



**Township of Southgate  
Committee of Adjustment Agenda**

**November 25, 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>	
Be it resolved that the Committee confirm the agenda as presented.	
<b>4. Declaration of Pecuniary Interest</b>	
<b>5. Adoption of Minutes</b>	5 - 14
Be it resolved that the Committee approve the minutes from the September 23, 2020 Committee of Adjustment meeting as presented.	
<b>6. Hearing</b>	
<b>6.1. B7-20 - Ina Martin, Con 2 Pt Lot 16, Geographic Township of Egremont</b>	
6.1.1. Application and Notice of Public Hearing	15 - 26
6.1.2. Comments Received from Agencies and the Public	27 - 37
6.1.3. Applicant or Agent	
6.1.4. Committee Member Questions	
6.1.5. Comments and Planning Report	38 - 42

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

**6.1.7. Further Questions from the Committee**

**6.1.8. Approval or Refusal**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-051 for information; and

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

1. **That** a zoning by-law amendment be prepared to recognize the reduce lot area for the severed and retained lots
2. **That** a 3m road widening be provided if a road widening has not been provided for in the past.
3. **That** if not already done, a pin consolidation be done for the retained lot and the residential lot that was merged previously.
4. **That** a survey be provided; and
5. **That** all outstanding taxes, fees and charges are paid, if any.

**6.2. B9-20 - Randall Bye c/o H BYE Construction, Con 3 Pt Lot 64, Parts 3 and 4, Geographic Township of Egremont**

<b>6.2.1.</b>	<b>Application and Notice of Public Hearing</b>	<b>43 - 56</b>
<b>6.2.2.</b>	<b>Comments Received from Agencies and the Public</b>	<b>57 - 68</b>
<b>6.2.3.</b>	<b>Applicant or Agent</b>	
<b>6.2.4.</b>	<b>Committee Member Questions</b>	
<b>6.2.5.</b>	<b>Comments and Planning Report</b>	<b>69 - 73</b>
<b>6.2.6.</b>	<b>Members of the Public to Speak</b>	
<b>6.2.7.</b>	<b>Further Questions from the Committee</b>	

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

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-060 for information; and

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

1. **That** a one foot strip of land along the retained frontage be deed as part of the Township Road allowance.
2. **That** the severed lot be merged and a pin consolidation occur.
3. **That** the certificate affixed to the deed reference Section 50 (5) of the Planning Act to allow the new parcel to merge with the abutting lands to the south.
4. **That** a survey be provided; and
5. **That** all outstanding taxes, fees and charges are paid, if any.

#### **6.3. B10-20 - AG Holdings Inc., Con 1 Pt Lot 40, Geographic Township of Proton**

##### **6.3.1. Application and Notice of Public Hearing**

##### **6.3.2. Comments Received from Agencies and the Public** 74 - 81

##### **6.3.3. Applicant or Agent**

##### **6.3.4. Committee Member Questions**

##### **6.3.5. Comments and Planning Report** 82 - 86

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

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

#### **6.3.8. Approval or Refusal**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-066 for information; and

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

1. **That** the severed parcel be merged with parcel c shown on the consent sketch and a pin consolidation be obtained.
2. **That** a zoning by-law be approved to reflect the reduced minimum lot area and frontage of the retained lot.
3. **That** a survey be provided; and
4. **That** all outstanding taxes, fees and charges are paid, if any

#### **7. Adjournment**

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



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

September 23, 2020  
9:00 AM  
Electronic Participation

Members Present: Member John Woodbury  
Member Martin Shipston  
Member Jim Frew

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

**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 August 26, 2020 Committee of Adjustment meeting as presented.

**Carried**

## **5. Reports of Municipal Officers**

### **5.1 Planner Clinton Stredwick**

#### **5.1.1 Validation Certificate Request - Rawn Family Farm**

**Moved By** Member Woodbury

**Seconded By** Member Frew

**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.

**Carried**

## **6. Hearing**

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

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

**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.

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

Planner Clinton Stredwick reviewed comments received from Southgate Building Department, the County of Grey, Enbridge Gas, 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 not present.

#### **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 Frew

**Seconded By** Member Woodbury

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

**That** the minor variance be approved.

**Carried**

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

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

**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.

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

Planner Clinton Stredwick reviewed comments received from Southgate Building Department, County of Grey, Enbridge Gas, Historic Saugeen Metis, Hydro One and Southgate Public Works Department. 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 Woodbury

**Seconded By** Member Frew

**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; and
4. **That** a 3m road widening is provide on the severed and retained portion of application.

**Carried**

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

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

**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.

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

Planner Clinton Stredwick reviewed comments received from Southgate Building Department, Enbridge Gas, Historic Saugeen Metis, Hydro One, Southgate Public Works and the County of Grey. No comments were received from members of the public.

#### **6.3.3 Applicant or Agent**

The Agent was present and available for any questions.

#### **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**

There were no further questions from the Committee.

### **6.3.8 Approval or Refusal**

**Moved By** Member Woodbury

**Seconded By** Member Frew

**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.

**Carried**

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

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

**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.

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

Planner Clinton Stredwick reviewed comments received from Southgate Building Department, Enbridge Gas, Historic Saugeen Metis, County of Grey, Southgate Public Works. No comments were received from members of the public.

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

The Applicant was in attendance and noted that he was available to answer questions regarding their application.

#### **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**

No members of the public were present to speak in support of or 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 Frew

**Seconded By** Member Woodbury

**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.

**Carried**

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

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

This Application was previously deferred at the August 26, 2020 Committee of Adjustment meeting.

**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.

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

Planner Clinton Stredwick reviewed further comments received from the Southgate Building Department and the Southgate Public Works Department.

### **6.5.3 Applicant or Agent**

The Applicant was not present.

### **6.5.4 Committee Member Questions**

Members asked questions and staff provided responses.

### **6.5.5 Comments and Planning Report**

Planner Stredwick previously reviewed his planning report and explained the intent of the proposal. at the August 26, 2020 Committee of Adjustment meeting.

### **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**

There were no further questions asked from the Members.

### **6.5.8 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 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.

**Carried**

## **7. Adjournment**

**Moved By** Member Frew

**Seconded By** Member Woodbury

**Be it resolved that** the Committee adjourn the meeting at 10:12 AM.

**Carried**

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Chair Martin Shipston

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Secretary-Treasurer Elisha Hewgill



**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: B7-20

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

Date received: June 8, 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	\$1,301.00 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: INA MARTIN  
 Mailing address: 7194 ROAD 124 NEWTON ON NOK IRO  
 Phone# : (H) 519 595 2313 (B) 519 588 0447  
 Email Address: Paulsmartin@hotmail.com

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: Paul S. Martin  
 Mailing address: 7194 ROAD 124 NEWTON ON NOK IRO  
 Phone#: 519 588 0447 Email: paulsmartin@hotmail.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 Geographic Township of Proton, Township of South Gate

Road Name SOUTH GATE TOWNSHIP Rd 4 Civic Address (911) No. 145558

Lot No. Pt 14 16 Plan/Concession 2

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 NO BUILDINGS ON THE LANDS TO BE SEVERED.

RETAINED LANDS HAVE HOUSE, SMALL GARAGE AND 40x50 INSULATED GARAGE

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

- ☒ Easement ☐ Restrictive Covenants ☐ Right of Way

Describe: HYDRO ONE NETWORKS

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>201</u> metres	Frontage <u>204</u> metres
Depth <u>1010</u> metres	Depth <u>1008/1010</u> metres
Area <u>20.2</u> hectares	Area <u>20.5</u> 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: PAUL S MARTIN

Address: 7194 Rd 124 NEWTON NOKIRO

10. Proposed use of land to be severed

Existing buildings NONE

Proposed buildings HOUSE BARN WORKSHOP

<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 HOUSE GARAGE INSULATED GARAGE

Proposed buildings \_\_\_\_\_

<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: \_\_\_\_\_

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)	4 <input checked="" type="checkbox"/>	4 <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 checked="" 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 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? AT LEAST TWO

Indicate year, file #'s, if known 2017 B8-16 - severing Lt 16 from Lt 17

an earlier severance severed the buildings in Lt 16 which were re consolidated with the pt Lt 16 during the last severance and will be located on the retained lands.

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, But will be submitted with this application.

i) If yes, please provide some additional information:

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

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

### 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), INA 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 \_\_\_\_\_ JUNE 4 2020  
date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
date

19. Owner authorization for agent

I/we INA MARTIN

authorize PAUL S MARTIN

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

Signature of Owner

Dated at the TOWNSHIP of WOOLWICH

this 4 day of JUNE, 20 20.

## 20. Owners authorization for access

I/we INA 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 \_\_\_\_\_ JUNE 4 2020  
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) PAUL S MARTIN INA MARTIN  
Name of Owner(s) or Authorized Agent

of the TOWNSHIP of PERTH EAST in the COUNTY of PERTH  
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 WOOLWICH in the Reg. Mun. of Waterloo  
city/township/municipality county/region

This 4 day of JUNE, 2020

[Signature]  
Signature of Owner or Authorized Agent

JUNE 4 2020  
Date

[Signature]  
Signature of Owner

JUNE 4 2020  
Date

[Signature]  
Signature of Commissioner

JUNE 4 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

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 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: \_\_\_\_\_  
\_\_\_\_\_

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

If yes, answer the questions below:

- a) Indicate the condition of the barn: \_\_\_\_\_
- b) Size of Barn: \_\_\_\_\_
- c) Present Use of Barn: \_\_\_\_\_
- d) Livestock Capacity of Barn: \_\_\_\_\_
- 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, >= 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? 4 YEARS
- ☐ No – When did you stop farming? \_\_\_\_\_
  - a) If no, for what reason did you stop farming? \_\_\_\_\_

4. How long have you owned the farm? 4 YEARS

5. Area of total farm holdings: 79.318 (held as a family)

6. Number of tillable hectares: \_\_\_\_\_

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

If yes, indicate locations: Lot: 12 / P1117 Concession: 8 / 2

Former Township: PERTH EAST / SOUTHWATE

Total Hectares: 36.4 39.65

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: \_\_\_\_\_

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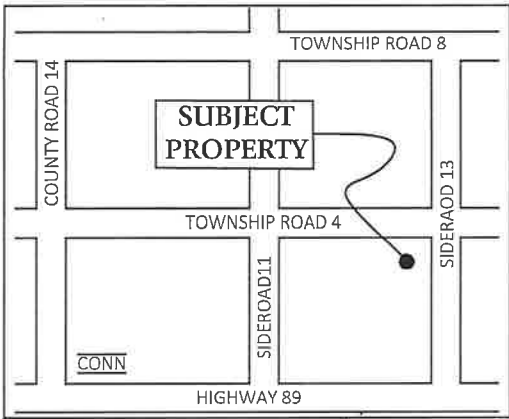
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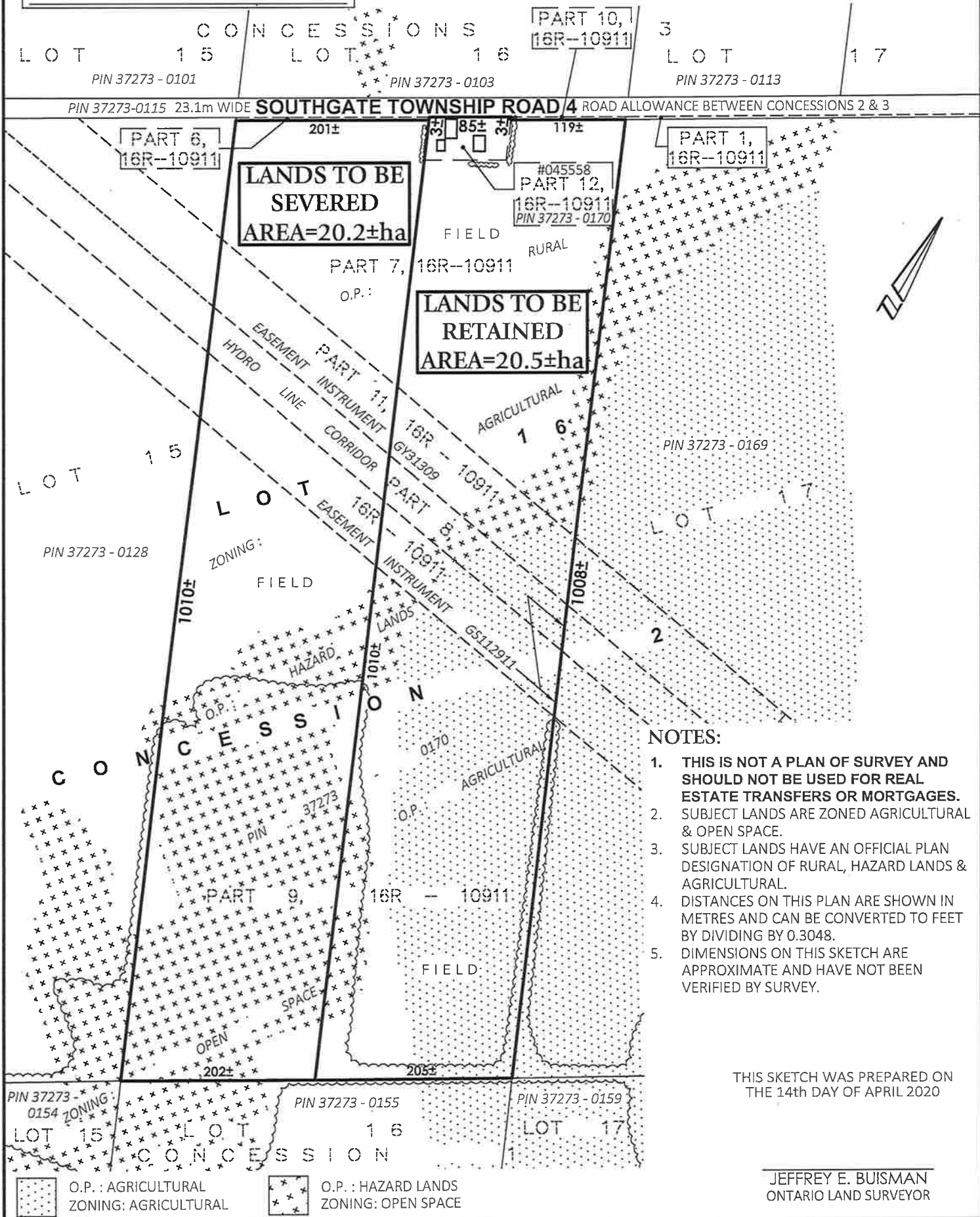
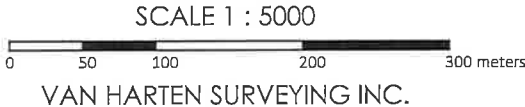
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Additional information may be required for Minimum Distance Separation (MDS) calculations – please discuss this with Planning Staff prior to submitting your application

KEYMAP



SEVERANCE SKETCH  
PART OF LOT 16, CONCESSION 2  
GEOGRAPHIC TOWNSHIP OF PROTON  
TOWNSHIP OF SOUTHGATE  
COUNTY OF GREY



- NOTES:
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
  2. SUBJECT LANDS ARE ZONED AGRICULTURAL & OPEN SPACE.
  3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF RURAL, HAZARD LANDS & AGRICULTURAL.
  4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
  5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED ON  
THE 14th DAY OF APRIL 2020

JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR



**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Elmira  
Ph: 519-669-5070

Guelph  
Ph: 519-821-2763

Orangeville  
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 24565-17

Apr 14, 2020-12:29:18 PM

G:\PROTON\Con 2\ACAD\SEV LOT 16 (MARTIN) UTM.dwg





**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 **November 25, 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 Milne 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. B7/20**

**OWNERS:** Paul and Ina Martin

**SUBJECT LAND:** Con 2 Pt Lot 16, Geographic Township of Egremont. The lands are further described as 045558 Southgate Road 04.

**THE PURPOSE** of the application is to sever the farm lot into two 20 ha (50 acre) parcels.

**THE EFFECT** is to sever a 20ha parcel of land, with 201m of frontage on Southgate Road 04. The retained parcel shall be 20ha in size with frontage on Southgate Road 04. The retained lot, if not already completed will be merged with the small residential lot on lot 16 containing the house.

**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.

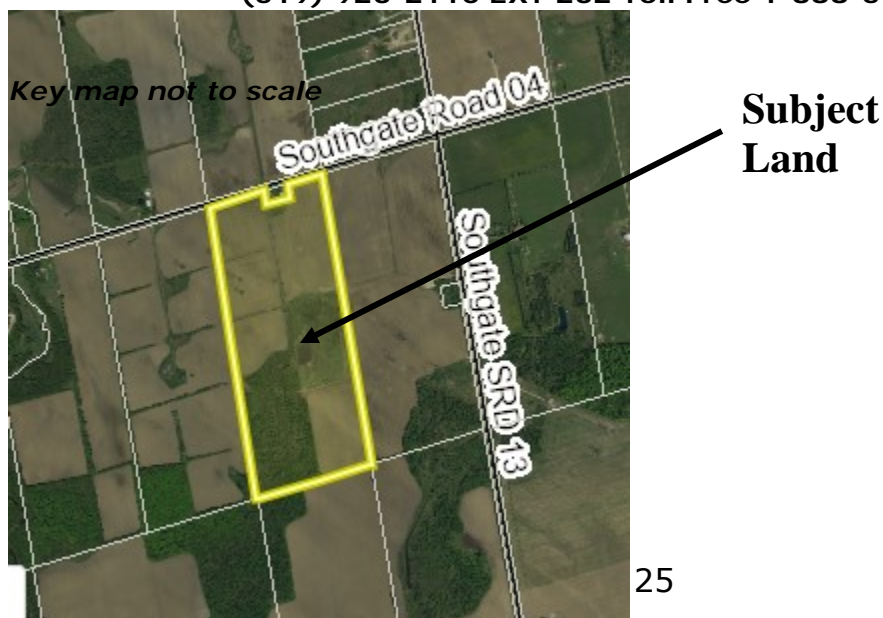
**If** you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must submit a written request to the undersigned.

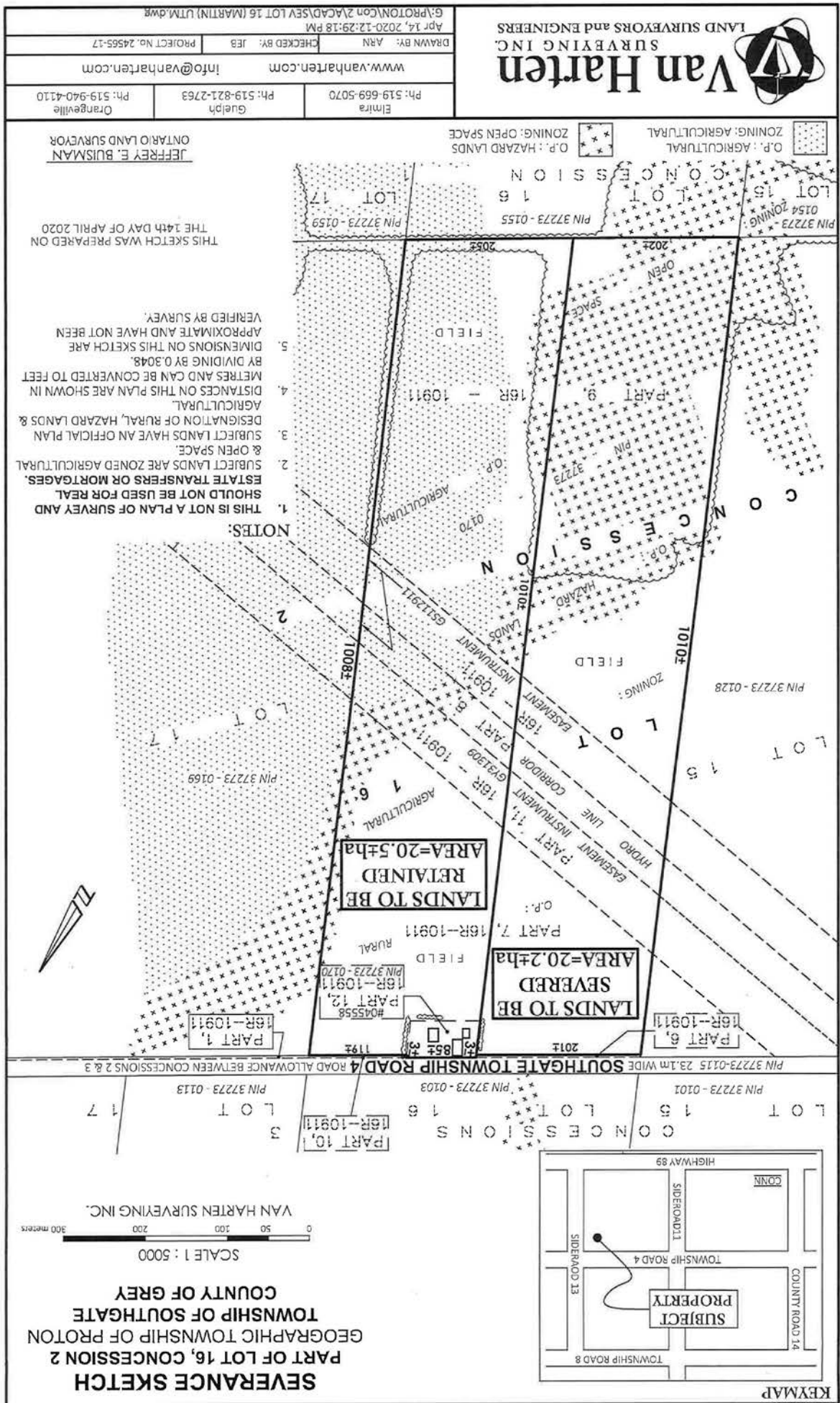
Additional information regarding this application is available for public viewing on the Township website at: <https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B7-20-Ina-Martin> or from Monday to Friday 8:30 am to 4:00 pm at the Township of Southgate Administration office OR by contacting Clinton Stredwick, Planner at 519-923-2110 Ext. 235.

When requesting information please quote File No. **B7-20**

---

**ELISHA MILNE, 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**





## Elisha Milne

---

**From:** Hall, Charleyne <charleyne.hall@bell.ca>  
**Sent:** October 30, 2020 8:38 AM  
**To:** Elisha Milne  
**Subject:** 519-20-539 - Consent Application B7-20 - 045558 Southgate Road 04

Good morning Elisha,

Bell Canada has no concerns with Application for Consent B7-20 regarding 045558 Southgate Road 04.

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.

## 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: October 29, 2020

File No.: B7/20

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Rural gravel

Road Widening Necessary? Yes ☒ No ☐

Entrance Requirements: See comments below

Load Restricted Road: Yes ☒ No ☐

#### Comments:

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1. Civic number is attached under mailbox, requirement to be displayed at current house entrance on a stake for emergency identification.
2. Within less than 100 metres, there are 4 entrances, 1 grassed over abandoned with culvert in ditch, house has circular type entrance (2), 1 commercial entrance.

### Risk Management Office

Property is located in a Well Head Protection Area:

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

#### Comments:

---

Signed: \_\_\_\_\_

Jim Ellis, Public Works Manager / Risk Management Official





1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0  
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY: [emilne@southgate.ca](mailto:emilne@southgate.ca)

November 16, 2020

Township of Southgate  
185667 Grey Road 9  
RR 1  
Dundalk, Ontario  
N0C 1B0

ATTENTION: Elisha Milne, Secretary-Treasurer

Dear Ms. Milne,

RE: Consent to Sever Land B7-20 (Paul and Ina Martin)  
045558 Southgate Road 04  
Part Lot 16 Concession 2  
Roll Nos.: 420709000601300; and 420709000601400  
Geographic Township of Proton  
Township of Southgate

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Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards and natural heritage. Furthermore, the application has been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the application is to sever the farm lot into two 20 ha (50 acre) parcels.

### **Recommendation**

The application for consent to sever land is acceptable to SVCA staff.

### **Delegated Responsibility and Advisory Comments**

**SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Township of Southgate in that we provide expert advice and technical clearance on *Planning Act* applications**



Watershed Member Municipalities  
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,  
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,  
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,  
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

**with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.**

**Natural Hazards:**

The natural hazard features affecting the property are floodplain, and potentially unevaluated wetlands. SVCA Hazardous Lands mapping, shows the central and southern portion of the property to be low in elevation associated with the floodplain of the watercourse and potential wetlands. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, and Schedule A of the Southgate OP, and the EP Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, generally coincides with the SVCA Hazardous Lands mapping for the property.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands and hazardous sites. SVCA staff note that the application did not contain a plan showing the location of a future house, barn, and workshop that is proposed for the lands to be severed. However, provided future buildings and structures are located outside/beyond the hazardous lands, it is the opinion of SVCA staff that development will be consistent with Section 3.1.1 of the PPS, 2020.

Township of Southgate Official Plan and Grey County Official Plan

Section 6.2 of the Southgate OP and Section 7.2.3 of the Grey County OP states in part that buildings and structures are generally not permitted in the Hazard Lands land use type. It is the opinion of SVCA staff that development as proposed is consistent with the Southgate OP and the Grey County OP. SVCA staff note that the application did not contain a plan showing the location of a future house, barn, and workshop that is proposed for the lands to be severed. However, provided future buildings and structures are located outside/beyond the hazardous lands, it is the opinion of SVCA staff that development will be consistent with the Southgate OP and Grey County OP.

**Natural Heritage:**

It is the opinion of SVCA staff that the natural heritage features affecting the property include significant woodlands, fish habitat and its adjacent lands, and potentially habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in significant woodlands, fish habitat, habitat of endangered species and threatened species and the adjacent lands to the above referenced features except in accordance with the specified policies found in Section 2.1.

Township of Southgate Official Plan and Grey County Official Plan Policies

Significant Woodlands

Significant woodlands are identified as per Appendix B Constraint Mapping of the Grey County OP and are shown in the wooded area in the southern portion of the property. Section 7.4.1 of the Grey County OP states in part

that no development or site alteration may occur within significant woodlands or its adjacent lands unless it has been demonstrated by an Environmental Impact Study (EIS) that there will be no impact on the feature or its ecological functions. However, it is the opinion of SVCA staff the preparation of an EIS to address impacts to significant woodlands may be waived in accordance with section 7.11.3 of the Grey County OP. It is the opinion of SVCA staff that provided proposed new buildings and structures are not located within the significant woodlands, or their adjacent lands, that impacts to the significant woodlands will be negligible and significant woodlands policies will have been addressed.

#### Fish Habitat and its Adjacent Lands

An unnamed tributary of Proton Drain Municipal Drain 26 headwaters on the property. The watercourse is considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP states in part that development and site alteration shall not be permitted within fish habitat and the adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions. Furthermore, Section 6.5.6 of the Southgate OP states in part that new development is not permitted within the adjacent lands to cold and warm water streams. It is the opinion of SVCA staff that provided proposed new buildings and structures are not located within fish habitat, or their adjacent lands, that impacts to the fish habitat will be negligible and fish habitat policies will have been addressed.

#### Threatened and Endangered Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. The SVCA role is to identify habitat through a screening process in consideration of the PPS and local policies, however, it is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS and the local policies have been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

#### Statutory Comments

**SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.**

A portion of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening Area requires the permission from SVCA, prior to carrying out the work.

"Development" as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*

- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) site grading; or,*
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

#### SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, proposed within the SVCA Approximate Screening Area on the property may require review and permission (SVCA Permit) prior to works commencing on the property.

As mentioned above, the application did not contain a plan showing the location of a future house, barn, and workshop that is proposed for the lands to be severed, though the application does state that a future house, barn, and shed are proposed.

#### Summary

SVCA staff has reviewed this application in accordance with our MOA with the Township of Southgate, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated, with the exception of Section 2.1.7 habitat of endangered species and threatened species, which the applicant must address.
- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage has been demonstrated, with the with the exception of habitat of endangered species and threatened species, which the applicant must address.

Please inform this office of any decision made by the Township of Southgate with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.



Township of Southgate  
B7-20 (Paul and Ina Martin)  
November 16, 2020  
Page 5 of 5

Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/

cc: Paul S. Martin, agent (via email)  
Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)



# Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3

November 19<sup>th</sup>, 2020

Lindsey Green, Clerk  
Township of Southgate  
185667 Grey County Road 9  
Dundalk, Ontario  
N0C 1B0

\*Sent via E-mail

**RE: Consent Application B07/20  
045558 Southgate Road 04  
Township of Southgate  
Applicant/Owner: Paul and Ina Martin**

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 effect is to sever a 20-ha parcel of land, with 201 m of frontage on Southgate Road 04. The retained parcel shall be 20 ha in size with frontage on Southgate Road 04. The retained lot, if not already completed will be merged with the small residential lot on lot 16 containing the house.

Schedule A of Recolour Grey designates the subject property as a 'Rural' and 'Agricultural'. Section 5.2.3 states,

5) 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 the Rural land use type, the lot would need to meet the Rural lot density and frontage provisions. In the Special Agricultural land use type, the lot would need to meet the Special Agricultural minimum farm lot size.

For the purposes of this policy, determining the percentage Agricultural versus the percentage Rural, Hazard Lands and Wetlands land use types shall not be counted in the split land use type calculation. Hazard Lands and Wetlands policies of this Plan still apply to such severances.

County planning staff have no concerns with the proposed lot creation. The entirety of the Agricultural lands will remain intact and Rural lot density can be met. Further comments should be received from the Township of Southgate.

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.

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*.

Further, Appendix B also indicates that the subject property contains 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 Hazard Lands, Significant Woodlands and the stream. 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 that positive comments are received from the Conservation Authority regarding the Hazard Lands, Significant Woodlands, and the stream, 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,

A handwritten signature in cursive script, appearing to read 'Hiba Hussain', followed by a small circular flourish.

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 Milne

---

**From:** Chris Hachey <hsmrcc@bmts.com>  
**Sent:** November 19, 2020 1:43 PM  
**To:** Elisha Milne  
**Subject:** Request for Comments - Southgate (Martin) - Proposed Consent to Sever Land

Your File: B7-20

Our File: Southgate Municipality

Ms. Milne,

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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## **Staff Report PL2020-051**

**Title of Report:** PL2020-051-B7-20 Ina Martin  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** November 25, 2020

**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-051 for information; and

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

1. **That** a zoning by-law amendment be prepared to recognize the reduce lot area for the severed and retained lots
2. **That** a 3m road widening be provided if a road widening has not been provided for in the past.
3. **That** if not already done, a pin consolidation be done for the retained lot and the residential lot that was merged previously.
4. **That** a survey be provided; and
5. **That** all outstanding taxes, fees and charges are paid, if any.

**Property Location: 045558 Sg Rd 04**



## **The Proposal:**

The purpose of the application is to sever the farm lot into two 20 ha (50 acre) parcels. Specifically, the effect of the proposed severance is to sever a 20 ha parcel of land with 201m of frontage on Southgate Road 04. The retained parcel will be 20ha in size with frontage on Southgate Road 04. The retained lot, if not already completed will be merged with the small residential lot on lot 16 containing the house.

The lot is legally described as Con 2, Pt lot 16 and is approximately 40 ha with 400m of frontage on Southgate Road 04.

## **Background:**

Application B7-20 has been circulated for comments and the following comments have been received as of the writing of this report.

Bell Canada has no concerns.

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

The County of Grey indicates that provided positive comments are received from the Conservation Authority regarding the Hazard Lands, Significant Woodlands, and the stream, County planning staff have no further concerns with the subject application.

Public Works indicates that a road widening is required if one has not been provided for in the past.

The civic number is attached under mailbox, requirement to be displayed at current house entrance on a stake for emergency identification. Within less than 100 metres, there are 4 entrances, 1 grassed over abandoned with culvert in ditch, house has circular type entrance, there is also one commercial entrance.

SVCA staff is of the opinion that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated, with the exception of Section 2.1.7 habitat of endangered species and threatened species, which the applicant must address.
- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage has been demonstrated, with the exception of habitat of endangered species and threatened species, which the applicant must address.

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

Provincial Policy within the Rural area does allow for the creation of lots on rural lands. In this case the creation of two smaller farm parcels of 20 ha in size. The creation of these lots will not negatively impact either natural heritage of the site as the comments from the SVCA indicate.

The small amount of agricultural land will be entirely contained on the one half of the lot and therefore not spilt between two lots.

The lots also meet MDS requirements for large farm parcels and will not negatively impact agricultural operations in the area.

The proposal is consistent with the PPS.

**Township Official Plan:**

The Township of Southgate Official Plan designates the lands primarily as Rural with a portion of the lands being Hazard and slightly less than one quarter of the lands are designated agricultural.

Since the majority of the property is Rural including all of the frontage the Township is utilizing the policies of the Rural designation to evaluate this proposal.

The Consent policies allow for one severance per 40ha of land. Provided that the residential lot has been merged with the larger farm parcel the proposal meets this policy.

Section 5.2.2 (2) indicates lots may be considered for agricultural uses, provided both the severed and retained parcels are 20 hectares or greater.

The proposal would conform to the above policy.

**Zoning By-law:**

The lands are zoned as A1 agricultural and EP Environmental Protection. The lands will need to be rezoned to recognize the reduced lot area for the severed and retained lots. The minimum lot area is 40ha and so both severed and retained will have to be recognized for their new 20ha lot areas.

**Financial Implications:**

Minor increase to the assessment base with the addition of a new building lot.



**Concluding Comments:**

Based on the above, comments received the proposal conforms to the relevant planning policies and should be approved. Provided no negative comments are received at the hearing, it is staff's opinion, that the proposal should be approved.

Respectfully Submitted,

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

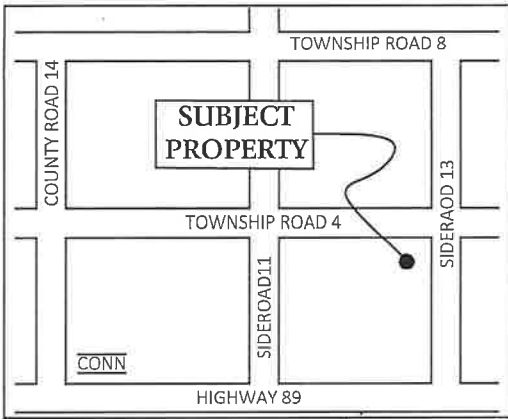


**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

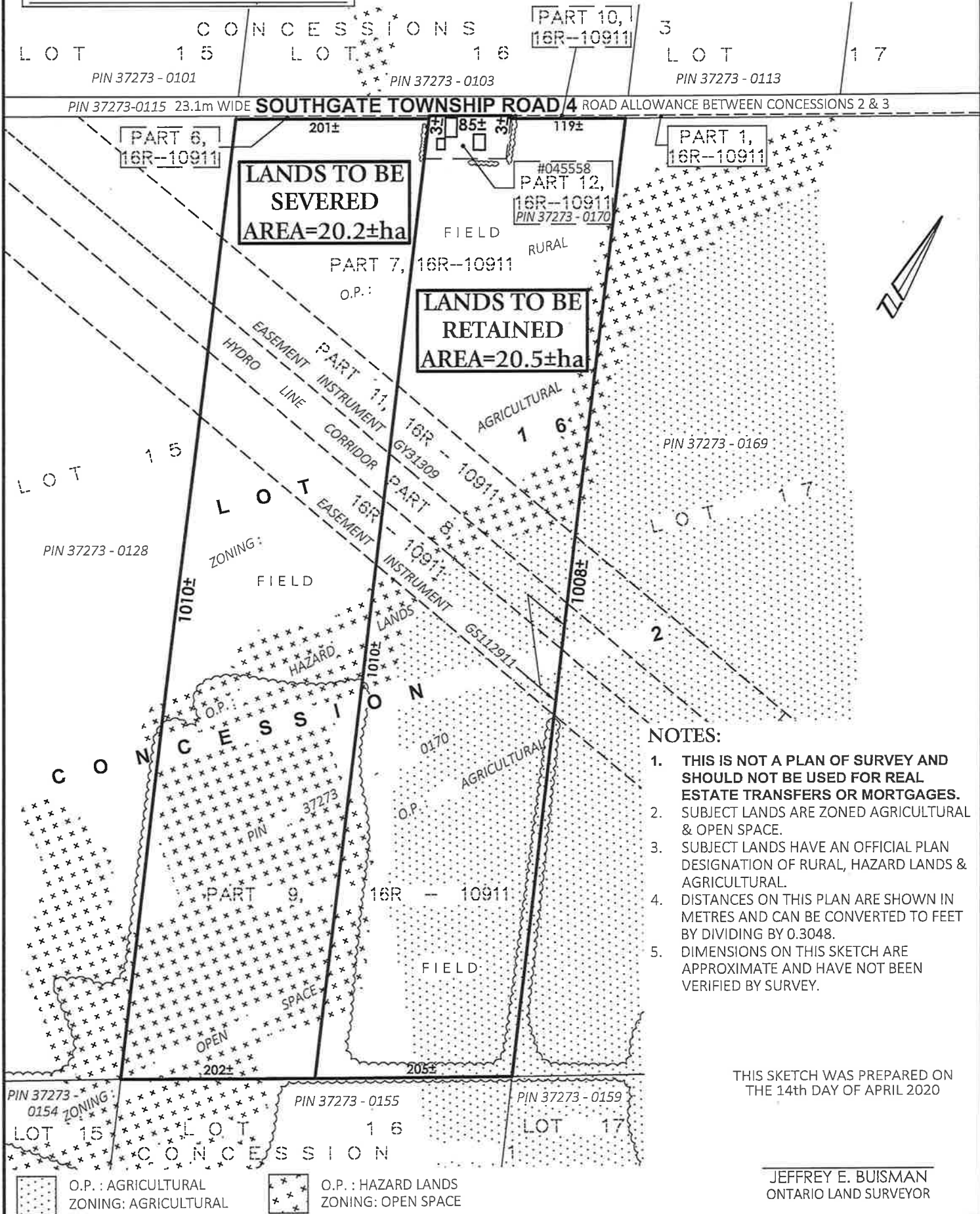
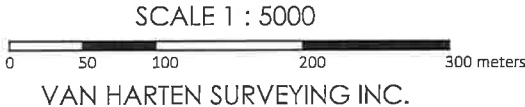
**Attachments:**

1. Attachment 1 - Van Harten Preliminary Survey

KEYMAP



SEVERANCE SKETCH  
PART OF LOT 16, CONCESSION 2  
GEOGRAPHIC TOWNSHIP OF PROTON  
TOWNSHIP OF SOUTHGATE  
COUNTY OF GREY



- NOTES:
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
  2. SUBJECT LANDS ARE ZONED AGRICULTURAL & OPEN SPACE.
  3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF RURAL, HAZARD LANDS & AGRICULTURAL.
  4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
  5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED ON  
THE 14th DAY OF APRIL 2020

JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR



**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Elmira  
Ph: 519-669-5070

Guelph  
Ph: 519-821-2763

Orangeville  
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 24565-17

Apr 14, 2020-12:29:18 PM

G:\PROTON\Con 2\ACAD\SEV LOT 16 (MARTIN) UTM.dwg



## 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: 89-20

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

Date received: July 20/20

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.

## Part One

### Owner/Agent/Application Information

\*To be completed by the applicant

1. Name of registered owner: Randall Bye c/o H Bye Construction Ltd.  
 Mailing address: [REDACTED]  
 Phone# : (H) [REDACTED] (B) [REDACTED]  
 Email Address: [REDACTED]
2. Name of applicant (if different than above): 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: Cuesta Planning Consultants Inc.  
 Mailing address: 978 First Avenue West, Owen Sound, ON N4K 4K5  
 Phone#: 519-372-9790 Email: cuesta@cuestaplanning.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 41 Civic Address (911) No. \_\_\_\_\_  
 Lot No. Pt Lot 64 Plan/Concession 3  
 Part \_\_\_\_\_ Reference Plan No. Parts 3 and 4, Plan 17R-3314

7. Description of Subject Land:

- a) Existing use of the subject land:

☐ Agricultural    ☐ Rural    ☐ Commercial/Industrial    ☒ Residential

☐ Other(explain) \_\_\_\_\_

- b) Existing buildings    2 residences and associated outbuildings.

- 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 <u>58.5±</u> metres  Depth <u>70.7±</u> metres  Area <u>0.4±</u> hectares	Dimensions of land intended to be RETAINED  Frontage <u>58.5±</u> metres  Depth <u>69.5±</u> metres  Area <u>0.4±</u> hectares
--	---

*\*These dimensions must be accurate*

#### 9. Reason for severance

(a) Reason for severance Lot addition - merge severed parcel with parcel directly south

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: Randall and Carolyn Bye

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

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

Existing buildings single detached dwelling

Proposed buildings none

<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) _____	

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

Existing buildings single detached dwelling

Proposed buildings none

<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): Part 3, Plan 17R-3314

Existing buildings/structures: single detached dwelling

Use: Residential

Access: Southgate Sideroad 41

Servicing: existing private services

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)	(41) <input checked="" type="checkbox"/>	(41) <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 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 Lot 64 has been subdivided for residential purposes via plan of subdivision as well as consent(s).

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

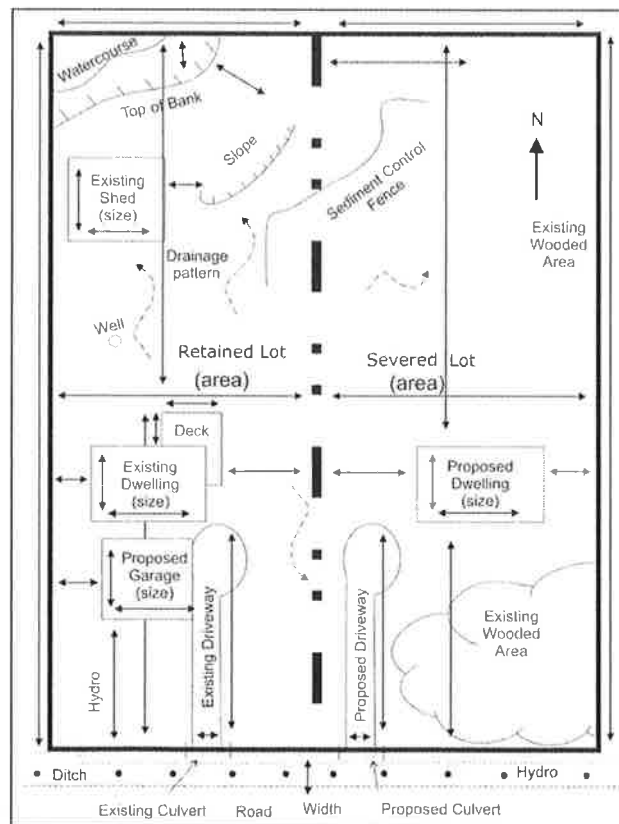
File # \_\_\_\_\_ Submitted \_\_\_\_\_ Approved \_\_\_\_\_

### 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.

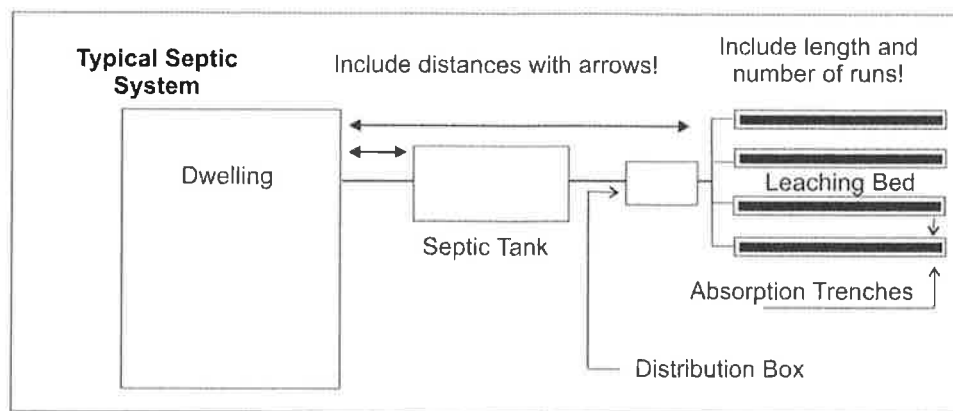
- Clearly label which is the severed parcel and which is the retained parcel
- "NORTH ARROW"
- "Subject Land" - all land owned by the applicant - boundaries & dimensions
- Distance between the applicant's land and the nearest township lot line or appropriate landmark (e.g. bridge, railway crossing, etc.)
- 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



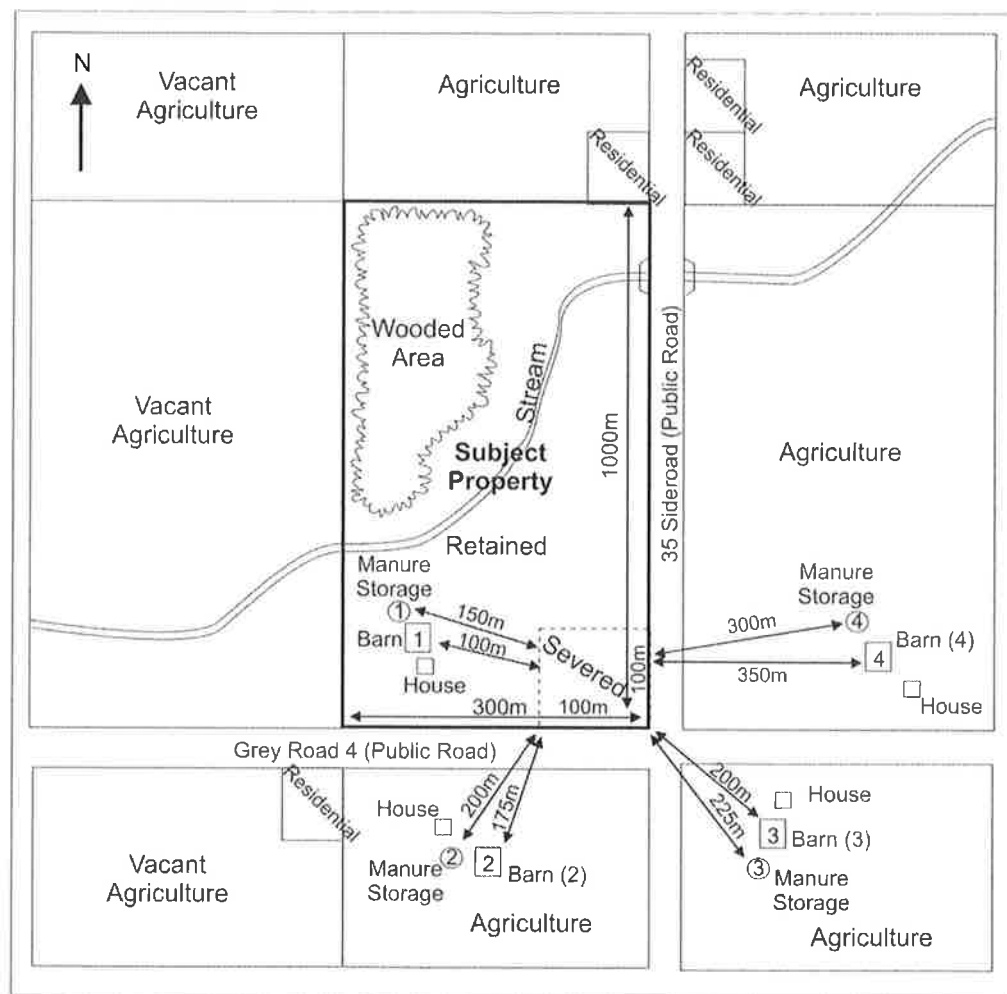
Sample 1 Residential Lot Severance Sketch

\*\*\*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), Genevieve Scott and \_\_\_\_\_  
name of owner(s) agent

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 \_\_\_\_\_

date

June 30th, 2020.

Signature of Owner \_\_\_\_\_

date

#### 19. Owner authorization for agent

*—please see enclosed authorization*

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 Genevieve Scott \_\_\_\_\_

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 \_\_\_\_\_ of this application.

Signature of Owner \_\_\_\_\_

date


June 30th, 2020.

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) Genevieve Scott   
 Name of Owner(s) or Authorized Agent  
 of the Municipality of Meaford 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: Town of Warton.  
Town of South Bruce Peninsula County of Bruce  
 city/township/municipality county/region

This 3RD day of July, 2020

  
 Signature of Owner or Authorized Agent

June 3RD, 2020  
 Date

Signature of Owner



Signature of Commissioner

Date

Patricia Ann Pegg, a Commissioner, etc.,  
 Province of Ontario, for Middlebro' & Stevens LLP,  
 Barristers and Solicitors.  
 Expires January 15, 2022.  
 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

## 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 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: \_\_\_\_\_  
\_\_\_\_\_

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

If yes, answer the questions below:

a) Indicate the condition of the barn: \_\_\_\_\_

b) Size of Barn: \_\_\_\_\_

c) Present Use of Barn: \_\_\_\_\_

d) Livestock Capacity of Barn: \_\_\_\_\_

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? \_\_\_\_\_

☐ No – When did you stop farming? \_\_\_\_\_

a) If no, for what reason did you stop farming? \_\_\_\_\_

4. How long have you owned the farm? \_\_\_\_\_

5. Area of total farm holdings: \_\_\_\_\_

6. Number of tillable hectares: \_\_\_\_\_

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

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

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

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

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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---



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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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---

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



### Site Plan

411280 SOUTHGATE SRD 41  
Township of Southgate  
County of Bruce

Legal Description:  
CON 3 PT LOT 64 RP 17R3314;  
PART 4

### Legend

- Subject Land
- Lot Line to be Created
- ✕ Lot Line to be Dissolved
- Retained Lands
- Newly Enlarged Lot

**Cuesta** PLANNING CONSULTANTS  
Urban and Rural Planning and Resource Management

978 First Avenue West (519) 372-9790  
Owen Sound, Ontario Fax: (519) 372-9953  
N4K 4K5 1-800-653-7692  
e-mail: [cuesta@cuestaplanning.com](mailto:cuesta@cuestaplanning.com)

Drawn by:	Date Printed:
M. Wei	June 29, 2020
File No.:	Project Name:
	Randy Bye Lot Realignment





**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 **November 25, 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. B9/20**

**OWNERS:** Randall Bye c/o H Bye Construction Ltd.

**SUBJECT LAND:** Con 3 Pt lot 64, Parts 3 and 4 of Plan 17R-331 Geographic Township of Egremont. The lands are further described as 411280 Southgate Road 41.

**The Purpose** is to sever 4137m<sup>2</sup> of land containing the shop, from the existing house and merge it with the adjacent land to create a parcel that is 25869m<sup>2</sup>. The retained parcel, comprising 4068m<sup>2</sup> and containing one single detached house would retain 58.5m of frontage on Southgate Sideroad 41. The lands to be merged would have access and frontage via the lands to be merged with being 411272 Southgate Sideroad 41. No new developable 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 4068m<sup>2</sup> that contains the house and a separate 25869m<sup>2</sup> parcel that would contain the shop along with the existing house on the neighboring lot. No new lots would be created.

**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 at

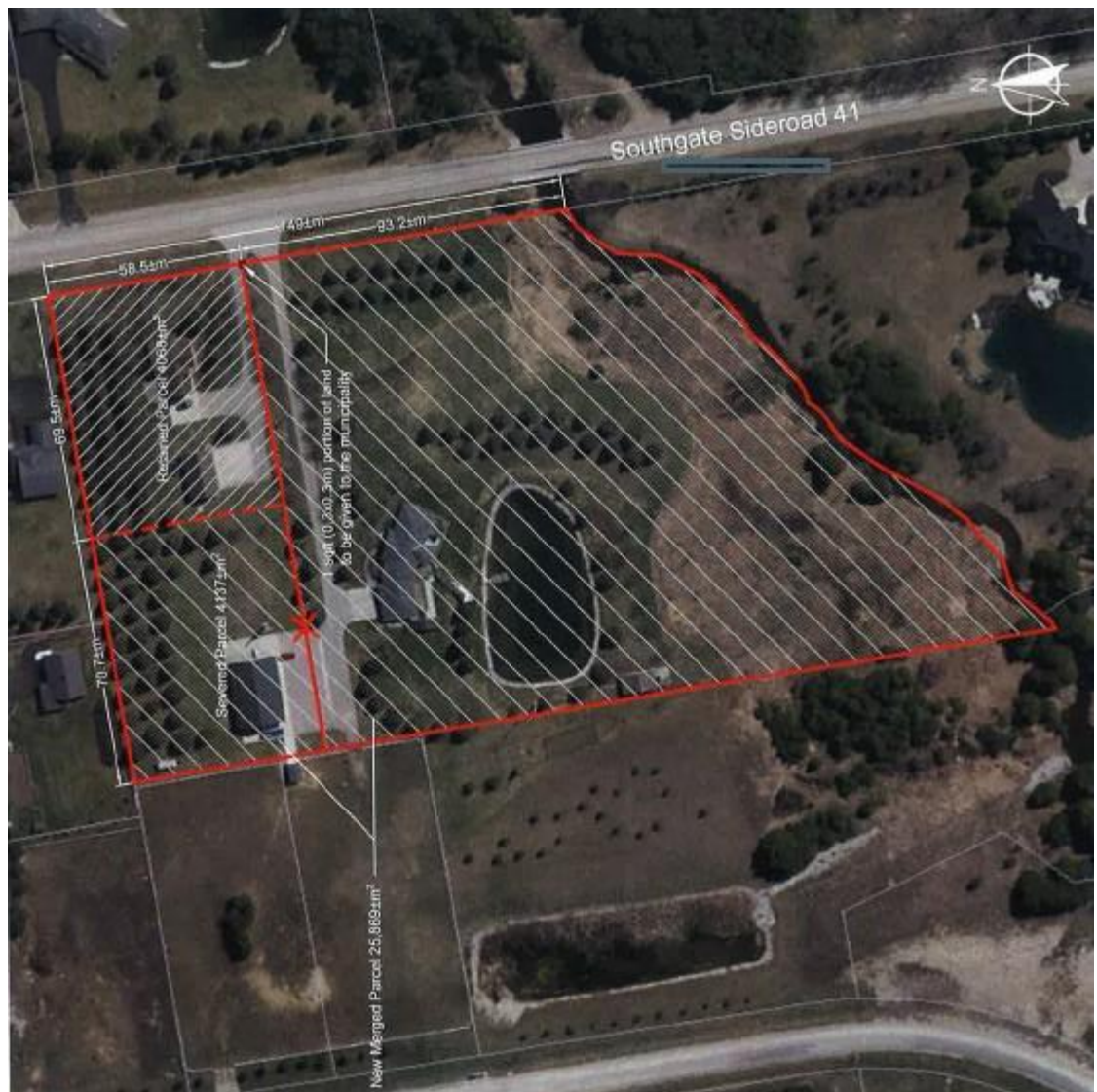
<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B9-20-Randall-Bye-co-H-Bye-Construction-Ltd-> OR by contacting Clinton Stredwick, Planner at 519-923-2110 Ext. 235 or email at [planning@southgate.ca](mailto:planning@southgate.ca).

When requesting information please quote File No. **B9-20**

---

**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**







## Elisha Milne

---

**From:** Hall, Charleyne <charleyne.hall@bell.ca>  
**Sent:** October 30, 2020 8:32 AM  
**To:** Elisha Milne  
**Subject:** 519-20-528 - Consent Application B9-20 - 411280 Southgate Road 41

Good morning Elisha,

Bell Canada has no concerns with Application for Consent B9-20 regarding 411280 Southgate Road 41.

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 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

November 5<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 B09.2020**  
**Concession 3, Part Lot 64, Parts 3 & 4 of Plan 17R-331**  
**Township of Southgate (former geographic Township of Egremont)**  
**Owner/Applicant: Randy Bye c/o H Bye Construction Ltd.**  
**Agent: Cuesta Planning Consultants 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). We offer the following comments.

The purpose of the subject application is to sever 4,137m<sup>2</sup> of land containing the shop, from the existing house and merge it with the adjacent land to create a parcel that is 25869m<sup>2</sup>. The retained parcel, comprising 4068m<sup>2</sup> and containing one single detached house would retain 58.5m of frontage on Southgate Sideroad 41. The lands to be merged would have access and frontage via the lands to be merged with being 411272 Southgate Sideroad 41. No new developable 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 4068m<sup>2</sup> that contains the house and a separate 25869m<sup>2</sup> parcel that would contain the shop along with the existing house on the neighbouring lot. No new lots would be created.

Schedule A of the County OP designates the subject lands as 'rural' and 'hazard lands'. Section 5.4.3(3) states,

*Consents are permitted for lot addition purposes, or to correct lot boundaries where the land being added is to be added to an existing use provided the*

*enlarged lot and retained lots are greater than 0.4 hectares each. The above-noted lot density provisions in Table 9 do not apply to lot additions.*

The lot size of the retained and severed parcel both exceed 0.4 hectares in size. Because no new lots will be created, County planning staff have no concerns.

Schedule A of the Official Plan further designates a 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.*

No development is proposed aside from the lot addition, County planning staff have no concerns.

Schedule B of the County OP designates a portion of the subject lands as an 'aggregate resource area'. 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. Lot creation for infrastructure or public use purposes may be exempted from this requirement provided all reasonable measures are taken to mitigate any impacts on the aggregate resource.* The subject properties forming part of this proposal are currently both non-farm sized. Through the proposal, no additional lots will be created. County planning staff have no concerns with the above noted policy.

Appendix B 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.*

The proposed lot addition exceeds the setback review area from the stream for the conservation authority, County planning staff have no concerns.

Provided the severed parcel merges on title with the retained parcel and no new lot is created, 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.

Page 3  
November 5<sup>th</sup>, 2020

Yours truly,

A handwritten signature in black ink that reads "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)

## Elisha Milne

---

**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** October 26, 2020 1:41 PM  
**To:** Elisha Milne  
**Subject:** RE: B9-20 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:** Monday, October 26, 2020 9:53 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>; 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>; Martin Leyten - MTO <Martin.Leyten@ontario.ca>; Meagan Bruce <M.Bruce@publichealthgreybruce.on.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>; SVCA Planning <southgate@svca.on.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] B9-20 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 Morning,

Please find the below link for the Notice of Public Hearing for Consent Application B9-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B9-20-Randall-Bye-co-H-Bye-Construction-Ltd->

The hearing has been scheduled for **November 25, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **November 18, 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: October 29, 2020,

File No.: B9/20

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: \_\_\_\_\_

Jim Ellis, Public Works Manager / Risk Management Official



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0  
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY: [emilne@southgate.ca](mailto:emilne@southgate.ca)

November 16, 2020

Township of Southgate  
185667 Grey Road 9  
RR 1  
Dundalk, Ontario  
N0C 1B0

ATTENTION: Elisha Milne, Secretary-Treasurer

Dear Ms. Milne,

RE: Consent to Sever Land B9-20 (Bye)  
Part of 411280 Southgate Sideroad 41  
Part Lot 64 Concession 3, Parts 3 & 4 Plan 17R3314  
Roll No.: 420706000505314  
Geographic Township of Egremont  
Township of Southgate

---

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards and natural heritage. Furthermore, the application has been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the application is to sever a part of 411280 Southgate Sideroad 41 and merge it to 411272 Southgate Sideroad 41.

### **Recommendation**

The application for consent to sever land is acceptable to SVCA staff.

### **Delegated Responsibility and Advisory Comments**

**SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the**



Watershed Member Municipalities  
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,  
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,  
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,  
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey



**Township of Southgate in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, and natural heritage as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.**

**Natural Hazards:**

The parcel to be severed is not subject to any natural hazard features. However, the parcel to be retained as well as the parcel that the severed parcel will be merged to is affected by natural hazard features, being Fairbanks Creek, its floodplain and valley, and any wetlands.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of hazardous lands and hazardous sites. It is the opinion of SVCA staff that the application is consistent with Section 3.1.1 of the PPS, 2020.

Township of Southgate Official Plan and Grey County Official Plan

Section 6.2 of the Southgate OP and Section 7.2.3 of the Grey County OP states in part that buildings and structures are generally not permitted in the Hazard Lands land use type. It is the opinion of SVCA staff that the application is consistent with the Southgate OP and Grey County OP.

**Natural Heritage:**

It is the opinion of SVCA staff that the natural heritage feature affecting the property is fish habitat and its adjacent lands.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in fish habitat, and its adjacent lands except in accordance with the specified policies found in Section 2.1.

Township of Southgate Official Plan and Grey County Official Plan Policies

Fish Habitat and its Adjacent Lands

Fairbanks Creek flows along the southern property boundary of 411272 Southgate Sideroad 41. The creek is considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP states in part that development and site alteration shall not be permitted within fish habitat and the adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions. Furthermore, Section 6.5.6 of the Southgate OP states in part that new development is not permitted within the adjacent lands to cold and warm water streams. It is the opinion of SVCA staff that, based on the application, impacts to fish habitat will be negligible and fish habitat policies will have been addressed.

**Statutory Comments**

**SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and**

**Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.**

The parcel to be severed and merged is not within the SVCA Approximate Screening Area. However, portions of the parcel to be retained as well as the parcel that the severed parcel will be merged to, are within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening Area requires the permission from SVCA, prior to carrying out the work.

“Development” as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

#### SVCA Permission for Development or Alteration

Development or alteration including construction, reconstruction, conversion, grading, filling, or excavation, proposed within the SVCA Approximate Screening Area on the properties may require review and permission (SVCA Permit) prior to works commencing on the property.

#### Summary

SVCA staff has reviewed this application in accordance with our MOA with the Township of Southgate, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated,
- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage has been demonstrated.

Township of Southgate  
B9-20 (Bye)  
November 16, 2020  
Page 4 of 4

Please inform this office of any decision made by the Township of Southgate with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/

cc: Cuesta Planning Consultants Inc., agent (via email)  
Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)

## Elisha Milne

---

**From:** Chris Hachey <hsmrcc@bmts.com>  
**Sent:** November 19, 2020 1:48 PM  
**To:** Elisha Milne  
**Subject:** Request for Comments - Southgate (Bye) - Proposed Consent to Sever Land

Your File: B9-20

Our File: Southgate Municipality

Ms. Milne,

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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## **Staff Report PL2020-060**

**Title of Report:** PL2020-060-B9-20 Randy Bye  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** November 25, 2020

### **Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-060 for information; and

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

1. **That** a one foot strip of land along the retained frontage be deed as part of the Township Road allowance.
2. **That** the severed lot be merged and a pin consolidation occur.
3. **That** the certificate affixed to the deed reference Section 50 (5) of the Planning Act to allow the new parcel to merge with the abutting lands to the south.
4. **That** a survey be provided; and
5. **That** all outstanding taxes, fees and charges are paid, if any.

**Property Location:** 411280 Southgate Side Road 41



**The Proposal:**

The proposal is to sever 4137m<sup>2</sup> of land containing the shop, from the existing house and merge it with the adjacent land to the south to create a parcel that is 25869m<sup>2</sup>. The retained parcel, comprising 4068m<sup>2</sup> and containing one single detached house would retain 58.5m of frontage on Southgate Sideroad 41. The lands to be merged would have access and frontage via the lands to be merged with being 411272 Southgate Sideroad 41. No new developable lot would be created as a result of this lot line adjustment.

**Background:**

The lot enlargement was approved previously in the early 2000s, but the consent lapsed as the deed was not stamped. The current proposal includes a slight enlargement to the parcel to be severed, however the intent of the application remains the same as the previously approved consent. Both the retained and enlarged parcel will meet the requirements of local land use policies and zoning provisions. In particular, both the severed and enlarged parcels will be of sufficient size to adequately accommodate existing servicing infrastructure.

As part of this application, a 0.3 metre strip of land from the subject lands (retained parcel) is to be conveyed to the municipality , and added to the road allowance in order to dissolve the lot fabric and allow for the subsequent merger. As well, the certificate affixed to the deed should reference Section 50 (5) of the Planning Act to allow the new parcel to merge with the abutting lands to the south.

Comments received to date are as follows:

Bell Canada has no concerns with the proposal.

Enbridge Gas indicates that they have lines in the area, and it is the owners responsibility to move them should that be required. They generally have no concern with the proposal.

The SVCA indicate that the application for consent to sever land is acceptable to SVCA staff.

The County of Grey indicate that provided the severed parcel merges on title with the retained parcel and no new lot is created, County planning staff have no concerns with the subject application.

Public Works indicate that it is a load restricted road and that a road widening is not necessary.

The Historic Saugeen Metis have no concerns.

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

The lands are considered to be Rural lands within the context of the PPS. residential development is considered a permitted use within the Rural area and lot line adjustments such are permitted.

MDS issues are not a concern and no new developable lots will be created.

There are also no natural hazards that will be impacted by this severance.

The proposal is consistent with the PPS.

**Township Official Plan:**

The Official Plan permits limited non farm residential development with the Rural designation. Consents are generally limited in rural areas however, the following section permits lot line adjustments.

- 5.2.2. (5) 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.

As was mentioned the lands have already been zoned with a new minimum lot size to reflect the severance and as such an undersized lot would not be created. Similarly, the retained lot would also be of sufficient size to maintain a well and septic system.

The Lands can be adequately serviced and will not impact the natural heritage or agricultural operations that may be in the area.

The proposal is consistent with the Official Plan.

**Zoning By-law:**

As previously noted, the proposal had been approved a number of years ago and as such, the zoning for the consent is already in place. The retained lands would be zoned R6-130 and the severed lands are zoned R6-117.

The proposal is consistent with the purpose and intent of the Zoning By-law.

**Financial Implications: None**

## Concluding Comments:

Based on the above comments the proposal is appropriate and conforms to policy. Provided there are no negative comments received the recommendation by staff is to approve the proposed lot addition.

Respectfully Submitted,

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

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



## Attachments:

1. Attachment 1 - Site Plan From Application





### Site Plan

411280 SOUTHGATE SRD 41  
Township of Southgate  
County of Bruce

Legal Description:  
CON 3 PT LOT 64 RP 17R3314;  
PART 4

### Legend

- Subject Land
- Lot Line to be Created
- ✕ Lot Line to be Dissolved
- Retained Lands
- Newly Enlarged Lot

**Cuesta** PLANNING CONSULTANTS  
Urban and Rural Planning and Resource Management

978 First Avenue West (519) 372-9790  
Owen Sound, Ontario Fax: (519) 372-9953  
N4K 4K5 1-800-653-7692  
e-mail: [cuesta@cuestaplanning.com](mailto:cuesta@cuestaplanning.com)

Drawn by:	Date Printed:
M. Wei	June 29, 2020
File No.:	Project Name:
	Randy Bye Lot Realignment

## Elisha Milne

---

**From:** Hall, Charleyne <charleyne.hall@bell.ca>  
**Sent:** October 30, 2020 8:34 AM  
**To:** Elisha Milne  
**Subject:** 519-20-530 - Consent Application B10-20 - 026735 Highway 89

Good morning Elisha,

Bell Canada has no concerns with Application for Consent B10-20 regarding 026735 Highway 89.

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.

## Elisha Milne

---

**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>  
**Sent:** October 26, 2020 1:41 PM  
**To:** Elisha Milne  
**Subject:** RE: B10-20 Notice of Public Hearing

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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:** Monday, October 26, 2020 9:55 AM  
**To:** Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley\_crummer@bwdsb.on.ca>; Bluewater District School Board <jayne\_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>; Jessica Mole <jmole@southgate.ca>; Jim Ellis <jellis@southgate.ca>; Kevin Green <kgreen@southgate.ca>; Meagan Bruce <M.Bruce@publichealthgreybruce.on.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>; SVCA Planning <southgate@svca.on.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] B10-20 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 Morning,

Please find the below link for the Notice of Public Hearing for Consent Application B10-20.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B10-20-AG-Holdings-Inc-Larry-Schill->

The hearing has been scheduled for **November 25, 2020 at 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **November 18, 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: October 29, 2020

File No.: B10/20

Can a safe access be provided? Yes ☒ No

Road Drainage Concern: None

Road Standard: Hwy 89 MTO Jurisdiction

Road Widening Necessary? Yes ☐ No ☒

Entrance Requirements: MTO Jurisdiction

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: \_\_\_\_\_

Jim Ellis, Public Works Manager / Risk Management Official



# Planning and Development

595 9<sup>th</sup> Avenue East, Owen Sound Ontario N4K 3E3

November 18<sup>th</sup>, 2020

Lindsey Green, Clerk  
Township of Southgate  
185667 Grey County Road 9  
Dundalk, Ontario  
N0C 1B0

\*Sent via E-mail

**RE: Consent Application B10/20  
026735 Highway 89  
Township of Southgate  
Applicant/Owner: AG Holdings Inc.**

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 is to sever 1.3 ha of agricultural land from the existing 4.2 ha lot and merge it with the adjacent agricultural lot being Pt lot 40 Con 1 proton. The retained parcel will be 2.9 ha and have 89.7m of frontage on Highway 89. No new developable lots would be created as a result of this lot addition.

Schedule A of Recolour Grey designates the subject property as a 'Rural'. Section 5.4.3 states,

3) Consents are permitted for lot addition purposes, or to correct lot boundaries, where the land being added is to be added to an existing use provided the enlarged lot and retained lots are greater than 0.4 hectares each. The above-noted lot density provisions in Table 9 do not apply to lot additions.

County planning staff have no concerns with the proposed development. Further comments should be received from the Township of Southgate.

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.

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*.

Further, Appendix B also indicates that the subject property contains 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 Hazard Lands, Significant Woodlands and the stream. 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 that positive comments are received from the Conservation Authority regarding the Hazard Lands, Significant Woodlands, and the stream, 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,

Page 3  
November 18<sup>th</sup>, 2020

A handwritten signature in cursive script, reading "Hibahussain".

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 Milne

---

**From:** Chris Hachey <hsmrcc@bmts.com>  
**Sent:** November 19, 2020 1:46 PM  
**To:** Elisha Milne  
**Subject:** Request for Comments - Southgate (AG Holdings Inc.) - Proposed Consent to Sever Land

Your File: B10-20

Our File: Southgate Municipality

Ms. Milne,

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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## **Staff Report PL2020-066**

**Title of Report:** PL2020-066- B10-20 AG Holdings  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** November 25, 2020

### **Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2020-066 for information; and

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

1. **That** the severed parcel be merged with parcel c shown on the consent sketch and a pin consolidation be obtained.
2. **That** a zoning by-law be approved to reflect the reduced minimum lot area and frontage of the retained lot.
3. **That** a survey be provided; and
4. **That** all outstanding taxes, fees and charges are paid, if any.

### **Property Location: 026735 Highway 89**



### **The Proposal:**

The subject lands are described as Con 1 Pt lot 40 RP 16R8767 Pt 1 and comprise approximately 10.45 acres.

The proposal is to sever 1.3ha of agricultural land from the existing 4.2ha lot and merge it with the adjacent agricultural lot being Pt lot 40 Con 1 proton. The retained parcel will be 2.9ha and have 89.7m of frontage on highway 89. No new developable

lots would be created as a result of this lot addition.

### **Background:**

Application B10-20 has been received and has been circulated for comments.

The comments received so far include:

The Historic Saugeen Metis have no concerns.

The Public works Department indicates that a safe access can be provided and that the entrance falls under provincial jurisdiction.

The Bell Canada has no concerns.

The County of Grey indicates that provided that positive comments are received from the Conservation Authority regarding the Hazard Lands, Significant Woodlands, and the stream, County planning staff have no further concerns with the subject application.

Enbridge gas has no concerns.

No comments have been received from the Grand River Conservation Authority as of the writing of this report. However, this is a lot addition and no development is proposed so the status of the hazard lands and significant woodlands should not be impacted.

### **Policy Review:**

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

The Subject lands are considered rural lands for the purposes of the Provincial Policy Statement. Lot line adjustments and limited rural development is permitted within the rural areas. As this consent is to add agricultural lands back to the farm parcel from a non farm lot it would conform to the policies of the PPS.

No development is proposed and there will be no conflicts with natural heritage or neighboring agriculture as a result of the proposed lot addition.

#### **Township Official Plan:**

The lot is designated as rural within the Township Official Plan limited consents are permitted within the rural designation. The following section of the Official Plan consent policy applies.

#### **5.2.2 Consents**

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 intent of the rural designation is to preserve agriculture and by adding lands back to the farm parcel it furthers this goal.

Based on this policy the proposal meets the intent of the official plan by returning land back to the larger farm parcel and making the residential non farm lot as small as possible.

The proposal is consistent with this policy.

**Zoning By-law:**

The subject lands are zoned as A1-115 which has a minimum lot area of 4 ha and lot frontage of 185m. As a result of the severance the retained lot will need to recognize a new minimum lot area and lot frontage in order to conform to the zoning bylaw. This can be accommodated as a condition of the consent.

The intent of the zoning by-law has been maintained by keeping agricultural lots as large as possible and reducing the size of non farm residential lots to the minimum amount necessary to adequately service them.

The proposal meets the intent of the by-law.

**Financial Implications: None**

**Concluding Comments:**

Provided that retained lot is rezoned to meet the new minimum lot areas and frontages then the proposal is acceptable and should be approved.

Respectfully Submitted,

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



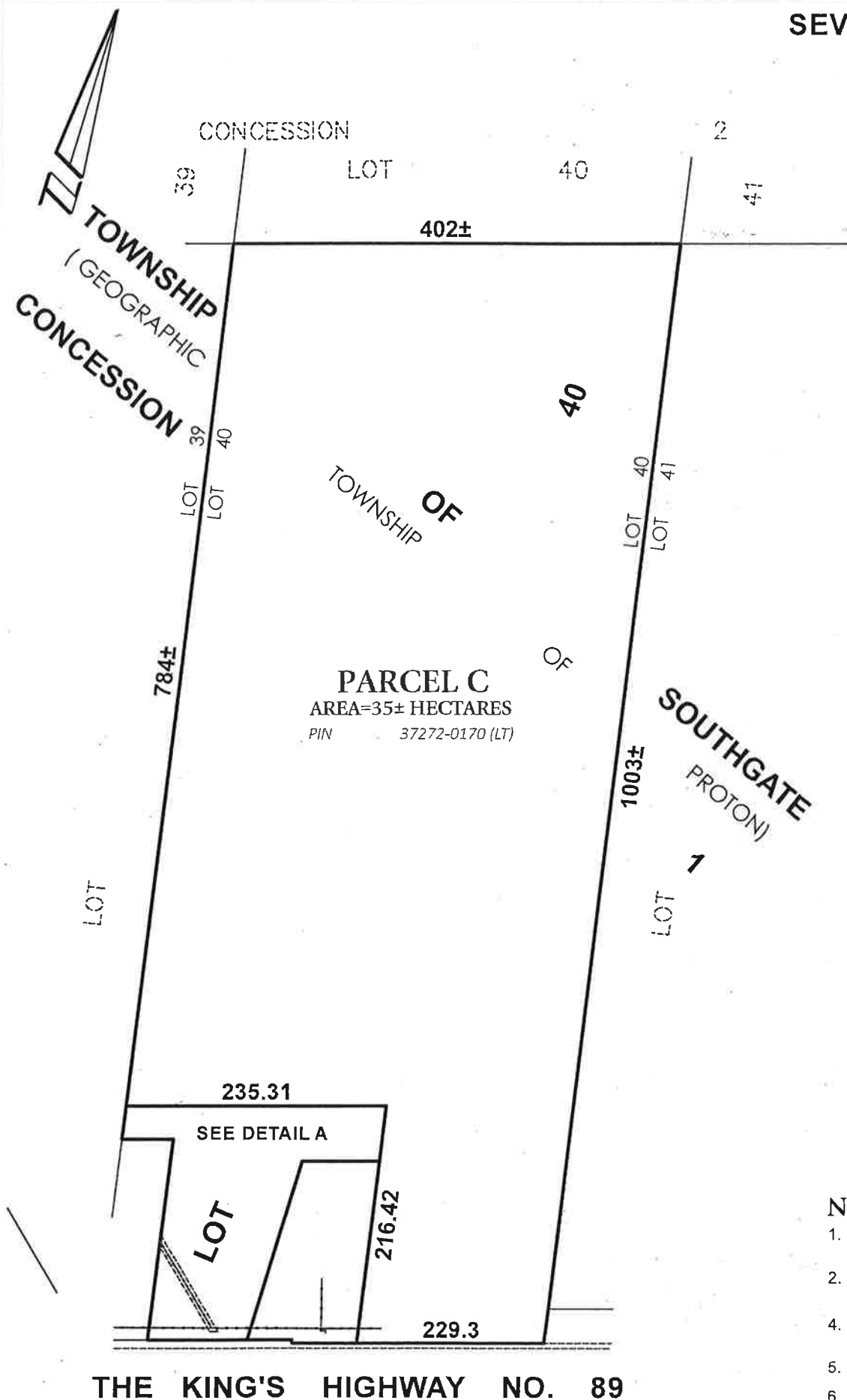
**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:**

1. Attachment 1 - Consent Sketch

# SEVERANCE SKETCH PREPARED FOR AG HOLDING INC.

SCALE 1 : 5000  
VAN HARTEN SURVEYING INC.



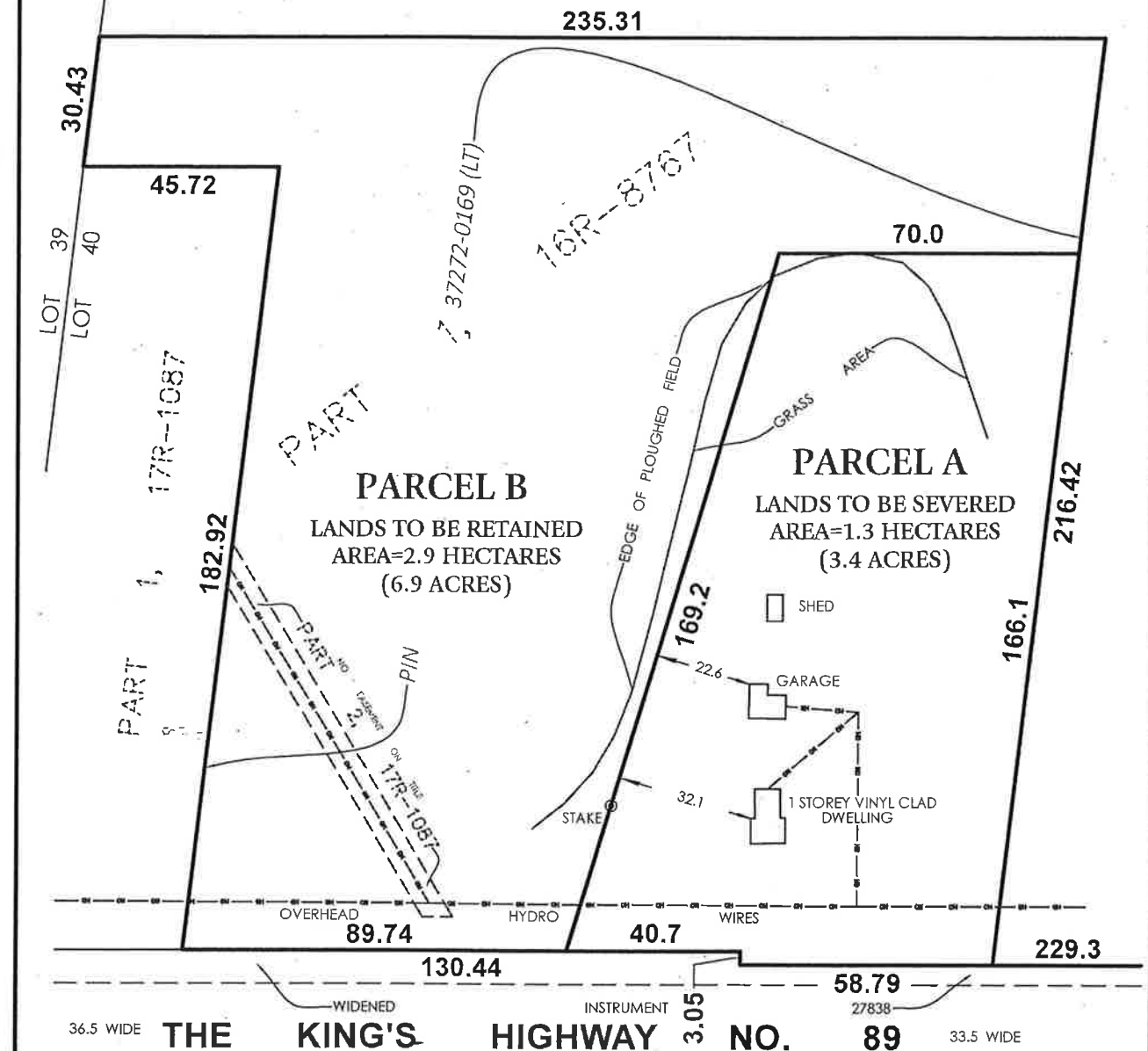
## NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
4. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
5. THIS SKETCH IS PROTECTED BY COPYRIGHT ©
6. THIS PROPERTY IS PART OF LOT 40, CONCESSION 1 GEOGRAPHIC TOWNSHIP OF PROTON TOWNSHIP OF SOUTHGATE COUNTY OF GREY

## DETAIL A

SCALE RATIO 1:1500

## PARCEL B TO BE ADDED TO PARCEL C



**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Kitchener  
Ph: 519-742-8371

Guelph  
Ph: 519-821-2763

Orangeville  
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: WDF

CHECKED BY: RM

PROJECT No. 27538-19

Oct 17, 2019-12:10:58 PM  
M:\Geographic(KW)\Proton\CON 1\ACAD\PT LOT 40 (SCHILL) 27538-19  
UTM 2010.dwg