'. The 'A2-40' permits, in addition to those uses typically allowed in the 'A2' zone, a "welding and hydraulic shop".

The existing 37.91 hectare parcel, which is occupied by a house, barn and accessory building, is zoned 'A2-248', 'A2', 'A1' and 'EP'. The 'A2-248' zoning applies to the area near Southgate Road 12 where the dwelling and accessory building exist and allows for a front yard of 11.5 metres.

The 'A2' zone permits agricultural uses and buildings, but does limit new or expanding livestock operations. Section 7.1 states:

*The provisions of Section 6 - Agricultural Zone (A1) shall apply hereto, except that no new livestock operations or no expansion to the livestock operation shall be permitted if:*

*The number of nutrient units on the farm is 100 or more and the ratio of nutrient units to tillable acres on the farm unit is 2 or greater, where nutrient unit equivalency is defined on the attached Table "1" of Sub-section 32.*



OR

*The number of nutrient units on the farm unit is 150 or more and the ratio of 1 units to tillable acres is greater than one.*

If the proposed barn was to be located on lands zoned 'A2', then relief from this particular provision would be necessary since the expanded livestock facility would exceed these maximum standards. The chosen site for the barn is not zoned 'A2'; however, the intent of the 'A2' zone should still be acknowledged.

Proposed Zoning:

In order to facilitate the lot line adjustment and allow for a new barn to be erected in proposed location, both of the parcels involved would need to be rezoned, as follows:

i) West lot

This parcel should be zoned 'A2-x' and 'EP'.

The A2-x' would allow:

- a lot area of 8.29 hectares;
- a hydraulic repair shop; and,
- a minimum front yard of 11.5 metres.

ii) East Lot

This parcel should be zoned 'A2-y', 'A1', 'EP' and 'EP-z'.

The A2-y' zone would allow:

- a lot area of 31.52 hectares, including lands zoned 'A1'; and,
- a welding shop.

The 'EP-z' zone would apply only to the specific area where the new barn would be erected and would permit:

- A livestock barn not exceeding 1092.5 square metres.

**The Minimum Distance Separation (MDS) Document:**

The preconsultation discussions evolved around the concept of allowing for a new barn on these lands. During that dialogue, the owners were advised that consideration could be given to amending the Zoning By-law to allow for a fourth barn, given that the MDS Document is not applied to settlement areas, as per Guideline #36.

**Discussion:**

The proposed lot addition has considerable merit and should be approved.

The proposal to erect a new barn on the site also has merit. Whereas erecting a livestock facility within an urban boundary may not, on the surface, seem ideal, the owner has provided a compelling argument for doing so. Of significant importance to his argument, from the perspective of potential impacts on the neighbours, are two facts:

- (1) The exhaust fans within the existing and new barns will direct the odour from inside the barn to the east, away from the neighbouring houses and Holstein; and,
- (2) There is never outdoor manure storage occurring on this portion of the property. The manure stays within the existing barns for the 39 day period in which the broilers are kept, and when the chickens are removed, the manure is hauled to a different area of the property and stored in a pile until another party retrieves the manure for spreading, which typically happens within a few days. That particular stockpiling area is located approximately 700 metres east of the most easterly barn and is within an area of the property zoned 'A1'. The closest house would be approximately 800 metres from this stockpile area.

Because of this arrangement, the new barn is not expected to create any problems for the neighbours. It's worth noting that the owners have never received any complaints regarding their existing operation.

It's also worth mentioning again that the MDS Document exempts new or expanding barns in settlement areas from the MDS formulae.

Based on the forgoing, the proposed rezoning to facilitate the lot line adjustment and allow for the new barn should also be approved.

Lot Line Adjustment  
123330 and 123342 Southgate Road 12  
Geographic Township of Egremont  
Township of Southgate

---

**Final Comments:**

I trust you'll find the application package to be complete. Should you have any questions regarding the proposal, please contact the undersigned.

On a final note, it would be sincerely appreciated if you could advise me of the potential meeting date prior to actually scheduling it, in order to ensure my availability at the meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized, cursive-like script.

Ron Davidson, BES, RPP, MCIP

c.c. Kyle Calder

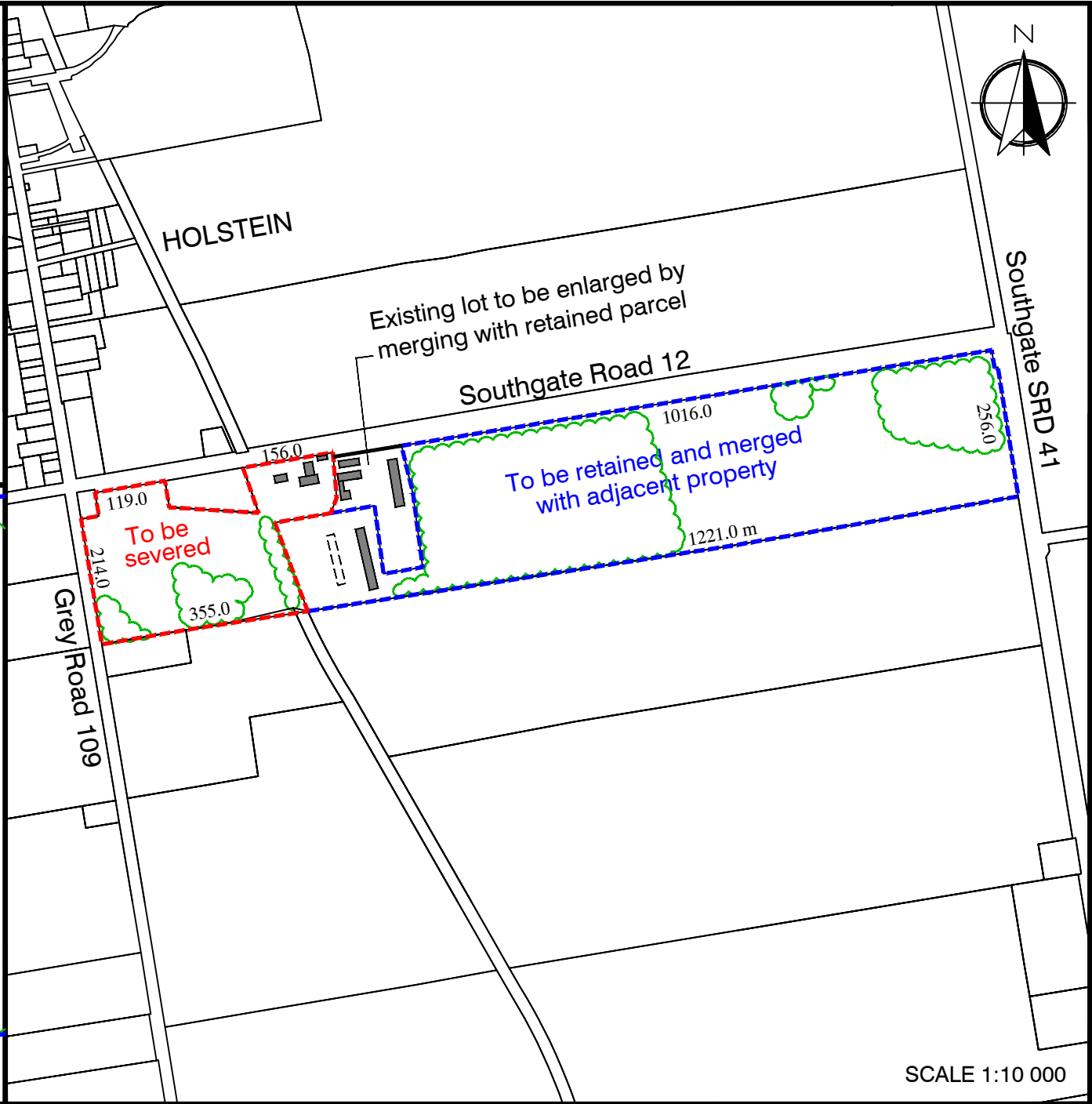
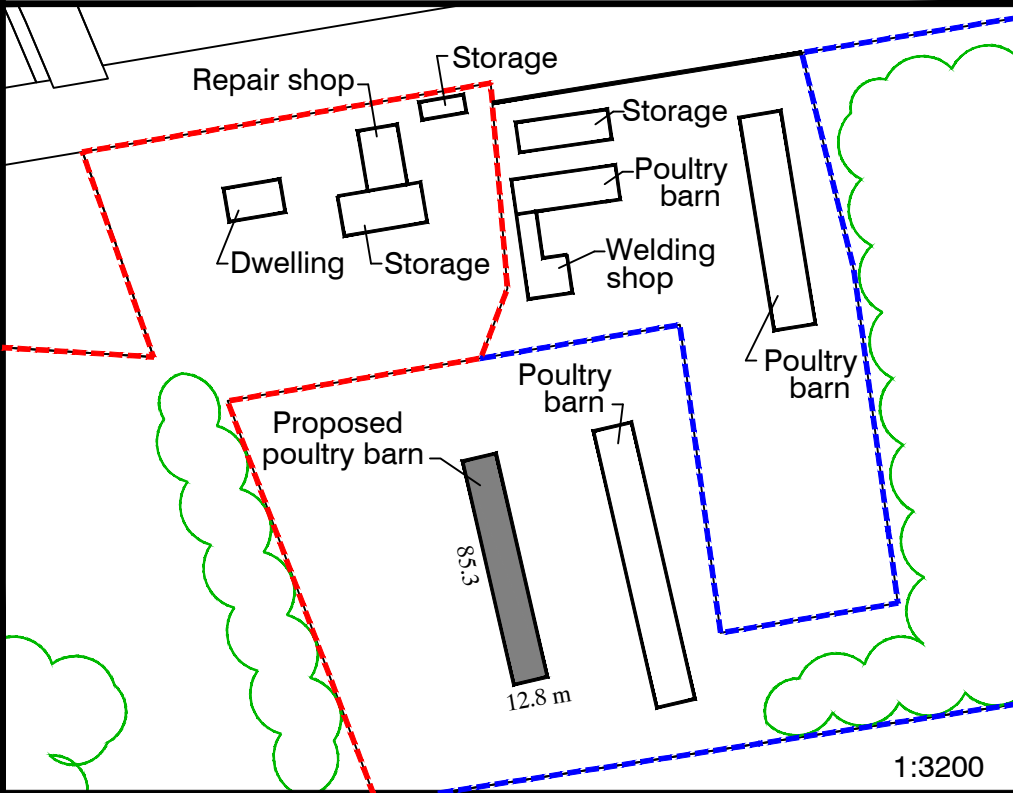
attachments:      Sketch  
                         Engineering Report  
                         SVCA Permit  
                         Calweb Holdings Ltd. letter

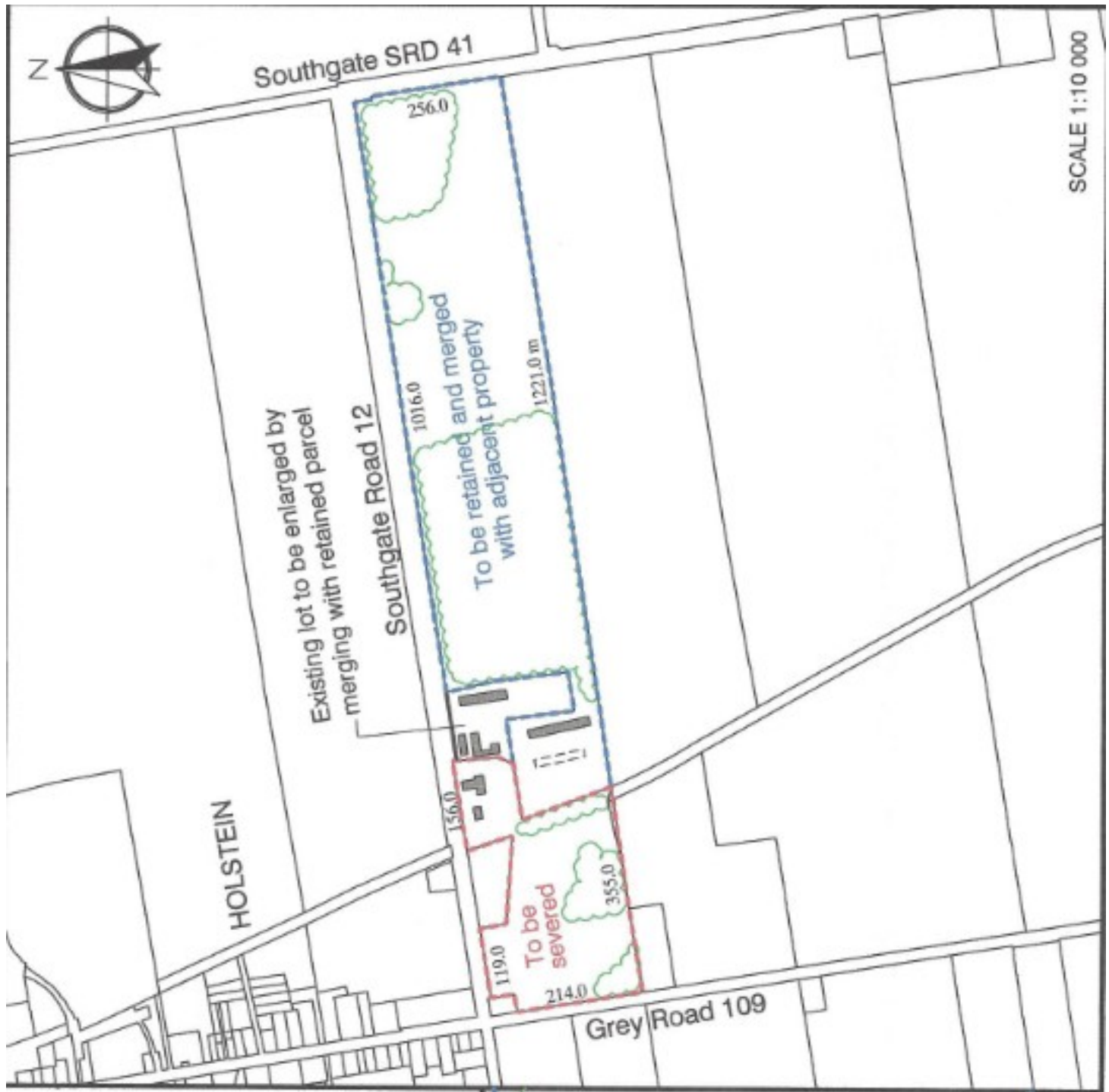
Proposed Lot Line Adjustment  
and Zoning By-law Amendment

Murray and Brenda Calder  
Part Lot 43, Concession 3 EGR  
Geographic Township of Egremont  
Township of Southgate

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO

INSET









## The Corporation of The Township of Southgate

### Consent application form

#### Instructions:

- Please check all applicable boxes and answer all applicable questions
- Several of the questions are part of the minimum mandatory requirements as prescribed in Schedule 1 to Ontario Regulation 41/95, Planning Act, and must be completed
- Failure to provide adequate, correct information may result in your application being refused
- All measurements MUST be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Applications are not accepted without the required fees

#### For office use only

File No: B3-20

Pre-Consult Date: Feb 18, 2020

Date received: Feb 20, 2020

Date accepted: \_\_\_\_\_

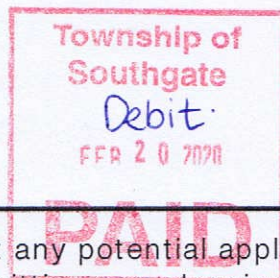
Accepted by: \_\_\_\_\_

Roll # 42 07 11000101100

Conservation Authority Fee

Required: \_\_\_\_\_

Other information: \_\_\_\_\_



It is strongly advised that any potential applicant pre-consult with the Planning Department prior to submitting any planning application. This could save you money and avoid delays in processing. Staff are available to provide some assistance in completing this application and will help ensure the application is filled out completely.

The Approval Authority is the Township of Southgate Committee of Adjustment

#### Required Fees:

Application Fees	\$1,301.00 due with submitted application	—
	\$ 255.00 due on completion (if approved)	—
Public Notice Sign Fee	\$ 105.00	—
Parkland Dedication Fee	\$ 521.00 (all new residential lots)	
Deed Stamping	\$ 313.00 due before finalization of approved consent	—
Conservation Authority Fee	SVCA \$ 240.00 (per each net lot created) GRCA – Call directly for details	Ma

#### Note on fees:

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law.



## Part One

## Owner/ Agent/ Application Information

\* To be completed by the applicant

1. Name of registered owner: William PenneyMailing address: [REDACTED]Phone# : (H) [REDACTED] (B) [REDACTED]Email Address: [REDACTED]2. Name of applicant (if different than above): Same as above.

Mailing address: \_\_\_\_\_

Phone# : \_\_\_\_\_ Email: \_\_\_\_\_

## Applicant's Relationship to Subject Lands:

- ☒ Registered Property Owner  
☐ Holder of Option to Purchase Subject Lands  
☐ Signing Officer of Corporation  
☐ Other (Specify) \_\_\_\_\_

3. Name of agent: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone# : \_\_\_\_\_ Email: \_\_\_\_\_

4. Send all correspondence to: (Choose only ONE) ☒ Applicant ☐ Agent5. Preferred Method of communication: ☒ Phone ☐ email ☐ Postal Mail

## Part Two

## The Subject Lands

6. Subject Land: (Legal Description)

NOTE: On this form "SUBJECT LAND" means the parcel to be severed &amp; the parcel to be retained.

Former Municipality Village of Dundalk.Road Name Main Street West. Civic Address (911) No. 150Lot No. Part 1 of 8 + Part 1 of 9. Plan/Concession 480 B1K 2

Part \_\_\_\_\_ Reference Plan No. \_\_\_\_\_

7. Description of Subject Land:

a) Existing use of the subject land:

☐ Agricultural ☐ Rural ☐ Commercial/Industrial ☒ Residential

☐ Other (explain)



## Part Three

## The Proposal

## 8. Proposal

Dimensions of land intended  
to be SEVEREDFrontage 10.165 metresDepth 50.29 metresArea 0.0511 hectaresDimensions of land intended  
to be RETAINEDFrontage 10.165 metresDepth 50.29 metresArea 0.0511 hectares

\* These dimensions must be accurate

## 9. Reason for severance

(a) Reason for severance \_\_\_\_\_

i) New Lot ☒ii) Lot Addition ☐ (Question # 12 to be completed)iii) Lease/Charge ☐iv) Easement/Right of Way ☐

<input type="checkbox"/> Bell Canada	<input type="checkbox"/> Hydro
<input type="checkbox"/> Water Access	<input type="checkbox"/> Gas
<input type="checkbox"/> Other (Specify) _____	

v) Correction of Title ☐vi) Other ☐ Specify \_\_\_\_\_(b) Name of person(s), if known, to whom land or interest in land is to be transferred,  
leased or charged: \_\_\_\_\_

Address: \_\_\_\_\_

## 10. Proposed use of land to be severed

Existing buildings Residential R3 Semi-detached House.

Proposed buildings \_\_\_\_\_

<input checked="" type="checkbox"/> Non-farm residential	<input type="checkbox"/> Surplus farm dwelling
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Agricultural related
<input type="checkbox"/> Hobby Farm	<input type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	



12. Original lot being added to (lot addition only): \_\_\_\_\_

Existing buildings/structures: \_\_\_\_\_

Use: \_\_\_\_\_

Access: \_\_\_\_\_

Servicing: \_\_\_\_\_

13. Road Access:

	Severed Parcel	Retained Parcel
Provincial Highway (Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
County Road (Provide Road Number) (9)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Southgate Road (Provide Road Number)	<input type="checkbox"/>	<input type="checkbox"/>
Non-maintained/seasonally maintained Municipal road allowance	<input type="checkbox"/>	<input type="checkbox"/>
If access is from a non-maintained or seasonally maintained road allowance has an agreement been reached with the municipality regarding upgrading of the road? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Private Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>

14. Servicing:

a) What type of water supply is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated water supply	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lake/River	<input type="checkbox"/>	<input type="checkbox"/>
Private well - Individual	<input type="checkbox"/>	<input type="checkbox"/>
Private well - Communal	<input type="checkbox"/>	<input type="checkbox"/>
If proposed water supply is by private well, are the surrounding water well records attached? <input type="checkbox"/> YES <input type="checkbox"/> NO		

b) What type of sewage disposal is proposed?

	Severed Parcel	Retained Parcel
Municipally owned/operated sanitary sewers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Individual Private Septic	<input type="checkbox"/>	<input type="checkbox"/>
Communal Private Septic	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify)	<input type="checkbox"/>	<input type="checkbox"/>

c) Other services (check if any of these services are available to the "subject land")



## Part Four

## Statement of Compliance

## 16. Applicable legislation and policies

a) Is this application consistent with policy statements issued under subsection 3 (1) of Planning Act? ☒ Yes ☐ No

b) Is the subject land within an area of land designated under any provincial plan or plans? ☒ Yes ☐ No

i) If the answer to section b) is yes, does this application conform to, or not conflict with, the applicable provincial plan or plans.

☒ Yes ☐ No

c) Please indicate the existing Southgate Official Plan designation(s) of the subject land:

<input type="checkbox"/>	Agriculture	<input type="checkbox"/>	Space Extensive Industrial/Commercial
<input type="checkbox"/>	Rural	<input type="checkbox"/>	Mineral Aggregate Extraction
<input type="checkbox"/>	Village Community	<input type="checkbox"/>	Hazard Lands
<input type="checkbox"/>	Inland Lakes	<input type="checkbox"/>	Wetlands
<input type="checkbox"/>	Major Open Space	<input checked="" type="checkbox"/>	Neighbourhood Area
<input type="checkbox"/>	Arterial Commercial	<input type="checkbox"/>	Downtown Commercial
<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Public Space
<input type="checkbox"/>	Special Policy Area		

d) Please indicate whether any of the following Constraint Areas in Southgate Official Plan apply to the subject land:

<input type="checkbox"/>	Primary Aggregate Resource Areas	<input type="checkbox"/>	ANSI
<input type="checkbox"/>	Existing/known abandoned Land Fill Sites	<input type="checkbox"/>	Deer wintering yard

e) Does the application conform to the Southgate Official Plan?

☒ Yes ☐ No

f) Has any land been previously severed from the original parcel of land?

☐ Yes ☒ No If yes, how many severances? \_\_\_\_\_

Indicate year, file #'s, if known \_\_\_\_\_

g) Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under the Planning Act?

☐ Yes ☒ No ☐ Unknown

h) Is the application being submitted in conjunction with a proposed County Official Plan Amendment? ☐ Yes ☒ No



## Part Five

## Authorization and affidavit

## 18. Owner's Consent (Freedom of Information):

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation

I (we), William Penney and \_\_\_\_\_  
name of owner(s)

hereby acknowledge the above-noted 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, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

\_\_\_\_\_  
Signature of Owner Feb 20/20  
date  
\_\_\_\_\_  
Signature of Owner \_\_\_\_\_  
date

## 19. Owner authorization for agent

I/we \_\_\_\_\_  
authorize \_\_\_\_\_  
to act as our agent(s) for the purpose of this application.

\_\_\_\_\_  
Signature of Owner \_\_\_\_\_  
Signature of Witness  
Dated at the \_\_\_\_\_ of \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

## 20. Owners authorization for access

I/we William Penney \_\_\_\_\_

Hereby do permit Township staff and its representatives to enter upon my/our lands during regular business hours for the purpose of performing inspections of the subject property as it relates to evaluation of this application.

\_\_\_\_\_  
Signature of Owner Feb 20/20  
date  
\_\_\_\_\_  
Signature of Owner \_\_\_\_\_  
date



## 21. Affidavit or sworn declaration

Note: This Affidavit must be signed in the presence of a Commissioner for Taking Oaths.

I/ (We) William Penney  
 \_\_\_\_\_  
 Name of Owner(s) or Authorized Agent

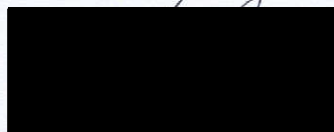
of the Township of McLachlan in the County of Dufferin  
 city/township/municipality county/region

Solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the:

Township of Southgate in the County of Grey  
 city/township/municipality county/region

This 20<sup>th</sup> day of February, 2020



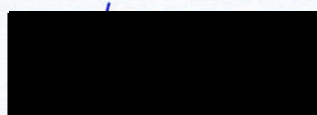
Signature of Owner or Authorized Agent

Feb 20/20.

Date

Signature of Owner

Date



Signature of Commissioner

Feb 20, 2020.

Date

Return this completed form and payment to:

Attention: Committee of Adjustment

Township of Southgate

185667 Grey Road 9, RR 1

Dundalk Ontario

N0C 1B0

Lindsey Green, a Commissioner, etc.,  
 Deputy Clerk for The Corporation of the  
 Township of Southgate, County of Grey.



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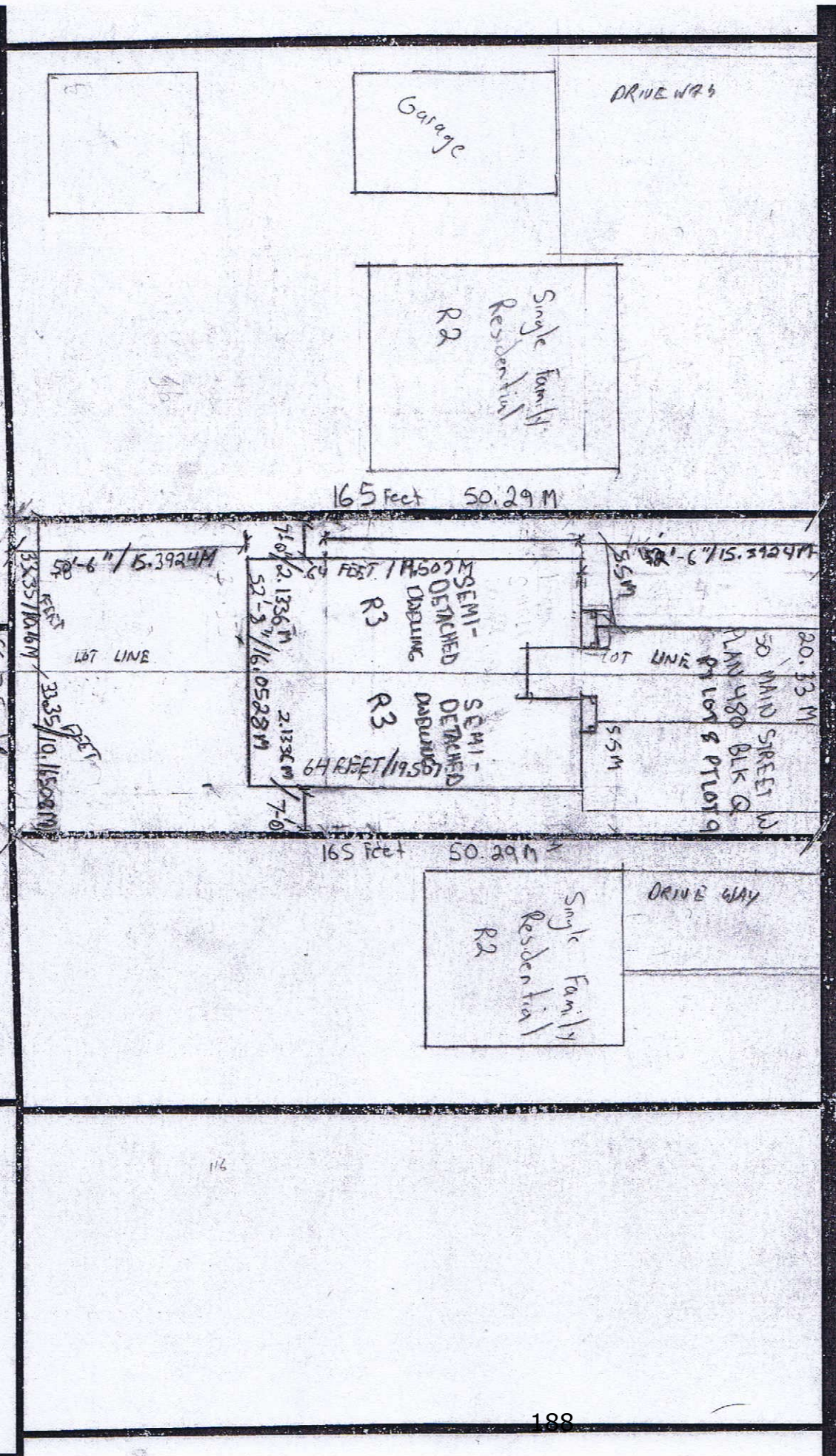
MAIN SUBJECT MATTER 20.3307



Site Plan 150 Main Street West, Dundalk - Ontario

# MAIN STREET WEST

#150 150 Main Street West (FRONTAGE)







**TOWNSHIP OF SOUTHGATE COMMITTEE OF ADJUSTMENT**  
**NOTICE OF APPLICATION FOR CONSENT AND PUBLIC HEARING**  
**The Planning Act, RSO 1990, as amended**

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**RESCHEDULED HEARING DATE**

**TAKE NOTICE** that the Township of Southgate Committee of Adjustment has appointed **August 26, 2020 at 9:00 am** for the purpose of a public hearing to be electronically at the following credentials:

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/442563645>

You can also dial in using your phone. Canada: +1 (647) 497-9373 Access Code: 442-563-645 #

**NOTE:** If you wish to speak at the meeting, please register in advance by contacting the Secretary-Treasurer, Elisha Hewgill using the below information.

The meeting will be recorded and uploaded to the Township YouTube Channel:

<https://www.youtube.com/user/SouthgateTownship>

**APPLICATION FOR CONSENT - FILE NO. B3/20**

**OWNERS:** William Penney

**SUBJECT LAND:** Plan 480 BLK Q Pt lot 8; Lot 9, Geographic Village of Dundalk. The lands are further described as 150 Main St West.

**THE PURPOSE** of the application is to create a semi detached lot which contains an existing semi detached residence. The severed parcel will be approximately 511m<sup>2</sup> and have a frontage of 10.165m and a depth of 50.29m. The retained lot will be approximately 511m<sup>2</sup> and have a frontage of 10.165m. Both parcels have frontage on Grey Road 9.

**THE EFFECT** is to sever a lot along the middle of a semi detached structure to allow for one half of the semi detached residence to be in separate ownership.

**SEE SKETCH ATTACHED (reverse side)**

---

Property owners within 60 metres of the subject land are hereby notified of the above application for consent. The property to be severed will be marked by a sign.

**If** a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to: Committee of Adjustment, Township of Southgate office before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.

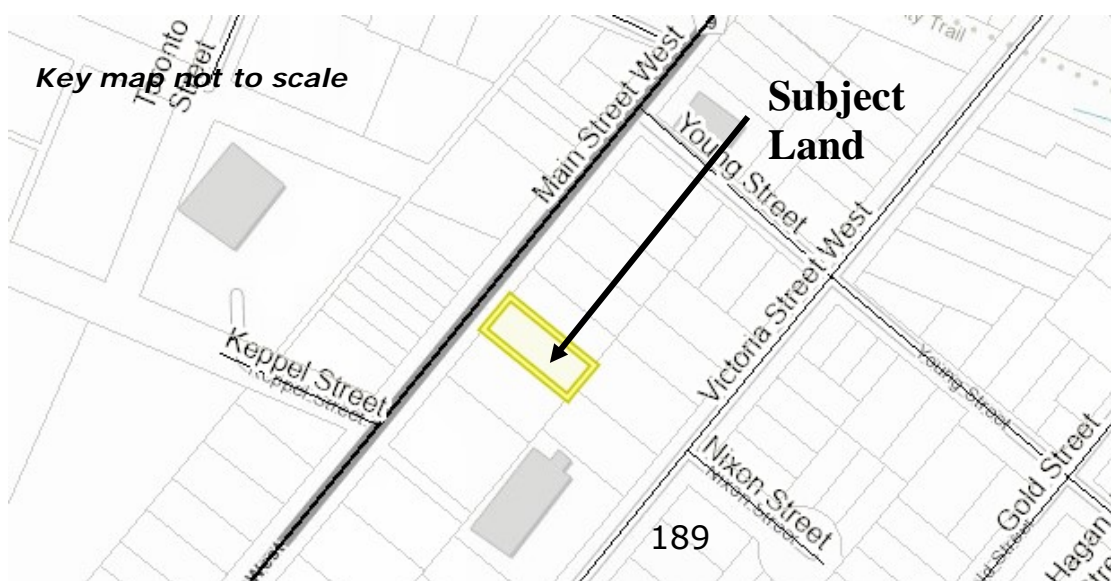
**If** you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must submit a written request to the undersigned.

Additional information regarding this application is available for public viewing from Monday to Friday 8:30 am to 4:00 pm at the Township of Southgate Administration office OR by contacting Clinton Stredwick, Planner at 519-923-2110 Ext. 235.

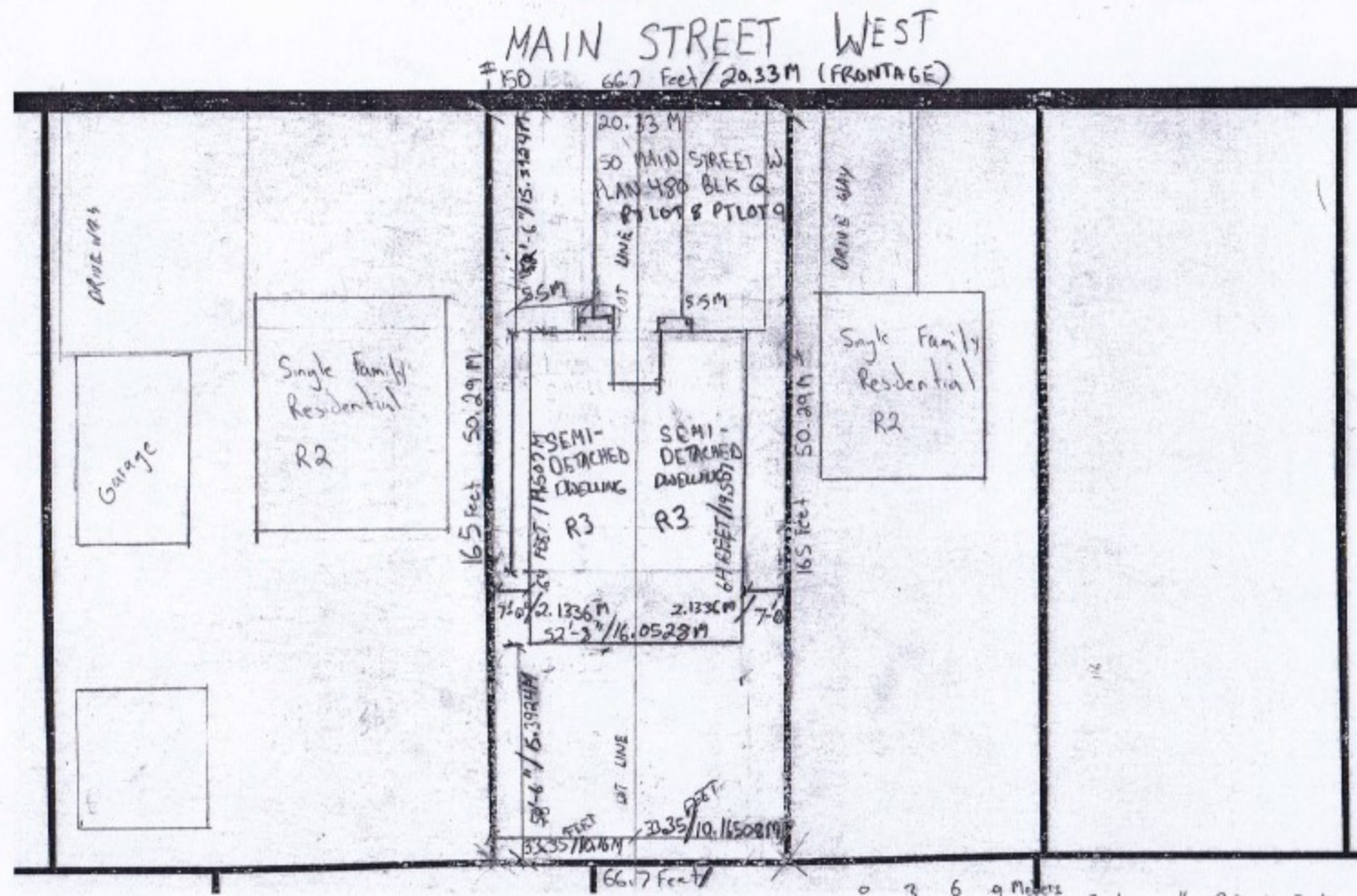
When requesting information please quote File No. **B3-20**

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**ELISHA HEWGILL, SECRETARY-TREASURER,**  
**COMMITTEE OF ADJUSTMENT FOR THE TOWNSHIP OF SOUTHGATE**  
**185667 GREY RD 9, DUNDALK, ON N0C 1B0**  
**(519) 923-2110 EXT 232 Toll Free 1-888-560-6607 FAX (519) 923-9262**



N



## Elisha Hewgill

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**From:** Hall, Charleyne <charleyne.hall@bell.ca>  
**Sent:** July 13, 2020 12:53 PM  
**To:** Elisha Hewgill  
**Subject:** 519-20-292 - Consent Application B3/20 - 150 Main Street West

Good afternoon Elisha,

Bell Canada has no concerns with Application for Consent B3/20 regarding 150 Main Street West.

Thank you,

Charleyne



Right of Way Associate  
140 Bayfield Street, Floor 2, Barrie ON L4M 3B1  
T: 705-722-2264 Toll Free: 1-888-646-4817

Recognizing traditional territory of Haudenosaunee and Anishnaabeg Peoples; part of the Upper Canada Treaties.



## Planning Application Comments

### Building Department

Date: July 8, 2020

File No: B3-20

Property Owner: William Penney

The Southgate Building Department is aware of the application noted above and at the present time have the following comments.

- ☐ No Concerns or objections with the application.
- ☐ Development will require applicable permits before construction.
- ☐ A Barrier free washroom will be required with Septic system.
- ☐ Recommend the septic design is considered before proceeding.
- ☐ A detailed septic design is required.
- ☐ Road access and Civic number will be required before development proceeds.
- ☐ May require water supply to meet OBC 3.2.5.7 Water requirements for firefighting.
- ☒ Comments: Engineered lot grading plan would be advised.

If I can be of any further assistance, please do not hesitate to contact me.

**Bev Fisher**  
**Chief Building Official | Township of Southgate**

185667 Grey County Road 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 240 | Mobile: | Fax 519-923-9262

[bfisher@southgate.ca](mailto:bfisher@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



## Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

July 17<sup>th</sup>, 2020

Lindsey Green, Deputy Clerk  
Township of Southgate  
185667 Grey County Road 9  
Dundalk, Ontario  
N0C 1B0

\*Sent via E-mail

**RE: Consent Application B03/20**  
**150 Main Street West**  
**Township of Southgate**  
**Applicant/Owner: William Penney**

Dear Ms. Green,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the application is to create a semi detached lot which contains an existing semi detached residence. The severed parcel will be approximately 511m<sup>2</sup> and have a frontage of 10.165m and a depth of 50.29m. The retained lot will be approximately 511m<sup>2</sup> and have a frontage of 10.165m. Both parcels have frontage on Grey Road 9.

Schedule A of Recolour Grey designates the subject property as a 'Primary Settlement Area'. Section 3.5 states,

2) Land use policies and development standards in areas designated Primary Settlement Areas will be in accordance with local official plans and/or secondary plans

3) This Official Plan promotes the development of Primary Settlement Area land use types for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas will be the focus of the majority of growth within the County.

County planning staff have no concerns with the proposed development. Further comments should be received from the Township of Southgate.

Appendix of Recolour Grey indicates that the subject property contains 'Wellhead Protection Zone – B'. Section 8.11.2 states,

b) A *Wellhead protection area* (WHPA) is the area around the wellhead where land use activities have the potential to affect the quality or quantity of water that flows into the well. These are areas of high vulnerability where the greatest care must be taken in the storage, use and handling of materials that could, if mishandled or spilled, pollute or contaminate a municipal well. WHPAs are shown on Appendix A of this Plan and further information about WHPAs can be found in the local *source protection plans*.

The subject application will not utilize any fuel or potential contaminants; therefore, County planning staff have no concerns.

County Transportation Services have reviewed the subject file and have no concerns.

County planning staff have no further concerns with the subject application.

The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,



Hiba Hussain  
Planner  
(519) 372-0219 ext. 1233  
[hiba.hussain@grey.ca](mailto:hiba.hussain@grey.ca)  
[www.grey.ca](http://www.grey.ca)

## Elisha Hewgill

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**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** June 30, 2020 1:56 PM  
**To:** Elisha Hewgill  
**Subject:** RE: B3-20 Notice of Public Meeting

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

—  
ENBRIDGE GAS INC. OPERATING AS UNION GAS

TEL: 519-436-4673 | FAX: 519-436-5353

50 Keil Dr N, Chatham ON N7M 5M1

[uniongas.com](http://uniongas.com)

Safety. Integrity. Respect.

---

**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** Tuesday, June 30, 2020 10:36 AM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Bruce Grey Catholic School Board <al\_hastie@bgcdsb.org>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstlrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Library <library@southgate.ca>; Laura Warner <lwarner@grandriver.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; Six Nations of the Grand River <lonnybomberry@sixnations.ca>; ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Cc:** Clinton Stredwick <cstredwick@southgate.ca>; Lindsey Green <lgreen@southgate.ca>  
**Subject:** [External] B3-20 Notice of Public Meeting

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Good Morning,

Please find the below link for the Notice of Public Hearing for Consent Application B3-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B3-20-William-Penney>

The hearing is scheduled for July 22, 2020. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **July 15, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

### **Elisha Hewgill**

Administrative & Legislative Assistant

#### **Township of Southgate**

📍 185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

☎ 519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)





## Elisha Hewgill

---

**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** June 30, 2020 3:14 PM  
**To:** Elisha Hewgill  
**Subject:** RE: B3-20 Revised Notice of Public Meeting

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

—  
ENBRIDGE GAS INC. OPERATING AS UNION GAS

TEL: 519-436-4673 | FAX: 519-436-5353

50 Keil Dr N, Chatham ON N7M 5M1

[uniongas.com](http://uniongas.com)

Safety. Integrity. Respect.

---

**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** Tuesday, June 30, 2020 2:18 PM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Bruce Grey Catholic School Board <al\_hastie@bgcdsb.org>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstlrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Library <library@southgate.ca>; Laura Warner <lwarner@grandriver.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; Six Nations of the Grand River <lonnybomberry@sixnations.ca>; ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Cc:** Clinton Stredwick <cstredwick@southgate.ca>; Lindsey Green <lgreen@southgate.ca>  
**Subject:** [External] B3-20 Revised Notice of Public Meeting

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Good Afternoon,

Please find the below link for the **Revised** Notice of Public Hearing for Consent Application B3-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B3-20-William-Penney>

The hearing is scheduled for July 22, 2020. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **July 15, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

### **Elisha Hewgill**

Administrative & Legislative Assistant

#### **Township of Southgate**

185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



---

**From:** Elisha Hewgill

**Sent:** June 30, 2020 10:36 AM

**To:** Bell Canada ROWCC <[rowcentre@bell.ca](mailto:rowcentre@bell.ca)>; Bev Fisher <[bfisher@southgate.ca](mailto:bfisher@southgate.ca)>; Bluewater District School Board <[shelley\\_crummer@bwdsb.on.ca](mailto:shelley_crummer@bwdsb.on.ca)>; Bluewater District School Board <[jayme\\_bastarache@bwdsb.on.ca](mailto:jayme_bastarache@bwdsb.on.ca)>; Bruce Grey Catholic School Board <[al\\_hastie@bgcdsb.org](mailto:al_hastie@bgcdsb.org)>; Clinton Stredwick <[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)>; Dave Milliner <[dmilliner@southgate.ca](mailto:dmilliner@southgate.ca)>; Enbridge Gas <[municipalplanning@enbridge.com](mailto:municipalplanning@enbridge.com)>; Fire Chief <[firechief@southgate.ca](mailto:firechief@southgate.ca)>; Group: Planning Dept Emails <[Group\\_PlanningDeptEmails@grey.ca](mailto:Group_PlanningDeptEmails@grey.ca)>; Haudenosaunee Development Institute <[hdi2@bellnet.ca](mailto:hdi2@bellnet.ca)>; Historic Saugeen Metis <[hsmasstlrcc@bmts.com](mailto:hsmasstlrcc@bmts.com)>; Hydro One <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Ellis <[jellis@southgate.ca](mailto:jellis@southgate.ca)>; Kevin Green <[kgreen@southgate.ca](mailto:kgreen@southgate.ca)>; Krista Youngblood <[k.youngblood@publichealthgreybruce.on.ca](mailto:k.youngblood@publichealthgreybruce.on.ca)>; Lacy Russell <[library@southgate.ca](mailto:library@southgate.ca)>; Laura Warner <[lwerner@grandriver.ca](mailto:lwerner@grandriver.ca)>; Martin Leyten - MTO <[Martin.Leyten@ontario.ca](mailto:Martin.Leyten@ontario.ca)>; Metis Nation of Ontario <[consultations@metisnation.org](mailto:consultations@metisnation.org)>; MMAH <[Tyler.Shantz@ontario.ca](mailto:Tyler.Shantz@ontario.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Saugeen Ojibway Nation <[execassistant@saugeenojibwaynation.ca](mailto:execassistant@saugeenojibwaynation.ca)>; Six Nations of the Grand River <[lonnybomberry@sixnations.ca](mailto:lonnybomberry@sixnations.ca)>; Union Gas <[ontugllandsing@uniongas.com](mailto:ontugllandsing@uniongas.com)>; William Gott <[wgott@southgate.ca](mailto:wgott@southgate.ca)>; WSP on behalf of Bell <[circulations@wsp.com](mailto:circulations@wsp.com)>

**Cc:** Clinton Stredwick <[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)>; Lindsey Green <[lgreen@southgate.ca](mailto:lgreen@southgate.ca)>

**Subject:** B3-20 Notice of Public Meeting

Good Morning,

Please find the below link for the Notice of Public Hearing for Consent Application B3-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B3-20-William-Penney>

The hearing is scheduled for July 22, 2020. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **July 15, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

**Elisha Hewgill**

Administrative & Legislative Assistant

**Township of Southgate**

📍 185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

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## Elisha Hewgill

---

**From:** Laura Warner <lwarner@grandriver.ca>  
**Sent:** July 14, 2020 10:51 AM  
**To:** Elisha Hewgill  
**Subject:** RE: B3-20 Revised Notice of Public Meeting  
**Attachments:** 150 Main St West\_Map.pdf

Hi Elisha,

The GRCA has no objection to the consent application B3-20 as the property at 150 Main St West does not contain any features regulated by the GRCA. Our mapping is attached for reference.

Kind regards,  
Laura



**Laura Warner** | Resource Planner  
Grand River Conservation Authority  
400 Clyde Road, Cambridge ON N1R 5W6  
P: (519) 621-2763 x 2231 | F: (519) 621-4844  
[lwarner@grandriver.ca](mailto:lwarner@grandriver.ca) | [www.grandriver.ca](http://www.grandriver.ca)

---

**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** Tuesday, July 14, 2020 9:32 AM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Bruce Grey Catholic School Board <al\_hastie@bgcdsb.org>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Enbridge Gas <municipalplanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstlrc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Library <library@southgate.ca>; Laura Warner <lwarner@grandriver.ca>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; Six Nations of the Grand River <lonnybomberry@sixnations.ca>; Union Gas <ontugllandsinq@uniongas.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Cc:** Clinton Stredwick <cstredwick@southgate.ca>; Lindsey Green <lgreen@southgate.ca>  
**Subject:** B3-20 Revised Notice of Public Meeting

Good Morning,

Please find the below link for the **Revised Notice of Public Hearing – Rescheduled Hearing Date** for Consent Application B3-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B3-20-William-Penney>

The hearing has been rescheduled for **August 26, 2020**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **August 19, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)

Fax: 519-923-9262 Attn: Elisha Hewgill

Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

## **Elisha Hewgill**

Administrative & Legislative Assistant

### **Township of Southgate**

📍 185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

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150 Main St West



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 5 10 20 30 Metres

NAD 1983 UTM Zone 17N

Scale: 1,156





## Elisha Hewgill

---

**From:** Chris Hachey <hsmrlrcc@bmts.com>  
**Sent:** July 8, 2020 2:51 PM  
**To:** Elisha Hewgill  
**Subject:** Request for Comments - Southgate (Penney) - Proposed Consent to Sever Land

Your File: B3-20

Our File: Southgate Municipality

Ms. Hewgill,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources and Consultation  
Historic Saugeen Métis  
204 High Street  
Southampton, Ontario, N0H 2L0  
Telephone: (519) 483-4000  
Fax: (519) 483-4002  
Email: [hsmasstlrcc@bmts.com](mailto:hsmasstlrcc@bmts.com)

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## Elisha Hewgill

---

**From:** Leyten, Martin (MTO) <Martin.Leyten@ontario.ca>  
**Sent:** July 14, 2020 9:38 AM  
**To:** Elisha Hewgill  
**Subject:** RE: B3-20 Revised Notice of Public Meeting

Hello Elisha,

MTO has reviewed municipal file No: B3-20 150 Main Street West Dundalk and it falls outside of the MTO's permit control area.

If you have any further questions, please do not hesitate to contact myself.

Thanks

Martin

---

**From:** Elisha Hewgill <ehewgill@southgate.ca>  
**Sent:** July 14, 2020 9:32 AM  
**To:** Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme\_bastarache@bwdsb.on.ca>; Bruce Grey Catholic School Board <al\_hastie@bgcdsb.org>; Clinton Stredwick <cstredwick@southgate.ca>; Dave Milliner <dmilliner@southgate.ca>; Enbridge Gas <municipalplanning@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group: Planning Dept Emails <Group\_PlanningDeptEmails@grey.ca>; Haudenosaunee Development Institute <hdi2@bellnet.ca>; Historic Saugeen Metis <hsmasstlrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Krista Youngblood <k.youngblood@publichealthgreybruce.on.ca>; Library <library@southgate.ca>; Laura Warner <lwarner@grandriver.ca>; Leyten, Martin (MTO) <Martin.Leyten@ontario.ca>; Metis Nation of Ontario <consultations@metisnation.org>; Shantz, Tyler (MMAH) <Tyler.Shantz@ontario.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Saugeen Ojibway Nation <execassistant@saugeenojibwaynation.ca>; Six Nations of the Grand River <lonnybomberry@sixnations.ca>; Union Gas <ontugllandsinq@uniongas.com>; William Gott <wgott@southgate.ca>; WSP on behalf of Bell <circulations@wsp.com>  
**Cc:** Clinton Stredwick <cstredwick@southgate.ca>; Lindsey Green <lgreen@southgate.ca>  
**Subject:** B3-20 Revised Notice of Public Meeting

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Good Morning,

Please find the below link for the **Revised Notice of Public Hearing – Rescheduled Hearing Date** for Consent Application B3-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B3-20-William-Penney>

The hearing has been rescheduled for **August 26, 2020**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **August 19, 2020** for inclusion on the public agenda.

Comments can be received by:

Email: [ehewgill@southgate.ca](mailto:ehewgill@southgate.ca)  
Fax: 519-923-9262 Attn: Elisha Hewgill  
Mail: Elisha Hewgill, Secretary-Treasurer  
185667 Grey County Road 9  
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

### **Elisha Hewgill**

Administrative & Legislative Assistant

#### **Township of Southgate**

📍 185667 Grey County Rd. 9, Dundalk, ON N0C 1B0

☎ 519-923-2110 ext. 232 | Fax 519-923-9262

[ehewgill@southgate.ca](mailto:ehewgill@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)



## Township of Southgate

185667 Grey County Road 9,  
Dundalk, ON N0C 1B0

**Jim Ellis,**

**Public Works Manager / Risk Management Official**  
**jellis@southgate.ca**



**Phone:** 519-923-2110 ext. 250

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Cell:** 519-378-3777

### Public Works Department

Date: July 8, 2020

File No.: B3/20

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: Lot grading plan required

Road Standard: Grey County Jurisdiction

Road Widening Necessary? Yes ☐ No ☐ N/A ☒

Entrance Requirements: Refer to Southgate zoning

Load Restricted Road: Yes ☒ No ☐

Comments: \_\_\_\_\_

Municipal water and sanitary sewer service connections are at property line

### Risk Management Office

Property is located in a Well Head Protection Area:

- ☐ WHPA "A"
- ☒ WHPA "B"
- ☐ WHPA "C"
- ☐ WHPA "D"
- ☐ Not Applicable

Comments: \_\_\_\_\_

Applicable to Dense Non- Aqueous Phase Liquid (DNAPL's) products managed by education and outreach programs.

Signed: \_\_\_\_\_

Jim Ellis, Public Works Manager / Risk Management Official



## Elisha Hewgill

---

**From:** Debbie Russell [REDACTED]  
**Sent:** July 21, 2020 10:54 AM  
**To:** Elisha Hewgill; Clinton Stredwick  
**Subject:** Subject: File #B3/20

**Importance:** High

As per your letter regarding the above file, I am forwarding my concerns/appeal in writing today.

I have listed my concerns below and they need to be addressed as previous concerns have not.

1. **A proper survey be conducted by a reputable, licensed survey company.** At no time was a proper survey done prior to building and we are a little fed up with the "guesstimating".
2. If the severance is allowed, the owners of each half of the semi will then be allowed to rent the apartments that were build in the basements of the unit. The semi will then become a quad which was never mentioned in the initial meeting prior to building. There needs to be assurance that there is sufficient space available for parking for 4 units. We would like to know the correct procedure that is necessary should we find vehicles blocking our drive, in our drive, or causing safety issues exiting our drive.
3. Snow accumulation. Where will all the snow from the drive be put? Again, what is the correct way to deal with a safety issue exiting our drive should the snow be piled so high we cannot see to safely enter the roadway.

These are my immediate concerns. Should more come to mind prior to the meeting I will forward another email.

Regards,  
Edward and Deborah Russell  
[REDACTED]

Sent from [Mail](#) for Windows 10

**From:** [REDACTED]  
**To:** [Elisha Hewgill](#); [Clinton Stredwick](#)  
**Subject:** File #B3/20  
**Date:** July 23, 2020 2:32:26 PM  
**Importance:** High

---

Elisha and Clinton,

I'm am forwarding my letter of concerns to you again as I noticed I had a typo in my previous one and my OCD wouldn't let it go. Also, I have included one more item we would like addressed.

Please let me know you have received the revision.

Cheers,  
Debbie Russell

As per your letter regarding the above file, I am forwarding my concerns/appeal in writing today.

I have listed my concerns below and they need to be addressed as previous concerns have not.

1. **A proper survey be conducted by a reputable, licensed survey company.** At no time was a proper survey done prior to building and we are a little fed up with the "guesstimating".
2. If the severance is allowed, the owners of each half of the semi will then be allowed to rent the apartments that were built in the basements of the unit. The semi will then become a quad which was never mentioned in the initial meeting prior to building. There needs to be assurance that there is sufficient space available for parking for 4 units. We would like to know the correct procedure that is necessary should we find vehicles blocking our drive, in our drive, or causing safety issues exiting our drive.
3. Snow accumulation. Where will all the snow from the drive be put? Again, what is the correct way to deal with a safety issue exiting our drive should the snow be piled so high we cannot see to safely enter the roadway.
4. Water accumulation. The property in question does not have a water accumulation problem since they built at least 2 feet above the highest adjacent property. All properties bordering the property in question now suffer from extreme water issues during rainy seasons. It was my understanding that properties are not supposed to built up to this extent.

These are my immediate concerns. Should more come to mind prior to the meeting I will forward another email.

Regards,  
Edward and Deborah Russell  
[REDACTED]

## Elisha Hewgill

---

**Subject:** FW: Penny Drainage

---

**From:** Jim Ellis <[jellis@southgate.ca](mailto:jellis@southgate.ca)>

**Sent:** September 8, 2020 9:39 AM

**To:** Clinton Stredwick <[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)>

**Cc:** Dave Milliner <[dmilliner@southgate.ca](mailto:dmilliner@southgate.ca)>; Bev Fisher <[bfisher@southgate.ca](mailto:bfisher@southgate.ca)>

**Subject:** Penny Drainage

Morning Clint

Dave and I looked into this section of Main/Victoria backyard drainage concerns in probably the mid 2000's.

We looked at installing Big O drainage pipe in the centre of abutting backyards property, with each section having a catch basin to collect surface waters and out let would have been the west side of the sidewalk going to Victoria apts where we could tie into a drain pipe that is there currently.

This was to be a shared cost venture with property owners and would require easements to maintain the drainage, At that time owners were not agreeable to move forward.

Attached map shows estimated lots that are impacted still with pooling of water especially in spring thaw and heavy rain events, to where it would outlet.

Regards

jim

***Jim Ellis, CRS S***

Public Works Manager

[jellis@southgate.ca](mailto:jellis@southgate.ca)



### **Township of Southgate**

185667 Grey Road 9

RR #1

Dundalk, ON N0C 1B0

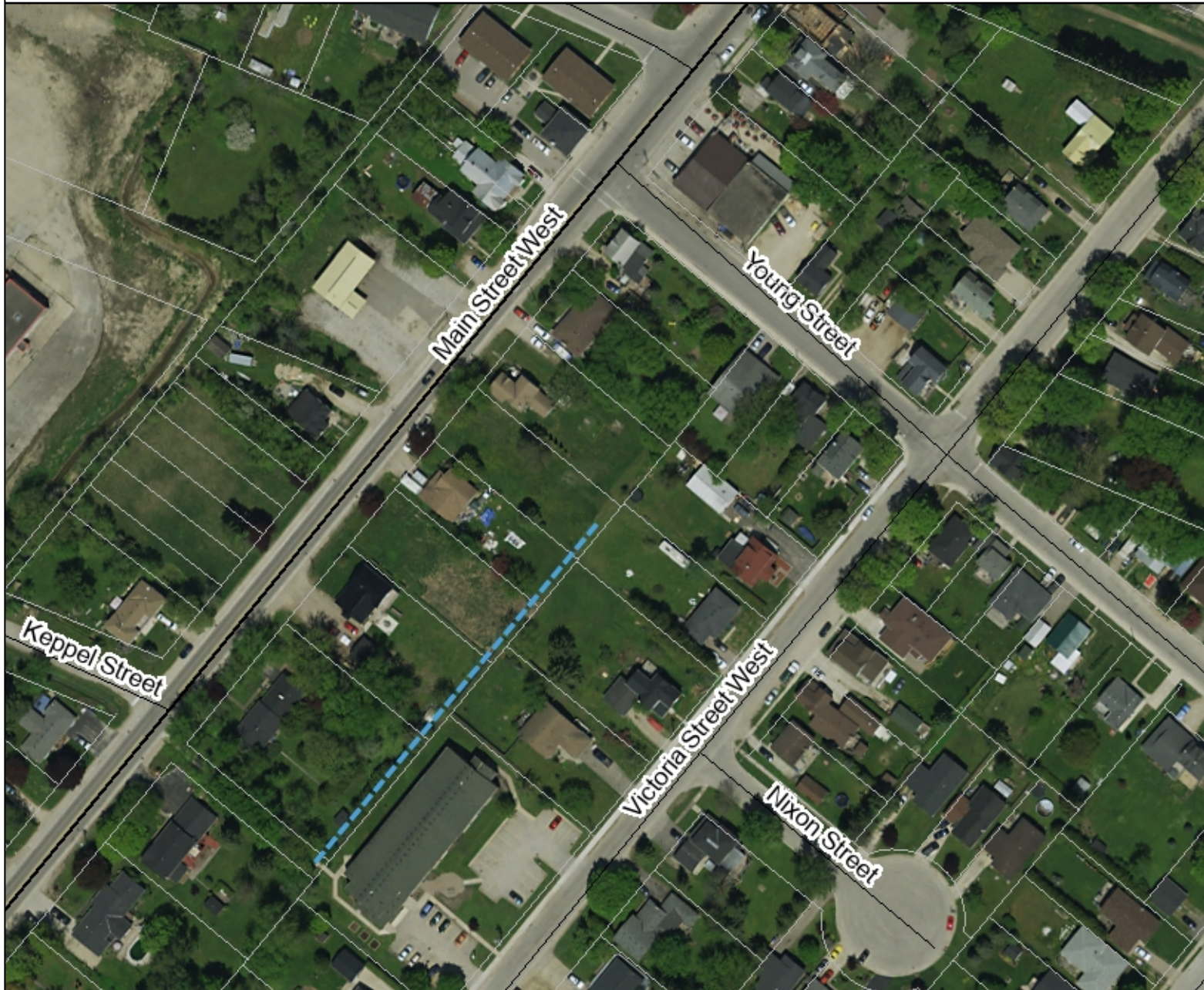
1-888-560-6607 x 250

Fax 519-923-9262



### Legend

-  Parcels - Current
- Large Scale Roads**
  -  Provincial Highway
  -  County Road
  -  Township Road
  -  Seasonal Road
-  Grey County Boundary



### Notes

111 0 56 111 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© County of Grey



This map is a user generated static output from an Internet mapping site and is for reference only.  
Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Printed September 1, 2020

THIS MAP IS NOT TO BE USED FOR NAVIGATION

# Planning Application Comments

## Building Department

Date: September 17, 2020

File No: B3-20

Property Owner: William Penney.

The Southgate Building Department is aware of the application noted above and at the present time have the following comments.

- ☐ No Concerns or objections with the application.
- ☒ Development will require applicable permits before construction.
- ☐ Barrier free washrooms will be required.
- ☐ Recommend the septic design is considered before proceeding.
- ☐ A detailed septic design is required.
- ☐ Road access and Civic number will be required before development proceeds.
- ☒ Comments:

During By-law complaints inspection it was noted the grading around the building is higher than the adjacent properties. The Ontario Building Code states.

### 9.14.6.1. Surface Drainage

(1) The *building* shall be located or the *building* site graded so that water will not accumulate at or near the *building* and will not adversely affect adjacent properties.

Pictures are attached showing sloping towards adjacent properties as well as ponding which may be a result of damming. As the building department is not familiar with this lot previously it would appear the grading is affecting adjacent properties. No sign of correctly installed drainage from property was evident at time of inspection.

A professional Engineered lot grading plan would be advised.





150 Main St. right rear lot



150 Main St. rear lot





150 Main St. adjacent property ponding



150 Main St. property left side of lot

If I can be of any further assistance, please do not hesitate to contact me.

**Bev Fisher**

**Chief Building Official | Township of Southgate**

📍 185667 Grey County Road 9, Dundalk, ON N0C 1B0

☎ 519-923-2110 ext. 240 | Mobile: | Fax 519-923-9262

✉ [bfisher@southgate.ca](mailto:bfisher@southgate.ca) | [www.southgate.ca](http://www.southgate.ca)





## **Staff Report PL2020-033**

**Title of Report:** PL2020-033-B3-20 William Penney  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** August 26, 2020

### **Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-033 for information; and

**That** the severance be approved with the following conditions:

- 1. That** an engineered grading and drainage plan be prepared to the satisfaction of the Township; and
- 2. That** if required by the grading and drainage plan a 3m drainage easement along the rear of the property, be registered in favour of the abutting lots; and
- 3. That** a survey prepared by and Ontario Land Surveyor be provided; and
- 4. That** a development agreement be entered into which includes the engineered grading and drainage plan, site plan indicating parking for each new property as a single residential unit and as a residence with a secondary dwelling unit on each new lot, on property snow storage locations and provisions for the removal of stored snow at the property owner's expense should it become an issue as determined by the Township of Southgate or the County of Grey to ensure public safety; and
- 5. That** all outstanding, fees and charges are paid, if any.

### **Property Location: 150 Main Street West**



**The Proposal:**

The proposal is to sever the existing lot which has a semi-detached structure on it into two equal halves. Each new lot would have 10.1 m of frontage and a depth of approximately 50m. The area of each lot is proposed to be 511m<sup>2</sup>.

**Background:**

The property was originally rezoned from Residential Type 2 to Residential Type 3 to permit a semi detached dwelling in March of 2012 by by-law 11-2012.

Subsequently Mr. Penney has begun constructing a semi detached dwelling with both units having basement storage areas that have separate entrances and are constructed to accommodate an accessory apartment.

During pre-submission consultations with Mr. Penny, he indicated that he intended on having accessory apartments in each unit and inquired about parking requirements.

Mr. Penney submitted application B3-20 which can be reviewed along with comments received at the link below.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B3-20-William-Penney>

Comments received for the application include:

Bell – no concerns

Building Department – An Engineered lot grading plan is required

Endbridge Gas indicates that services lines are in the area and if the development disrupts those lines or requires the relocation of lines it will be at the expense of the property owner.

GRCA have no objection

The Historic Saugeen Metis have no objection

The MTO indicates that the development is outside of their permit control area.

Public Works indicates that the property is within the WHPA B which restricts DNAPL's and is managed by education and outreach. A lot grading plan is also required to ensure proper drainage is dealt with on the property so as not to impact the roadway or the adjacent neighbouring properties. A public safety concern we see is the capacity for on property front yard snow storage area on the residential lot based on the conflict we see with the required development parking area and



public road allowance snow storage use by the County of Grey cannot be used by the property owner, if each new lot is permitted to have primary residential unit with an accessory apartment unit density.

**\*Please note: Public Works comments are based on written comments received, as well as verbal communications with the Public Works Manager. \***

One member of the public submitted written comments.

Debbie Russell indicates that she would like a proper survey prepared by an OLS. She had concerns surrounding parking for subsequent tenants and subsequent accessory apartments. She also has a concern regarding snow removal and drainage concerns.

### **Policy Review:**

#### **Provincial Policy Statement:**

Section 3 of the Planning Act (PPS) requires all decisions made under the Act by an approval authority to "be consistent with" the Provincial Policy Statement (PPS). The PPS provides a number of policies that are designed to protect planning matters of interest to the Ontario Government. The following is an evaluation of the proposed development within the context of the relevant PPS policies:

#### *Section 1.1.3 Settlement Areas*

##### *1.1.3.1 Settlement areas shall be the focus of growth and development*

##### *1.1.3.2. Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) Efficiently use land and resources;*
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and /or uneconomical expansion;*
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) Prepare for the impacts of a changing climate;***
- e) Support active transportation;*
- f) Are transit-supportive, where transit is planned, exists or may be developed; and*
- g) Are freight-supportive.*

*Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3. where this can be accommodated.*

Comment: The PPS is supportive of intensification of this nature. The one area where the proposal may be lacking in its consistency with the PPS, is in preparing for the impacts of a changing climate. Climate change has been known to cause

more severe storms and increased flooding in some areas. The drainage in this area is a known issue and must be addressed. To prevent flooding, municipalities should take into account stormwater management when approving any development. If an opportunity exists to improve stormwater management for this area, it should be considered. The applicant has raised the level of his lands so that the flow of water has changed in that area which has created flooding and ponding on other properties. To address this an engineered grading and drainage plan should be prepared and constructed at the owners expense, if necessary with a 3 meter easement for drainage purposes should be required at the rear of the property to facilitate drainage in the area.

If the storm drainage issue is addressed staff believe that the proposal will be consistent with the relevant policies of the Provincial Policy Statement.

#### **Township Official Plan:**

The Township Official Plan designates the subject lands as neighbourhood area, which permits a wide range of residential and neighbourhood commercial uses.

Permitted uses 4.1.1(v). Residential intensification in the form of *infilling*, accessory apartments and bed and breakfast accommodations.

The proposal is a permitted use in the Official Plan as are the contemplated accessory apartments.

#### *"4.1.2 (7) Townhouse and Multiple Dwellings*

*In considering a zoning by-law amendment and site plan to permit a townhouse and multiple unit dwelling, Council shall be satisfied of the following:*

*i. The proposed use is compatible with the surrounding lands, with regard to scale and visual impact.*

*ii. The use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding streets.*

***iii. The use is located on a site that has adequate land area to incorporate required parking, open space, landscaping and buffering.***

*iv. The use can be serviced by municipal water and sewer services.*

*v. The proposed lots can be adequately serviced by adequate community facilities, including schools and parks.*

***vi. Townhouse and Multiple Dwelling development shall require stormwater management for both quantity and quality control, as approved by the Municipality and other approval authorities."***

Comment: The above policies must be taken into consideration for development on the lands to proceed. The lots must be large enough to accommodate, parking, landscaped area, amenity space and stormwater management. It has not been sufficiently demonstrated that the individual semi detached lots will be able to accommodate landscaped area, parking, snow storage and removal and stormwater management.

In order to address these concerns a Development agreement can be entered into which requires an engineered grading and drainage plan for the site as well as a site plan to delineate parking areas as well as snow storage areas. This should address these policy deficiencies and so should be made a condition of approval.

#### 4.1.4 Consents

*Consents may be permitted, subject to the following:*

- i. Residential infilling;*
- ii. Creation of non-residential parcels will be subject to Site Plan Control;*
- iii. The lot size and configuration of both the parcel to be severed and the parcel to be retained should be in keeping with the surrounding area; and*
- iv. Consents shall be prohibited where a Plan of Subdivision is the more appropriate process of creating lots and in the following circumstances:*
  - a. Where development exceeds the definition of infilling;*
  - b. Where the extension of a public road would be required;*
  - c. Where the extension of municipal services is required; and,*
  - d. Where it is apparent that an application for a consent could be one of several similar applications from the original holding.*

Comment:

The Development can be considered a form of infilling and the services are already present to the site.

#### 7.4 General Lot Creation Policies

*Where division of land is considered, the approval authority shall have regard to the policies of this Plan, the matters set out in the Planning Act, R.S.O. 1990, as amended and the following considerations:*

- a) The land division is permitted by the land use policies of this Plan.*
- b) The land division shall promote development in an orderly and contiguous manner, and shall not conflict with the established development pattern of the area.*
- c) The proposed use is compatible with existing and permitted future land uses on adjacent lands.*
- d) The servicing requirements of this Plan shall be met.*
- e) New lots will not be permitted where the proposed access would create a traffic hazard because of limited sight lines.*
- f) The creation of new lots for space extensive commercial or industrial uses outside of community areas which require access to a County Road may be permitted subject to the approval of the County of Grey and the Township of Southgate.*
- g) There shall be evidence that soil and drainage conditions are suitable to permit the proper siting of buildings, that a sufficient and potable water supply exists, and that an adequate means of sewage disposal can be provided.*

- h) New lots created through consent may include Hazard Lands and Wetlands, provided that on both the severed and retained parcels there is sufficient land outside of the Hazard Lands and Wetlands to accommodate the proposed development, including any required setbacks. An Environmental Impact Study may be required in support of the development, to the satisfaction of the Township of Southgate, County of Grey and the Conservation Authority.*
- i) Where the limits of the hazard lands are not clearly identifiable, engineered flood line mapping or geotechnical slope assessment may be required, at the owners' expense, to substantiate the extent of the developable lands to the satisfaction of the Township of Southgate and the appropriate Conservation Authority.*
- j) Where the hazard lands are not already appropriately zoned, a site specific zoning by-law amendment must be approved as a condition of consent.*
- k) The creation of new lots must comply with Minimum Distance Separation Formulae, where appropriate.*
- l) The clustering of new lots is encouraged.*
- m) All new entrances will be subject to the approval of the appropriate road authority (ie. Township of Southgate, County of Grey).*
- n) The creation of new lots with frontage on a public road which is not maintained year round, is not permitted.*
- o) The creation of new lots will only be permitted upon approval by the Chief Building Official, of a private sewage treatment system.*
- p) Location criteria for new lots created by the consent process will be cognizant of surrounding land uses, drainage, topography, distances to adjacent buildings, access, sight lines and environmental features in the area.***
- q) Any conditions, including zoning if required, shall be fulfilled, prior to the final approval of the lot creation.*
- r) Public facilities and uses are permitted in all designation subject to land use compatibility.*

Comment:

The proposal generally conforms to the applicable lot creation policies with the exception of the bolded one above. Without the preparation of an engineered grading and drainage plan or a plan for snow storage and parking, the proposal fails to meet the criteria. As noted earlier this criteria can be addressed via a development agreement which would include the above mentioned items. It is recommended that this be included as a condition of approval.

### **Zoning By-law:**

The property was zoned as R3 residential which permits a semi-detached structure. The proposed severance would meet the lot provisions for a semi-detached structure.

Should the accessory apartments be installed, however, it is not clear that the lot can support the additional two accessory units. Each semi-detached unit is required to have two parking spaces in the bylaw and each accessory apartment is required to have one parking space. Similarly with additional parking snow storage will

become more of an issue. If there is insufficient space for snow it could pose a safety hazard during the winter months. It is also not clear if each individual lot can satisfactorily address the drainage concerns of the area.

In staff's opinion, it has not been sufficiently demonstrated that the site can support additional parking safely along with providing sufficient snow storage so as not to create a safety hazard. To address this concern along with the drainage concerns noted previously, a Development agreement can be entered into which includes an engineered drainage plan, site plan for parking and snow storage as well as a snow removal plan if storage of snow becomes an issue.

**Financial Implications:**

There are relatively low financial implications for this proposal because the semi-detached structure is already there.

The financial implications to the property is the costs of a lot grading plan, constructing the lot in compliance with the lot grading plan and any other costs annually as set out in a development agreement that would be registered on title at the owner's expense committing to snow removal costs each year if required by the municipality.

**Concluding Comments:** At the time of writing this report staff have not received comments from the County of Grey. If the County of Grey have concerns, particularly with regard to road entrance access, snow storage and drainage onto Grey Road 9 these should be taken into consideration. The concerns about drainage, parking, surveys and snow storage can all be addressed and with a development agreement to ensure that issues are addressed and enforceable. With the above conditions, the Consent to sever can be approved.

Respectfully Submitted,

**Municipal Planner:** Original Signed By  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** Original Signed By  
Dave Milliner, CAO

**Attachments:** None.