



**Township of Southgate  
Committee of Adjustment Agenda**

**June 23, 2021**

**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:<br>Phone Number: <b>1 (647) 497-9373</b><br>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>  | 3 - 12       |
| Be it resolved that the Committee approve the minutes from the April 28, 2021 Committee of Adjustment meeting as presented.  |              |
| <b>6. Hearing</b>  |              |
| <b>6.1. A5-21 - Don and Elinor Gingerich, Con 22 Pt Lot 13, RP 17R377 Pt 1, RP 16R8020 Pt 1, Geographic Township of Egremont</b>   |              |
| 6.1.1. Application and Notice of Public Hearing  | 13 - 24      |
| 6.1.2. Comments Received from Agencies and the Public  | 25 - 32      |
| 6.1.3. Applicant or Agent  |              |
| 6.1.4. Committee Member Questions  |              |
| 6.1.5. Comments and Planning Report  | 33 - 37      |

**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 PL2021-057 for information; and  
**That** the minor variance be approved.

**7. Adjournment**

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



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

April 28, 2021  
9:00 AM  
Electronic Participation

Members Present: Member Barbara Dobreen  
Member John Woodbury  
Member Brian Milne  
Member Michael Sherson  
Member Jason Rice  
Member Jim Frew  
Member Martin Shipston

Staff Present: Clinton Stredwick, Planner  
Lindsey Green, Clerk  
Elisha Milne, Secretary-Treasurer  
Holly Malynyk, Customer Service and Support

**1. Call to Order**

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

**2. Confirmation of Agenda**

**Moved By** Member Frew

**Seconded By** Member Dobreen

**Be it resolved that** the Committee confirm the agenda as amended to include the corrected sketch for file B3-21.

**Carried**

**3. Declaration of Pecuniary Interest**

Member Jason Rice declared a pecuniary interest to file B3-21 - Pallister Farms Livestock Ltd. and did not participate in the discussion or vote.

#### **4. Adoption of Minutes**

**Moved By** Member Milne

**Seconded By** Member Shipston

**Be it resolved that** the Committee approve the minutes from the March 24, 2021 Committee of Adjustment meeting as presented.

**Carried**

#### **5. Hearing**

##### **5.1 A2-21 - Christopher De Sousa and Isabel Durate, Con 4 Pt Lot 4 RP16R5368 Pt 1, Geographic Township of Proton**

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

**The Purpose** of the Variance is to vary the definition of home occupation to allow for the storage of merchandise in two 8 ft X 20ft shipping containers on the property and to vary section 5.1(e)(ii) allowing for a reduction of the 7m interior yard setback to 3.9m. All other provisions of the bylaw shall apply.

**The Effect** of the approval of this application would provide relief from the by-law to permit the storage of merchandise in two shipping containers on a property for a home occupation. The relief will specifically reduce the interior side yard setback for an accessory structure from 7m to 3.9m and vary the definition of home occupation to allow for the storage of merchandise outside the home.

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

Planner Clinton Stredwick reviewed comments received from Southgate Building Department, County of Grey, Saugeen Valley Conservation Authority and the Historic



Saugeen Metis. No comments were received from members of the public.

**5.1.3 Applicant or Agent**

The Applicant was present and was available for any questions.

**5.1.4 Committee Member Questions**

Members asked questions and staff provided responses.

**5.1.5 Comments and Planning Report**

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

**5.1.6 Members of the Public to Speak**

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

**5.1.7 Further Questions from the Committee**

Member of the Committee asked further questions and staff provided answers.

**5.1.8 Approval or Refusal**

**Moved By** Member Milne

**Seconded By** Member Frew

**Be it resolved that** the Committee approve Minor Variance Application A2-21 subject to the following conditions:

1. That a fence or tree screening be placed next to the northerly container to screen it from the road and from the easterly lot line; and
2. That the side yard set back is reduced to 3.9m; and
3. That all outstanding taxes, fees and charges are paid, if any.

**Carried**

## **5.2 A3-21 - Billy Martins, Plan 480 BLK Z Pt Lot 4 and Pt Lot 5, Geographic Village of Dundalk**

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

**The Purpose** of the Variance is to vary the provisions of section 9.2(f) for a interior side yard setback from 1.5m to 0.75m. All other provisions of the bylaw shall apply.

**The Effect** of the approval of this application would provide relief from section 9.2(f) of the by-law by reducing the interior side yard setback of the R2 zone from 1.5m down to 0.75m. All other provisions of the by-law will apply.

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

Planner Clinton Stredwick reviewed comments received from the Southgate Building Department, County of Grey, Ontario Power Generation, and the Historic Saugeen Metis. No comments were received from members of the public.

### **5.2.3 Applicant or Agent**

The Applicant was present and was available for any questions.

### **5.2.4 Committee Member Questions**

Members asked questions and staff provided responses.

### **5.2.5 Comments and Planning Report**

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

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

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

### **5.2.7 Further Questions from the Committee**

Members asked further questions and staff provided responses.

### **5.2.8 Approval or Refusal**

**Moved By** Member Milne  
**Seconded By** Member Rice

**Be it resolved that** the Committee approve Minor Variance Application A3-21 subject to the following conditions:

1. That the interior side yard setback is reduced to 0.75m; and
2. That all outstanding taxes, fees and charges are paid, if any.

**Carried**

### **5.3 A4-21 - Jesse Martin, Con 13 Lot 18, Geographic Township of Proton**

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

**The Purpose** of the Variance is to vary the provisions of section 9.2(f) for a interior side yard setback from 1.5m to 0.75m. All other provisions of the bylaw shall apply.

**The Effect** of the approval of this application would provide relief from section 9.2(f) of the by-law by reducing the interior side yard setback of the R2 zone from 1.5m down to 0.75m. All other provisions of the by-law will apply.

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

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

#### **5.3.3 Applicant or Agent**

The Applicant was not present.

#### **5.3.4 Committee Member Questions**

Members asked questions and staff provided responses.

#### **5.3.5 Comments and Planning Report**

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

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

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

#### **5.3.7 Further Questions from the Committee**

There were no further questions from the Members of the Committee.

#### **5.3.8 Approval or Refusal**

**Moved By** Member Dobreen

**Seconded By** Member Shipston

**Be it resolved that** the Committee approve Minor Variance Application A4-21 to vary the Minimum Distance Separation formula requirement for the proposed horse barn from 168m to 159m.

**Carried**

### **5.4 B2-21 - Gerry and Anne McNalty, Con 11 Lot 36 and Pt Lot 37, Geographic Township of Proton**

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

**The Purpose** is to sever 1.86ha of land with 91.5m of Frontage on Southgate Road 14, from the existing 78.52ha lot as the residence is surplus to the farming operations' needs. The retained parcel will be 77.52ha and have 775.2m of frontage on Southgate Road 14.

**The Effect** would be to create a surplus farm dwelling lot. The retained lot would remain as agricultural and be zoned to prohibit residential uses.

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

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

#### **5.4.3 Applicant or Agent**

The Applicant was present and was available for any questions.

#### **5.4.4 Committee Member Questions**

Members asked questions and staff provided responses.

#### **5.4.5 Comments and Planning Report**

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

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

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

#### **5.4.7 Further Questions from the Committee**

There were no further questions from the Members of the Committee.

#### **5.4.8 Approval or Refusal**

**Moved By** Member Frew

**Seconded By** Member Milne

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-036 for information; and

That the severance be approved with the following conditions:

1. That a survey is provided.
2. That a 3m road widening be provided from the severed and retained lots along Southgate Road 14, if one has not been provided for in the past.

3. That any outstanding taxes, fees and charges are paid.
4. That a zoning by-law amendment is applied for to recognize the reduced lot frontage of the severed parcel and lot area of the retained parcel. The retained lot must also be rezoned to prohibit residential development.

**Carried**

## **5.5 B3-21 - Pallister Farms Livestock Ltd., Con 10 Lot 32, Geographic Township of Proton**

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

**The Purpose** is to sever 1.07ha of land with 90.8m of Frontage on Southgate Road 14, from the existing 40ha lot as the residence is surplus to the farming operations' needs. The retained parcel will be 38.5ha and have 310m of frontage on Southgate Road 14.

**The Effect** would be to create a surplus farm dwelling lot. The retained lot would remain as agricultural and be zoned to prohibit residential uses.

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

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

### **5.5.3 Applicant or Agent**

The Applicant was present and was available for any questions.

### **5.5.4 Committee Member Questions**

There were no questions from the Members of the Committee.

### **5.5.5 Comments and Planning Report**

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

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

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

#### **5.5.7 Further Questions from the Committee**

There were no further questions from the Members of the Committee.

#### **5.5.8 Approval or Refusal**

**Moved By** Member Milne

**Seconded By** Member Shipston

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-035 for information; and  
That the severance be approved with the following conditions:

1. That a survey is provided.
2. That a 3m road widening be provided from the severed and retained lots along Southgate Road 14 and Southgate Side Road 21, if one has not been provided for in the past.
3. That any outstanding taxes, fees and charges are paid.
4. That a zoning by-law amendment is applied for to recognize the reduced lot frontage of the severed parcel and lot area of the retained parcel. The retained lot must also be rezoned to prohibit residential development.

**Carried**

### **6. Adjournment**

**Moved By** Member Shipston

**Be it resolved that** the Committee adjourn the meeting at 9:58AM.

**Carried**

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Chair John Woodbury

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Secretary-Treasurer Elisha Milne





# Township of Southgate

## Committee of Adjustment

### Application for Minor Variance

#### Instructions:

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

- Please check all applicable boxes and answer all applicable questions
- Failure to provide adequate, correct information may result in your application being refused
- All measurements must be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Applications are not accepted without the required fees \$1064 (\$956 application plus \$108 sign fee and if required, \$180 SVCA fee) in cash or by cheque made payable to the Corporation of the Township of Southgate.

#### For office use only:

File No. A-5-21

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

Date received: May 20, 2021

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

Roll #42 07 060-002-12501

Conservation Authority Fee  
Required: \_\_\_\_\_

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

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

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

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

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

#### Required Fees:

|                             |  |
|-----------------------------|--|
| Application Fee             | \$ 956.00 due with submitted application |
| Public Notice Sign Fee      | \$ 108.00                                |
| Conservation Authority Fees |  |
| Saugeen Valley CA           | \$180.00                                 |
| Grand River CA              | Contact directly for details             |

#### Note on fees:

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

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

Please review the required Conservation Authority fees prior to submitting your



1. Name of Owner/Applicant (circle one) \* Don & Elinor Gingerich

Address 264099 Southgate Rd 26

Postal Code N0G 1R0 Telephone Number [REDACTED]

**\*See Note 1**

2. Name of Agent\* \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_ Telephone Number \_\_\_\_\_

**\*\* See Note 2**

3. Nature and extent of relief applied for: to allow construction of a pole storage shed partially between house and road

4. Why is it not possible to comply with the provisions of the by-law? 3.5 acres of total 4 acre lot is SUCA approximate screening area. Building on high part of lot is okay - see included correspondence

5. Legal description of subject land (registered plan number and lot number or other from SUCA legal description, and, where applicable, street and street number):

Roll # 420706000 212501 - GON 22 PT Lot 13 RP 17R 377; Part 1 RP 16R 8020 Part 1  
264099 Southgate Rd 26

6. Dimensions of land affected in metric units:

Frontage: 127.7 m. Area: 4.2 acres

Depth: 128.9 m Width of Street: County Rd. 26

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

Existing: House 396 sq. m. - 30 sq. m. unheated cabin  
24 sq. m. garden shed.

Proposed: Pole storage garage/shed. 234 sq. m.

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



9. Date of acquisition of subject land: 2017

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

House 2019 Cabin - unknown.

11. Existing uses of the subject property:

Primary residence of owner

12. Existing uses of the abutting properties:

North: Farm East: Farm

South: Personal residence West: Personal residence  
Neighbour. Neighbour

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

Since 2019 has been our home.

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

☐ publicly owned and operated piped water system

☒ privately owned and operated individual or communal well

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

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

☐ publicly owned and operated sanitary sewage system

☒ privately owned and operated individual or communal well

☐ privy or other means (please explain)

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

Sewers: ☐ Ditches ☒ Swales: ☐

Other means (please explain) \_\_\_\_\_

17. Present Official Plan designation on the subject lands: Agricultural

18. Present Zoning By-law provisions applying to the land: R 6

19. Has the subject land ever been the subject of an application for minor variance (under Section 45 or its predecessor of the Planning Act) No.



Sketch Instructions:

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

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

21. Owners authorization and declaration:

Authorization for agent

I/we \_\_\_\_\_  
(print name or names)

authorize \_\_\_\_\_  
(print name of agent)

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

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

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

22. Owners authorization for access:

I/we Don Gingerich  
(print name or names)

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



23. Affidavit or sworn declaration :

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

I/ (We) Don Gingerich  
Name of Owner(s) or Authorized Agent or Applicant

of the Township of Southgate in the County of Grey  
city/town/municipality county/region

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

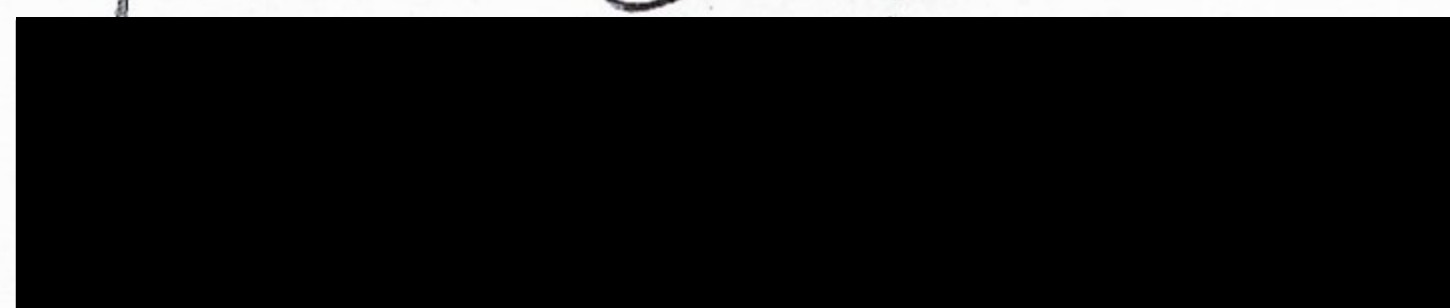
Declared before me at the:

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

This 17 day of May, 2021

  
Signatures of Owner

May 17, 2021  
Date

  
Signatures of Owner

May 17, 2021  
Date








  
Signature of Commissioner

May 17, 2021  
Date

Susan Madeline Butler  
a Commissioner, etc.,  
for Fallis Fallis & McMillan  
Barristers and Solicitors.  
Expires September 11, 2021.



## Legend

-  **Parcels - Current**  
 **Large Scale Roads**  
 Provincial Highway  
 County Road  
 Township Road  
 Seasonal Road  
 **Grey County Boundary**

A - House 396 sq m.  
B - Propsed 234 sq m.  
C - Weeping bed  
D - Buried Hydro  
E - Well  
F - Circular Drive

Pictures  
1-3 taken from  
Rd center  
4 - North side  
of house

## Notes

|     |   |    |            |
|-----|---|----|------------|
| 111 | 0 | 56 | 111 Meters |
| 111 | 0 | 56 | 111 Meters |

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

© County of Grey

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

Printed May 13, 2021

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Township of Southgate. Generally, the SVCA doesn't give out the information as it was meant for that proponent requesting the information at that time regarding that particular proposal. If the proponent wants to distribute the information further, the SVCA does not generally have concern with that.

Hopefully that helps for now.

I'll wait to hear back from you before proceeding any further on my end.

Kind regards,

On Fri, Jan 26, 2018 at 3:16 PM, Mike Oberle <[m.oberle@svca.on.ca](mailto:m.oberle@svca.on.ca)> wrote:

Good afternoon Don:

This email is in response to your inquiry dated January 24, 2018 directed to Dale Schaefer at the Saugeen Valley Conservation Authority (SVCA) regarding the above referenced property.

Please note that it was myself who you were dealing with at the SVCA last year.

Please see below my email to you dated June 5, 2017, as well as the attachments referred to in that email.

Please note that SVCA staff has not conducted a recent site inspection of the property.

Should you require anything further, please do not hesitate to contact me.

Kind regards,

Thanks Mike

I did eventually figure out it was you I was communicating with. I have attached a revised map showing the current plan for the house on this property. If it would be possible for you to comment on this I will use your comments to submit along with the application for the building permit. The planning department has said they will need a comment from SVCA if any part of the land is within your Approximate Screening Area.

Thanks

don

On Friday, March 9, 2018, Mike Oberle <[m.oberle@svca.on.ca](mailto:m.oberle@svca.on.ca)> wrote:

Good afternoon Don:

I apologize for the late response to your email of below.

Your email got missed by me for follow up.



Generally, if development is not proposed within the Saugeen Valley Conservation Authority (SVCA) Approximate Screening Area, then further review by the SVCA is not required.



Please note that if any development, including but not limited to, a dwelling, sewage disposal system, installation of a driveway, accessory buildings, swimming pools, etc. is located in the SVCA Approximate Screening Area, then review by the SVCA may be required.

Should you have further question, please do not hesitate to contact me.

Kind regards,


**Mike Oberle**




# SVCA Approximate Regulated & Approximate Screening Areas

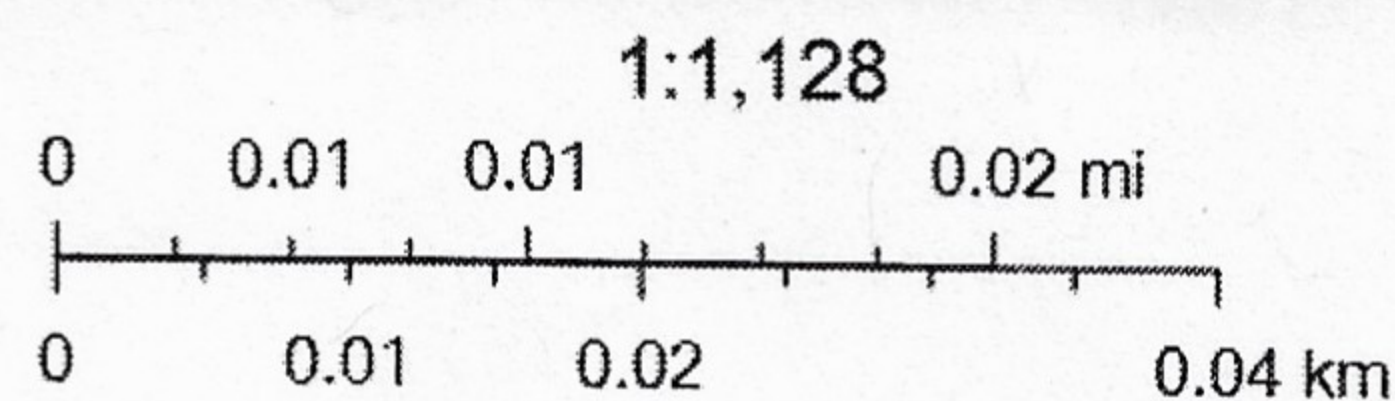


5/13/2021, 3:40:48 PM

 Property Boundary

 Saugeen Valley Conservation Authority

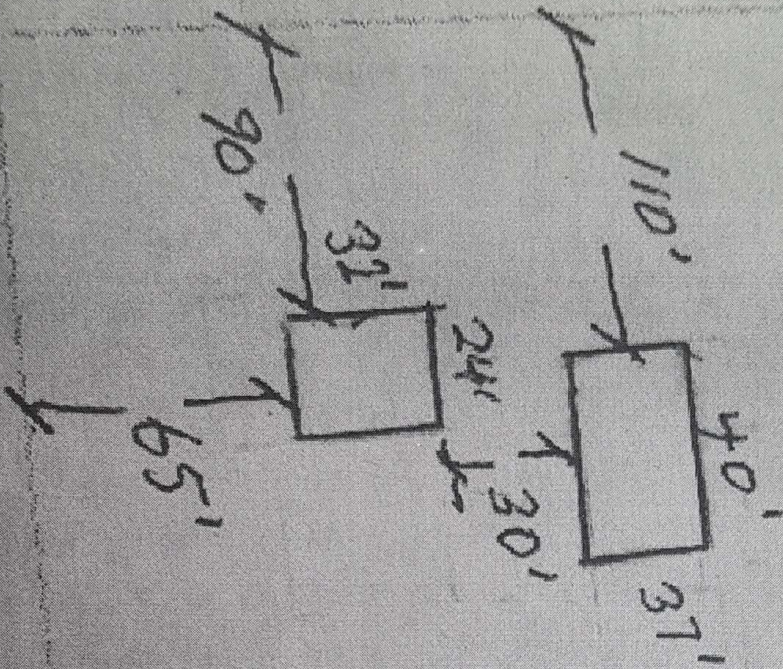
*Lighter Grey Area  
is Approximate Screening Zone*



Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, HERE, Garmin, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada, Grey County, Maxar, Microsoft



ingate Road 26





Google Maps



Imagery ©2021 CNES / Airbus, Maxar Technologies, Map data ©2021 20 m





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

**NOTICE OF APPLICATION AND PUBLIC HEARING  
FOR MINOR VARIANCE FILE # A5/21**

**PROPERTY LOCATION:** legally known as Con 22 Pt lot 13, RP 17R377 Pt 1, RP 16R8020 Pt 1, (Geographic Township of Egremont) in the Township of Southgate (see the key map below). Also described as 264099 Southgate Road 26.

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

**June 23, 2021 at 9:00 AM**

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

**File # A5-21**

**Electronic Access Information:**

Please join the meeting from your computer, tablet or smartphone

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

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

**NOTE:** If you wish to speak at the meeting, please register in advance by contacting the Secretary-Treasurer, Elisha Milne using the below information. The meeting will be recorded and uploaded to the Township YouTube Channel:

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

**Purpose:** The Variance is to permit an accessory structure to be located 7m into the front yard. The proposal requires relief from Section 5.1(b)&(e), of the by-law which requires an accessory structure to be located in a rear or sideyard.

Approval of this application would provide relief from the by-law to permit the construction of an accessory building with the building being in the front yard and 20m from the front property line.

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

You are entitled to attend the hearing virtually at this time or to be represented by an agent to express your views on the merits of this application. You may also forward a letter with your views to the Committee. If you do not attend the hearing or send correspondence regarding this file, the Committee will proceed in your absence and you are not entitled to any further notice of the proceedings. **Please note that all submissions will become part of the public record in their entirety and may be posted to Southgate's website.**

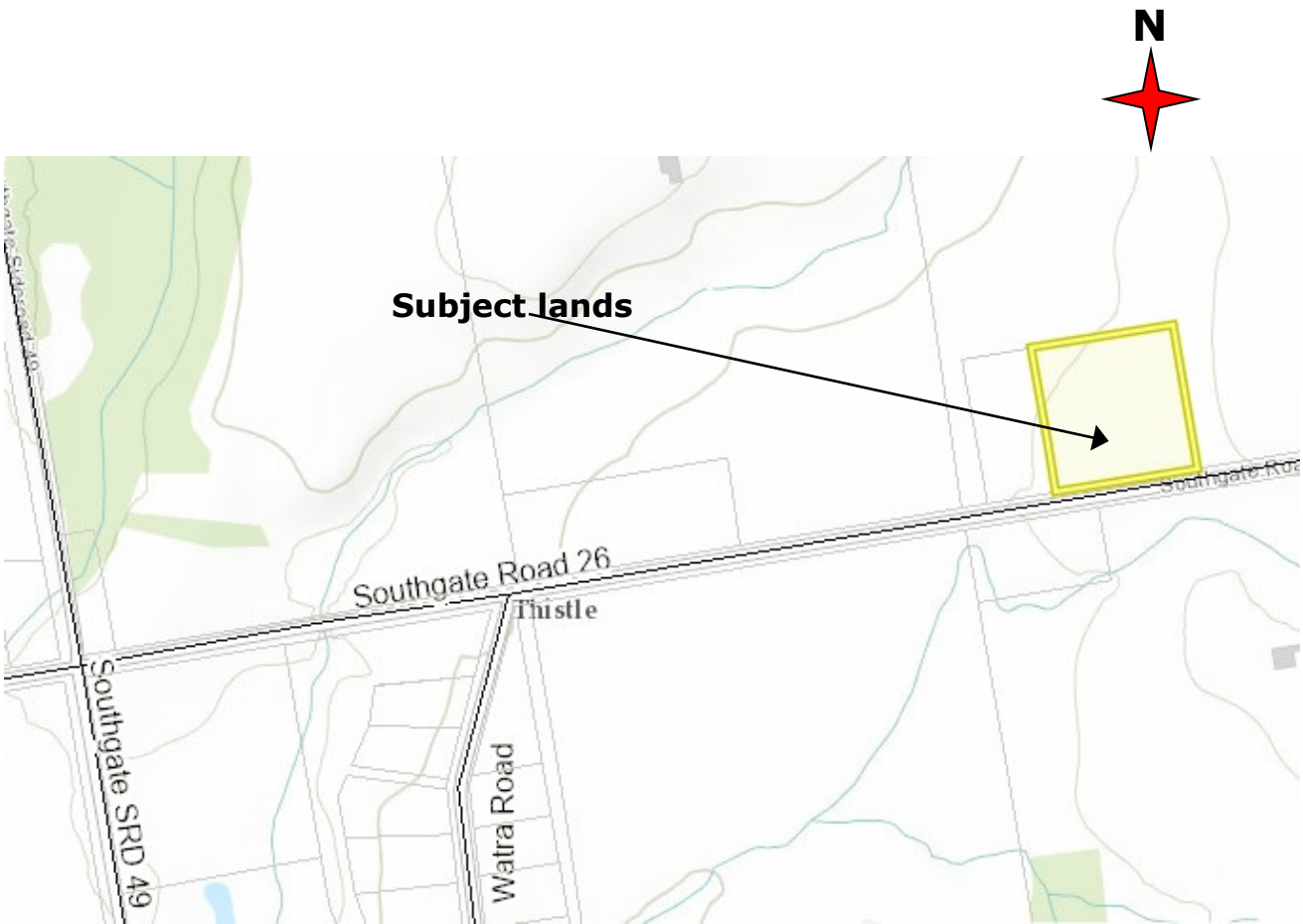
A copy of the Notice of Decision will be sent to the applicant and each person who appeared or was represented by an agent at the hearing **and** who has filed a written request for notice of the decision.

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

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#A5-21-Don-and-Elinor-Gingerich>

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

DATED AT THE TOWNSHIP OF  
SOUTHGATE  
THIS 3<sup>rd</sup> DAY OF June 2021  
Elisha Milne,  
Secretary-Treasurer  
Committee of Adjustment



**From:** [planning@grey.ca](mailto:planning@grey.ca)  
**To:** [Planning Southgate](#); [Elisha Milne](#); [Lindsey Green](#)  
**Subject:** County comments for A5-21 Gingrich  
**Date:** June 10, 2021 10:31:53 AM

## County comments for A5-21 Gingrich

Hello Township of Southgate Staff,

County staff have reviewed Minor Variance application A5-21 - Don & Elinor Gingrich. Provided positive comments are received from the Saugeen Valley Conservation Authority, County staff have no specific comments or concerns with this application.

County staff request notice of any decision rendered with respect to this file.

Let us know if you have any questions.

Best regards,

Planning & Development, Grey County, Owen Sound ON

## 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: June 4, 2021

File No.: A5-21

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

**From:** [Dolly Shetty@HydroOne.com](mailto:Dolly.Shetty@HydroOne.com) on behalf of [LandUsePlanning@HydroOne.com](mailto:LandUsePlanning@HydroOne.com)  
**To:** [Elisha Milne](mailto:Elisha.Milne)  
**Subject:** Southgate - Roll 420706000212501 - A5-21  
**Date:** June 16, 2021 11:25:56 AM  
**Attachments:** [image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)

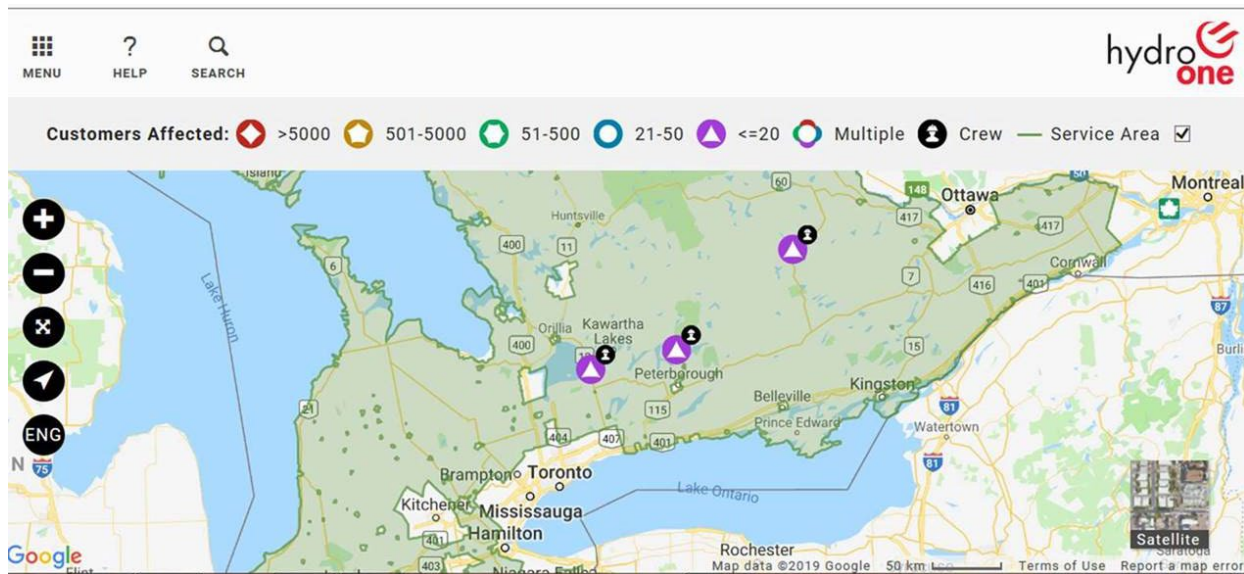
Hello,

We are in receipt of Application A5-21 dated June 3, 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

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

To confirm if Hydro One is your local distributor please follow the following link:  
<http://www.hydroone.com/StormCenter3/>

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



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

Thank you,

Best Wishes,

**Dolly Shetty**  
Real Estate Assistant | Land Use Planning

**Hydro One Networks Inc.**  
185 Clegg Road (R32)  
Markham, ON | L6G 1B7  
Email: [Dolly.Shetty@HydroOne.com](mailto:Dolly.Shetty@HydroOne.com)



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**From:** Elisha Milne <[emilne@southgate.ca](mailto:emilne@southgate.ca)>  
**Sent:** Thursday, June 3, 2021 1:53 PM  
**To:** Bell Canada ROWCC <[rowcentre@bell.ca](mailto:rowcentre@bell.ca)>; Bev Fisher <[bfisher@southgate.ca](mailto:bfisher@southgate.ca)>; Bluewater District School Board <[shelley\\_crummer@bwdsb.on.ca](mailto:shelley_crummer@bwdsb.on.ca)>; Bluewater District School Board <[jayme\\_bastarache@bwdsb.on.ca](mailto:jayme_bastarache@bwdsb.on.ca)>; Bruce Grey Catholic School Board <[al\\_hastie@bgcdsb.org](mailto:al_hastie@bgcdsb.org)>; Clinton Stredwick <[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)>; Dave Milliner <[dmilliner@southgate.ca](mailto:dmilliner@southgate.ca)>; Derek Malynyk <[firechief@southgate.ca](mailto:firechief@southgate.ca)>; Enbridge Gas <[ONTLands@enbridge.com](mailto:ONTLands@enbridge.com)>; Group: Planning Dept Emails <[Group\\_PlanningDeptEmails@grey.ca](mailto:Group_PlanningDeptEmails@grey.ca)>; Historic Saugeen Metis <[hsmasstrcc@bmts.com](mailto:hsmasstrcc@bmts.com)>; LANDUSEPLANNING <[LandUsePlanning@HydroOne.com](mailto:LandUsePlanning@HydroOne.com)>; Jessica Mole <[jmole@southgate.ca](mailto:jmole@southgate.ca)>; Jim Ellis <[jjellis@southgate.ca](mailto:jjellis@southgate.ca)>; Kevin Green <[kgreen@southgate.ca](mailto:kgreen@southgate.ca)>; Lindsey Green <[lgreen@southgate.ca](mailto:lgreen@southgate.ca)>; Martin Leyten - MTO <[Martin.Leyten@ontario.ca](mailto:Martin.Leyten@ontario.ca)>; Meagan Bruce <[M.Bruce@publichealthgreybruce.on.ca](mailto:M.Bruce@publichealthgreybruce.on.ca)>; Metis Nation of Ontario <[consultations@metisnation.org](mailto:consultations@metisnation.org)>; MMAH <[Tyler.Shantz@ontario.ca](mailto:Tyler.Shantz@ontario.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Saugeen Ojibway Nation <[exccassistant@saugeenojibwaynation.ca](mailto:exccassistant@saugeenojibwaynation.ca)>; SVCA Planning <[southgate@svca.on.ca](mailto:southgate@svca.on.ca)>; Union Gas <[ontugllandsing@uniongas.com](mailto:ontugllandsing@uniongas.com)>; William Gott <[wgott@southgate.ca](mailto:wgott@southgate.ca)>; WSP on behalf of Bell <[circulations@wsp.com](mailto:circulations@wsp.com)>  
**Subject:** A5-21 Notice of Public Hearing

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

Good Afternoon,

Please find the below link for the Notice of Public Hearing for Consent Application A5-21.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#A5-21-Don-and-Elinor-Gingerich>

The hearing has been scheduled for **June 23, 2021 @ 9AM**. Comments will be received on the above notification up until the hearing date, but if possible, please forward by **June 16, 2021** for inclusion on the public agenda.

Comments can be received by:

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

Thank you for your attention to this matter.

**Elisha Milne**  
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)  
  





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)

June 16, 2021

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

ATTENTION: Elisha Milne, Administrative & Legislative Coordinator

Dear Ms. Milne,

RE: Proposed Minor Variance A5-21 (Don and Elinor Gingerich)  
264099 Southgate Road 26  
Part Lot 13 Concession 22, Part 1 Plan 16R377  
Roll No.: 420706000212501  
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 Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

### **Purpose**

The purpose of the Variance is to permit an accessory structure to be located 7m into the front yard. The proposal requires relief from Section 5.1(b)&(e), of the by-law which requires an accessory structure to be located in a rear or side yard.

### **Background**

The owner/applicant contacted the SVCA in 2017 regarding development proposed for the property. SVCA staff (Michael Oberle) provided the owner/applicant with information at that time, and as recent as March, 2018.

### **Recommendation**

The proposed minor variance application is acceptable to SVCA staff.



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

### **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 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:**

SVCA Hazardous Lands mapping depicts the eastern portion of the property to be low in elevation associated with potential unevaluated wetlands and/or low areas that may experience poor drainage. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, generally coincides with the Hazardous Lands as plotted by SVCA staff for the property. However, the Environmental Protection (EP) Zone in the Township of Southgate Zoning By-law 19-2002, as amended, could be updated at the next available opportunity to better coincides with the Hazardous Lands as plotted by SVCA staff for the property.

Based on the plans submitted with the application, it is the opinion of SVCA staff that the location of the proposed development will all not be located in the EP zone or in the recommended update to the EP zone (Hazard Lands in the Grey County OP).

#### **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 development as proposed 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. As mentioned above, it is the opinion of SVCA staff that the area proposed for development will not be located within the Hazard Lands designation. It is the opinion of SVCA staff that the application is consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

#### **Natural Heritage:**

Based on SVCA desktop review, it is the opinion of SVCA staff that the significant natural heritage features affecting the property include significant woodlands, and 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 significant woodlands, fish habitat and its adjacent lands, 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 to include the woodlands on lands adjacent to the north and to the south 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 EIS that there will be no impact on the feature or its ecological functions. Based on the plans submitted with the application, it is the opinion of SVCA staff that development will not be within significant woodlands, therefore the preparation of an EIS is not recommended to address impacts to significant woodlands or their adjacent lands at this time.

Fish Habitat and its Adjacent Lands

Although not located on the property, an unnamed tributary of the Beatty Saugeen River flows through lands adjacent to the south of the property. The unnamed tributary is considered fish habitat by SVCA staff. Section 7.9 of the Grey County OP state 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 the feature 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. Based on the plans submitted with the application, development, specifically site alteration will encroach into the adjacent lands to fish habitat, however, as the property is far removed from the tributary and the property is separated from the tributary by Southgate Road 26, it is the opinion of SVCA staff that the preparation of an EIS is not recommended to address impacts to fish habitat or their adjacent lands at this time.

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 majority 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 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 the SVCA Approximate Screening Area 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.

For the property the SVCA Approximate Screening Area includes the larger of: any unevaluated wetlands that may be located on the property as well as a 30 metre offset distance outwards from the unevaluated wetland edge. Please note that SVCA staff have not conducted a site inspection to the property to confirm if the low areas in the eastern portion of the property are considered wetlands, or just low areas that may experience poor drainage.

#### 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 property may require permission (SVCA Permit) prior to those works commencing.

Based on the plans submitted with the application, the proposed driveway work will encroach into the SVCA Approximate Screening Area. However, it is the opinion of SVCA staff that the development and site alteration will be located more than 30 metres from any potential unevaluated wetland, and so development as proposed as part of the application will not be subject to SVCA’s regulation, and therefore permission/permit from the SVCA is not required.

#### Summary

SVCA staff has reviewed the 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 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.

Please inform this office of any decision made by the Township of Southgate with regard to the 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: Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)

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



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**Web:** [www.southgate.ca](http://www.southgate.ca)

## **Staff Report PL2021-057**

**Title of Report:** PL2021-057-A5-21- Don Gingerich

**Department:** Clerks

**Branch:** Planning Services

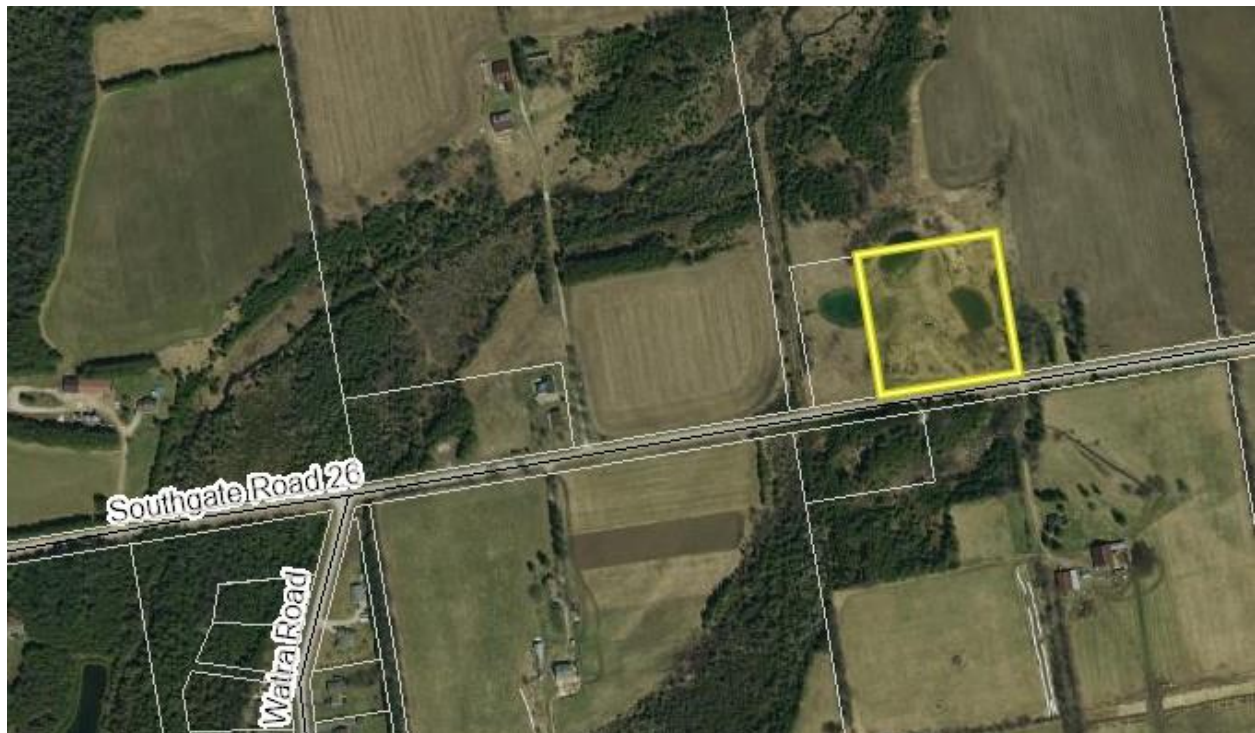
**Committee Date:** June 23, 2021

### **Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-057 for information; and

**That** the minor variance be approved.

**Property Location:** legally known as Con 22 Pt lot 13, RP 17R377 Pt 1, RP 16R8020 Pt 1, (Geographic Township of Egremont) in the Township of Southgate (see the key map below). Also described as 264099 Southgate Road 26.



## **1. APPLICATION BRIEF**

The purpose of the Minor Variance for the above lands is to permit an accessory structure to be located in the front yard. The proposal requires relief from Section 5.1(b)&(e), of the by-law which requires an accessory structure to be located in a rear or sideyard.

Applications for a variance to the Zoning By-law must be consistent with the Provincial Policy Statement and satisfy Section 45 (1) of the Planning Act.

### *Provincial Policy Statement (PPS)*

The PPS provides guidance for comprehensive planning decisions at the provincial, county, and local levels but does not address specific development provisions at the local level. The intent of the PPS as it applies to the Township of Southgate is to encourage growth and development that is suitable to the area. The proposed accessory structure in the front yard is not within a settlement area and in a rural area. In the Rural and Agricultural Area, it is not uncommon for structures to be located in the front yard when they are related to agriculture. It is also not uncommon with Rural residential lots for structures to be located in the front yard when the lot size is large enough that it makes very little difference on the streetscape.

The PPS does not prohibit accessory structures in a rural area or residential uses. It can therefore be broadly interpreted that the proposed variance is consistent with the Provincial Policy Statement as it does not specifically deal with variances to the by-law.

### *Minor Variance*

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

1. The variance must be minor in nature

The subject lands are approximately 4.23 acres (1.699 ha) in lot area with 130m +/- of frontage along Southgate Road 26 in the former Egremont Township. The property is currently developed with a House. The purpose of the variance request is to construct a 32ft X

24ft (768ft<sup>2</sup>) accessory shed in the front yard. The building will intrude approximately 19m in front of the house. The structure will still be setback approximately 20m from the front lot line.

The amount or length of the intrusion is quite significant when you consider that the building is not permitted to extend out at all beyond the front face of the house. Given that it is a rural area and the size of the lot and spacing between houses is significant the overall variance request is minor in nature. The proposal meets this test

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

The construction of an accessory shed on a residential property is an appropriate use and is considered a desirable accessory use.

The construction of a small accessory structure in the front yard will have a minimal impact on the streetscape and character of the area particularly when you consider the existing topography and tree cover for the lot. The application is considered appropriate development on the subject lands.

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

The subject lands are designated 'Agricultural' and 'Hazard' within the Township Official plan and within the County of Grey Official Plan. The intent of this designation is to allow for a variety of Agricultural uses including limited non farm agricultural uses.

An accessory shed is considered an accessory use which is permitted within the Official Plan designations. The proposal would not negatively affect the future development of the property. The Official Plan does not speak to the location of accessory structures which is addressed in the Township Zoning By-law. One of the primary reasons for the requested variance is that the remainder of the lands are hazard lands and within the Permitting area of the SVCA. The accessory shed use on the subject lands is appropriate and meets the intent and purpose of the County of Grey and Township Official Plans.

4. It must maintain the general intent and purpose of the zoning by-law  
The subject lands are zoned 'R6' Residential in the Township of Southgate Zoning By-law No. 19-2002, as amended. The R6 zone permits a single detached dwelling on a lot, a home occupation, a bed and breakfast, and uses, buildings and structures accessory to a permitted residential use. An accessory shed is permitted as an accessory structure to a residential use. Based on the site sketch and pictures provided, size of the lot and hazard area of the site, all the provisions of the R6 zone can be accommodated however the provisions of Section 5, the General provisions can not be met without intruding upon the screening area of the SVCA. Specifically, 5.1 (b) which requires that all accessory structures are located in the side or rear yard and 5.1(e) which is specific to accessory structures can not be met.

The intent of the provision is to protect the streetscape so that the general character of the neighbourhood can be maintained. It is acknowledged that the impact on the street scape will be minimal. The building will be largely screened from the road with trees and will be elevated on higher ground compared to the road. It is staff's opinion that it would be difficult to locate the structure within the side or rear yard without intruding upon the permitting area of the SVCA.

Based on the above, and the fact that it will not negatively impact the street scape, in staff's opinion the proposed variance would maintain the general purpose and intent of the Zoning By-law.

#### Comments from Public and Agencies

The Saugeen Valley Conservation Authority have reviewed the application and find it acceptable.

Hydro One has no comments or concerns at this time.

The County of Grey indicate that provided positive comments are received from the Conservation Authority County planning staff have no further concerns.

Township Public Works have no concerns with the application.

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



## 2. **SUMMARY**

This application to vary Section 5.1 (b) and (e) of the Comprehensive Zoning By-law to permit the erection of an accessory structure in the front yard **passes** the four tests of a minor variance as required by the *Planning Act*.

The planning department recommends the variance to the by-law be approved if no negative comments are received from the public.

Respectfully Submitted,

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



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

**Attachments:** None.