



**Township of Southgate  
Committee of Adjustment Agenda**

**February 23, 2022**

**9:00 AM**

**Electronic Participation**

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**Pages**

**1. Electronic Access Information**

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: **1 (647) 497-9373**

Access Code: **442 - 563 - 645 #**

**2. Call to Order**

**3. Appointment of Chair**

**Be it resolved that** the Committee appoint \_\_\_\_\_ to be the Chair of the Committee of Adjustment for the 2022 term.

**4. Appointment of Vice Chair**

**Be it resolved that** the Committee appoint \_\_\_\_\_ to be the Vice Chair of the Committee of Adjustment for the 2022 term.

**5. Confirmation of Agenda**

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

**6. Declaration of Pecuniary Interest**

**7. Adoption of Minutes**

3 - 10

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

**8. OACA 2022 Annual Conference**

**Be it resolved that** the Committee of Adjustment approve Member(s) \_\_\_\_\_ to attend the 2022 Annual OACA Conference.

**9. Hearing**

**9.1. B15-21- Murray Calder, Con 3, Pt Lot 43 RP16R11535 Part 1,  
Geographic Township of Egremont**

<b>9.1.1.</b>	<b>Application and Notice of Public Hearing</b>	<b>11 - 21</b>
<b>9.1.2.</b>	<b>Comments Received from Agencies and the Public</b>	<b>22 - 34</b>
<b>9.1.3.</b>	<b>Applicant or Agent</b>	
<b>9.1.4.</b>	<b>Committee Member Questions</b>	
<b>9.1.5.</b>	<b>Comments and Planning Report</b>	<b>35 - 41</b>
<b>9.1.6.</b>	<b>Members of the Public to Speak</b>	
<b>9.1.7.</b>	<b>Further Questions from the Committee</b>	
<b>9.1.8.</b>	<b>Approval or Refusal</b>	

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2022-012 for information; and **That** the severance be approved with the following conditions:

1. **That** the application is deferred pending comments from the conservation Authority, and confirmation that with the requested road widening and 75ft setback from the centerline of the road that the applicant will still have enough land to build the barn and meet the required setbacks.

**10. Adjournment**

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



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

November 24, 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. Appointments**

**Moved By** Member Shipston

**Seconded By** Member Milne

**Be it resolved that** the Committee appoint Holly Malynyk as Secretary-Treasurer for the Committee of Adjustment effective January 1, 2022.

**Carried**

**3. Confirmation of Agenda**

**Moved By** Member Milne  
**Seconded By** Member Sherson

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

**Carried**

**4. Declaration of Pecuniary Interest**

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

**5. Adoption of Minutes**

**Moved By** Member Shipston  
**Seconded By** Member Dobreen

**Be it resolved that** the Committee approve the minutes from the September 22, 2021 Committee of Adjustment meeting as presented.

**Carried**

**6. Hearing**

**6.1 B7-21 - NB Machining Inc., Con 11, Lot 33 & 34, Geographic Township of Proton**

**6.1.1 Application and Notice of Public Hearing**

**The Purpose** is to sever the two original Township lots being lot 33 and lot 34 which have inadvertently merged, back into to their original lot dimensions. Lot 33 will be 40.61ha and have 540.50m of Frontage on Southgate Road 14. Lot 34 will have approximately 40.61ha with 269.78m of frontage on Southgate Road 14.

**The Effect** would be to create two farm parcels of approximately 40 ha in size each with frontage on Southgate Road 14.

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

Planner Clinton Stredwick reviewed comments received from Bell, Enbridge Gas, Hydro One, Southgate Public Works, the County of Grey, and the Saugeen Valley



Conservation Authority. There were no comments received from members of the public.

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

The Agent was present and available for questions.

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

Members asked questions and staff provided responses.

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

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

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

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

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

Members asked further questions and staff provided responses.

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

**Moved By** Member Dobreen

**Seconded By** Member Shipston

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-099 for information; and

**That** the application be deferred until the County of Grey and Conservation Authority Comments have been addressed.

**Carried**

### **6.2 B11-21 - Harper Homes Inc., Con 18 S, Pt Lot 16, Geographic Township of Egremont**

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

**The Purpose** is to sever a portion of the subject lands to create a new residential lot. The retained lot which already

has a house will remain as is. The proposed severed and retained lots will have 40m of frontage and an area of 1618m<sup>2</sup>. The lots will have frontage on Southgate Road 22.

**The Effect** would be to create one new residential lot with 40m of frontage and an area of 1618m<sup>2</sup> on Southgate Road 22 in the village of Dromore.

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

Planner Clinton Stredwick reviewed comments received from Bell, the County of Grey, Enbridge Gas, Hydro One, Southgate Public Works, and the Saugeen Valley Conservation Authority. There were no comments 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 further questions and staff provided responses.

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

**Moved By** Member Frew

**Seconded By** Member Shipston

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-100 for information; and

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

1. **That** a 3m road widening be provided to the Township.
2. **That** a Zoning by-law amendment be obtained to recognize the reduced lot area.
3. **That** a survey be provided; and
4. **That** a Grading and Drainage plan be provided to address stormwater management to the satisfaction of the Township public works department and the Chief Building Official.
5. **That** all outstanding taxes, fees and charges are paid, if any.

**Carried**

### **6.3 B12-21- Ian and Perseda Martin, Con 4 SWTSR, Lot 216 to 219, Geographic Township of Proton**

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

**The Purpose** is to sever the large 80 ha farm parcel into two 40ha farms. The severed and retained lots will have 400m of frontage on Southgate Sideroad 71 and an area of approximately 40ha.

**The Effect** would be to create two farm parcels of approximately 40 ha in size each with 400m of frontage on Southgate Sideroad 71.

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

Planner Clinton Stredwick reviewed comments received from Bell, the County of Grey, Hydro One, Southgate Public Works, Enbridge Gas, and the Saugeen Valley Conservation Authority. There was one comment received from members of the public, John, and Diane Bilenki.

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

The Applicant was not in attendance.

#### **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 Members of the Committee.

### **6.3.8 Approval or Refusal**

**Moved By** Member Sherson

**Seconded By** Member Shipston

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-101 for information; and

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

1. **That** a survey is provided
2. **That** a development agreement is entered into to ensure the implementation of the conservation authority, EIS and Flood assessment recommendations are implemented.
3. **That** all outstanding fees, charges, and taxes are paid.

**Carried**

## **6.4 A8-21 - Gerald and Brenda Martin, Con 7 Pt Lot 13 RP 17R3410 Part 1, Geographic Township of Egremont**

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

**The Purpose** of the Variance is to permit an attached garage to be located closer to the side lot line. The proposal requires relief from Section 6.1(e), of the by-law

which requires the principal structure to be located 15m from the side lot line.

**The Effect** of the approval of this application would provide relief from the by-law to permit the construction of an attached garage, 9m from the side lot line. The required side yard setback is 15m.

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

Planner Clinton Stredwick reviewed comments received from Southgate Public Works, the Saugeen Valley Conservation Authority, and the County of Grey. There were no comments received from members of the public.

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

The applicant was not present.

#### **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**

There were no further questions from Members of the Committee.

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

**Moved By** Member Milne

**Seconded By** Member Frew

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-098 for information; and

**That** the Minor Variance be approved with the following conditions:

1. **That** a survey be provided if required by the CBO; and
2. **That** all outstanding taxes, fees, and charges are paid, if any.

**Carried**

**7. Adjournment**

**Moved By** Member Milne

**Be it resolved that** the Committee adjourn the meeting at 10:15AM.

**Carried**

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Chair John Woodbury

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Secretary-Treasurer Elisha Milne



## 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: B15-21

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

Date received: December 15 2021

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

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

Roll # 42 07 N40 003 16300

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	\$1,355.00 due with submitted application
	\$ 267.00 due on completion (if approved)
Public Notice Sign Fee	\$ 111.00
Parkland Dedication Fee	\$ 543.00 (all new residential lots)
Deed Stamping	\$ 327.00 due before finalization of approved consent
Conservation Authority Fee	SVCA \$ 240.00 (per each net lot created) GRCA – Call directly for details

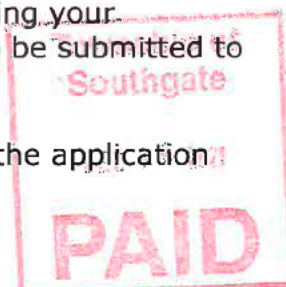
#### Note on fees:

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

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

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

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



**Part One****Owner/Agent/Application Information**

\*To be completed by the applicant

1. Name of registered owner: Murray Calder  
 Mailing address: RR#1 123330 Southgate Rd 12 Holstein, On. N0G2A0  
 Phone# : (H) [REDACTED] (B) —  
 Email Address: —
2. Name of applicant (if different than above): Esther Gingerich  
 Mailing address: 123296 Southgate Rd 12 General Delivery Holstein, On. N0G2A0  
 Phone#: [REDACTED] Email: —

**Applicant's Relationship to Subject Lands:**

- ☐ Registered Property Owner  
☐ Holder of Option to Purchase Subject Lands  
☐ Signing Officer of Corporation  
☒ Other (Specify) Neighbour wanting to purchase land

3. Name of agent: Aaron Martin  
 Mailing address: 123523 Southgate Rd 12 RR#1 Holstein, On. N0G2A0  
 Phone#: [REDACTED] Email: —
4. Send all correspondence to: (Choose only ONE) ☐ Applicant ☒ Agent
5. Preferred Method of communication: ☒ Phone ☐ email ☒ Postal Mail

**Part Two****The Subject Lands****6. Subject Land: (Legal Description)**

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

Former Municipality Egremont  
 Road Name Southgate Rd 12 Civic Address (911) No. 123330  
 Lot No. 43 Plan/Concession 3  
 Part 1 Reference Plan No. Q6R11535

**7. Description of Subject Land:****a) Existing use of the subject land:**

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

b) Existing buildings None on proposed severance. House and two sheds on retained parcel.

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

- ☐ Easement ☐ Restrictive Covenants ☐ Right of Way

Describe: N/A**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 30.2 metres

Depth 87.1 metres

Area 0.263 hectares

Dimensions of land intended  
to be RETAINED

Frontage 250.57 metres

Depth 257.065 metres

Area 8.43 hectares

*\*These dimensions must be accurate*

#### 9. Reason for severance

(a) Reason for severance Enlarge lot for a horse barn

i) New Lot ☐

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

iii) Lease/Charge ☐

iv) Easement/Right of Way ☐

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

v) Correction of Title ☐

vi) Other ☐ Specify \_\_\_\_\_

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

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

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

Existing buildings N/A

Proposed buildings Hobby Barn

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

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

Existing buildings Farm house, workshop, shed

Proposed buildings None

<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 checked="" type="checkbox"/> Commercial/Industrial
<input type="checkbox"/> Other (Specify) _____	

12. Original lot being added to (lot addition only): 123296 Southgate Rd 12

Existing buildings/structures: House and two sheds

Use: Dwelling

Access: Southgate Rd 12 + Grey Rd 109

Servicing: Private well + septic, electricity, telephone, garbage collection

13. Road Access:

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

14. Servicing:

a) What type of water supply is proposed?

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

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 ☒  
↳ not utilized at this time.

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 any area of land designated under any provincial plan or plans? ☐ Yes ☒ No

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

☐ Yes ☐ No

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

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

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

<input type="checkbox"/>	Primary Aggregate Resource Areas	<u>No</u>	<input type="checkbox"/>	ANSI	<u>No</u>
<input type="checkbox"/>	Existing/known abandoned Land Fill Sites	<u>No</u>	<input type="checkbox"/>	Deer wintering yard	<u>No</u>

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? 4+

Indicate year, file #'s, if known ~2000/01 RPGR7322, 2021 RPGR11535,  
other 2 are pre-1975

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 \_\_\_\_\_

## 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), Murray Calder 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.

[Redacted Signature]  
 Signature of Owner

Dec 16, 2021  
 date

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

\_\_\_\_\_  
 date

#### 19. Owner authorization for agent

I/we Murray Calder

authorize Aaron Martin

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

[Redacted Signature]  
 Signature of Owner

[Redacted Signature]  
 Signature of Witness

Dated at the Township of Southgate,

this 16<sup>th</sup> day of December, 2021.

#### 20. Owners authorization for access

I/we Murray Calder

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

[Redacted Signature]  
 Signature of Owner

December 16 2021  
 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) Murray Calder  
Name of Owner(s) or Authorized Agent

of the Township of Southgate 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:

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

This 16<sup>th</sup> day of December, 2021

Signature of Owner or Authorized Agent

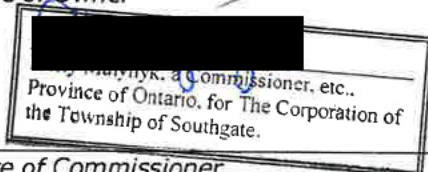
Date

[Redacted Signature]

December 16 2021

Signature of Owner

Date



Signature of Commissioner

December 16 2021  
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,  $\geq 30\%$  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? Lewis Land and Stock since ~1994

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

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

4. How long have you owned the farm? ~11 yrs (2010)
5. Area of total farm holdings: 346.83 ac / 140.36 ha
6. Number of tillable hectares: 175 ac / 70.82 ha
7. Do you own any other farm properties? ☒ Yes ☐ No

If yes, indicate locations: Lot: 43, PT 45+46, PT 53, 6 Concession: 3 for Lots 43, 45+46, 53  
 Former Township: Egremont con 13 for lot 6  
 Total Hectares: 140.36 ha

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

If yes, indicate locations: Lot: \_\_\_\_\_ Concession: \_\_\_\_\_  
 Former Township: \_\_\_\_\_  
 Total Hectares: \_\_\_\_\_

9. Adjacent and nearby farms

- a) Are there any barns on other properties within 450 m (1500 ft) of the subject lands?  
☒ Yes ☐ No

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

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

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

Poultry

- c) Indicate the number of tillable hectares on other property: 18.21 ha

- d) Indicate the size of the barn(s): 5072.45 m<sup>2</sup> active floor space

- e) Capacity of barn in terms of livestock: 73,200 broilers

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

Solid, elongated cone pile ~1,020m to the east from proposed horse barn.

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





**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 **February 23, 2022 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. B15-21**

**OWNERS:** Brenda and Murray Calder

**SUBJECT LAND:** Con 3 PT Lot 43 RP16R11535 Part 1 , Geographic Township of Egremont. The lands are further described as 123330 Southgate Road 12.

**The Purpose** is to sever a small 0.65acre lot and add it to the abutting corner lot that is only 0.35acres. The addition will allow for the construction of a small barn for maximum of 2 horses for transportation purposes. The severed lot will have frontage on Grey Road 109 and will require access for the proposed barn. The retained lot will have frontage on Grey Road 109 and Southgate Road 12 and still be approximately 20 acres in size.

**The Effect** would be to enlarge the small corner lot to 1 acre in size to allow for the small horse barn to be constructed. The retained lot will continue to be used for agriculture

**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 Ontario Land Tribunal (OLT) 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.

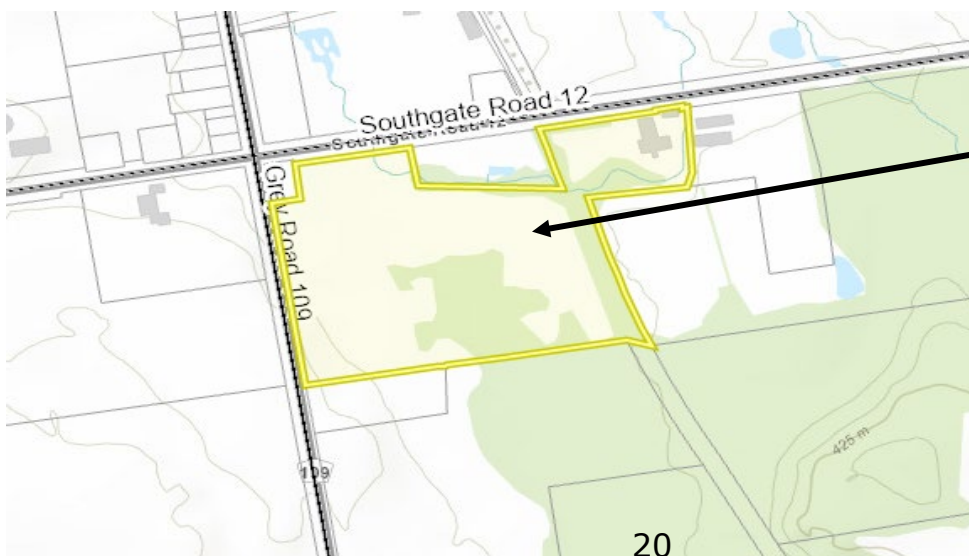
Additional information regarding this application is available at

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B15-21-Murray-Calder> 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. **B15-21**

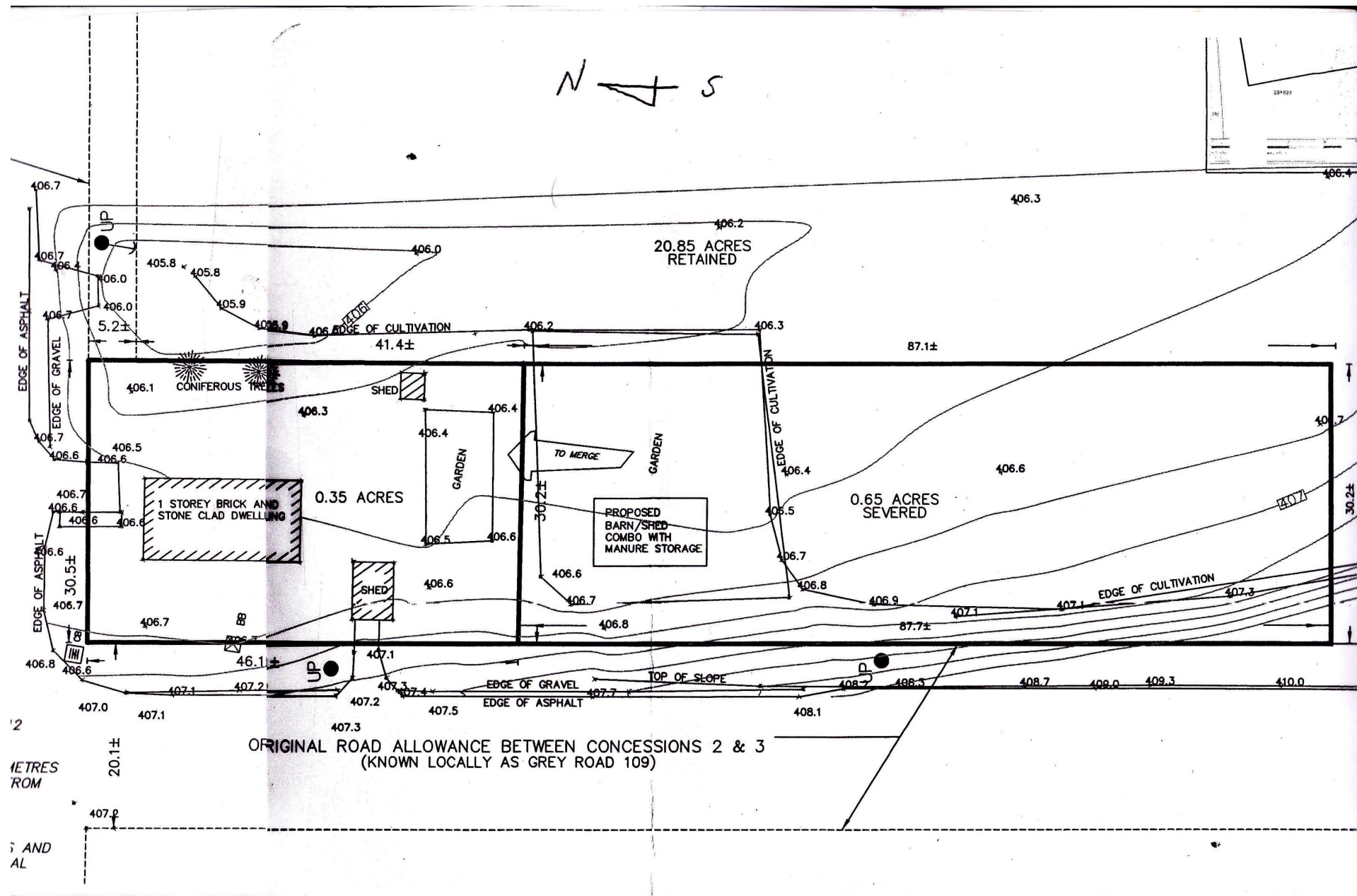
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**HOLLY MALYNYK, SECRETARY-TREASURER,**  
**COMMITTEE OF ADJUSTMENT FOR THE TOWNSHIP OF SOUTHGATE**  
**185667 GREY RD 9, DUNDALK, ON N0C 1B0**  
**(519) 923-2110 EXT 233 Toll Free 1-888-560-6607 FAX (519) 923-9262**



**Subject  
Land**





OF	<b>LEGEND:</b>  RADE	<b>AREAS</b> AREA OF ORIGINAL PARCEL: 0.35 ACRES	THIS SKETCH WAS PREPARED FOR AARON MARTIN AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.	WIL St
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**From:** Hall, Charleyne <[REDACTED]>  
**Sent:** February 1, 2022 3:58 PM  
**To:** Planning Southgate <[planning@southgate.ca](mailto:planning@southgate.ca)>  
**Subject:** 519-22-071 - Consent Application B15-21 - 123330 Southgate Road 12

Good afternoon,

Bell Canada has no concerns with Application for Consent B15-21 regarding 123330 Southgate Road 12.

Thank you,

Charleyne  
(she/her)



Right of Way & Indigenous Relations 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.

**From:** [Coordinator LRC HSM](#)  
**To:** [Holly Malynyk](#)  
**Subject:** Request for Comments - Southgate (Calder) - Proposed Consent  
**Date:** January 28, 2022 10:59:37 AM

---

Your file: B15-21

Our file: Southgate Municipality

Ms. Malynyk,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Consent application as presented.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources & Consultation  
Historic Saugeen Métis  
email: [hsmlrcc@bmts.com](mailto:hsmlrcc@bmts.com)  
phone: 519-483-4000  
site: [saugeenmetis.com](http://saugeenmetis.com)  
address: 204 High Street Southampton, ON

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## Township of Southgate

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

**Jim Ellis,**

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



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

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

**Fax:** 519-923-9262

**Cell:** 519-378-3777

### Public Works Department

Date: January 27, 2022

File No.: B15-21

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Grey County jurisdiction- Grey 109, Road 12 Twp rural paved

Road Widening Necessary? Yes ☒ No ☐

Entrance Requirements: Grey County jurisdiction -Grey 109, Road 12 Twp

Load Restricted Road: Grey 109 not load restricted, Road 12 Twp is load restricted

Comments:

Road widening

### 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  
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

February 15, 2022

Elisha Milne, Secretary-Treasurer  
Township of Southgate  
185667 Grey Road 9  
Dundalk, ON N0C 1B0

**RE: Consent Application B15.2021 AND Zoning Application C33-21  
Con 3 N PT Lot 43, and Con 3 Pt lot 43 RP 16R11535 Pt 1  
Owner: Esther Gingritch (420706000316500)  
Owner: Brenda & Murray Calder (420706000316303)**

Dear Ms. Milne,

This correspondence is in response to the above noted applications. 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 Consent Application B15.2021 is to sever a small 0.65 acre (0.26 ha) lot and add it to the abutting corner lot that is only 0.35 acres (0.142 ha). The addition will allow for the construction of a small barn for a maximum of 2 horses for transportation purposes. The severed lot will have frontage on Grey Road 109 and will require access for the proposed barn. The retained lot will have frontage on Grey Road 109 and Southgate Road 12 and still be approximately 20 acres (8 ha) in size. The Effect would be to enlarge the small corner lot to 1 acre (0.405 ha) in size to allow for the small horse barn to be constructed. The retained lot will continue to be used for agriculture.

The Purpose of the proposed zoning bylaw amendment application is to implement consent application B15.2021, to add 0.65 acres of land to a small 0.35 acre lot to allow for the construction of a horse barn. The small lot being added to is currently zoned Environmental Protection (EP) and the severed lot is currently zoned Restricted Agricultural Exception (A2-40) and Environmental Protection (EP). Both the severed lot and the lot being added to will be zoned Residential Type 5 exception (R5-XXX) to recognize the reduced front yard setback of the existing house. The retained lands will continue to be zoned A2-40 however the minimum lot size will be reduced. The Effect of the proposed zoning by-law amendment would be to change the zone symbol of the severed lands as well as the small lot from EP and A2-40 to (R5-XXX). The retained lands will continue to be zoned A2-40 and EP. Any Environmental Protection Zone Boundary adjustment will be based on Conservation Authority comments

Schedule A of the OP designates the smaller parcel as 'Secondary Settlement Area,' while the larger parcel is designated predominantly 'Secondary Settlement Area' and 'Hazard Lands,' with a small area of 'Agricultural' lands. The proposed lands to be added to the smaller parcel are contained entirely within

the Secondary Settlement Area, but do fall within the Saugeen Valley Conservation Authority Regulated Area. The County's Official Plan does not restrict lot additions within Secondary Settlement Areas, but further comments should be received from SVCA.

Section 3.6(2) states,

*Permitted uses in the areas designated as Secondary Settlement Areas are residential uses, bed and breakfast establishments, home/rural occupations, commercial and dry industrial uses, public, recreational, and institutional uses intended to support the surrounding agricultural community.*

Generally, secondary settlement areas are intended to provide a limited opportunity for growth and a range of residential opportunities and employment locations. While livestock facilities would generally be accommodated outside of settlement areas, in this case, there could be merit in permitting a small horse barn on the subject property, as the horses are intended to be used for transportation purposes, in lieu of a motorized vehicle.

Section 5.2.2(5) of the OP states, *new land uses, including the creation of lots and new or expanding livestock facilities shall comply with the Provincial MDS formulae.* In this regard, the proposed new horse barn would be situated entirely in the secondary settlement area. Section #36 of the Minimum Distance Separation Document (2016) states *MDS II setbacks are NOT required where municipalities permit first or altered livestock facilities (e.g., urban agriculture) or anaerobic digesters within approved settlement area designations, as MDS II was not designed to be used in an urban setting. However, because other issues could be considered when raising livestock in settlement areas, municipalities may choose to establish local approaches governing urban agriculture.*

Staff are aware that the proposed horse barn would be situated in the secondary settlement area where MDS is not applied. As noted in the application, the horse barn would be limited in size to accommodate a maximum of two horses, which would be utilized primarily for transportation purposes. Given that MDS does not apply in settlement areas, it is recommended that the proposed zoning amendment limit the type and number of livestock to (2) horses for transportation purposes only, in order to minimize any potential impacts for surrounding residential properties.

Appendix B of the County OP identifies 'significant woodlands', and a stream on the subject property. The lands affected by the proposed lot addition and horse barn are outside of the adjacent lands of the Significant Woodlands but may fall within the adjacent lands of the stream. It is recommended that further comments are received by SVCA.

As the subject lands have frontage on Grey Road 109, the subject applications have been circulated to Grey County's Transportation Services Department, who have provided the following comments:

- No objection to zoning application.
- Widening is required along the County Road along the proposed retained and severed portion of the lands.
- A proposed secondary access is not shown. The County's policy would not recommend a second entrance onto the County Road. Access to the new barn shall be through the existing access to the property.

- The new structure must adhere to the County's Setback Policy of 75 feet from the existing centreline of the County Road.

For further questions or clarifications on the above comments from Transportation Services, please connect with Jim Stevenson directly at [Jim.Stevenson@grey.ca](mailto:Jim.Stevenson@grey.ca)

Provided that:

- Zoning limitations are in place to ensure the proposed barn would accommodate a maximum of (2) horses for transportation purposes;
- Positive comments are received from SVCA; and
- The above comments from Transportation Services are applied and road widening is allocated to the County;

The County has no further concerns with the subject application.

The County requests notice of any decision rendered with respect to these files.

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

Yours truly,

A handwritten signature in black ink, appearing to read 'R. Hillyer' with a stylized flourish at the end.

Becky Hillyer

Planner  
(519) 372-0219 ext. 1233  
[becky.hillyer@grey.ca](mailto:becky.hillyer@grey.ca)  
[www.grey.ca](http://www.grey.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: hmalynyk@southgate.ca

February 17, 2022

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

ATTENTION: Holly Malynyk, Administrative and Legislative Assistant

Dear Ms. Malynyk,

RE: Consent B-15-21 (Calder) and Proposed Zoning By-law Amendment C-33-21 (Gingrich)  
123330 Southgate Road 12; and 123296 Southgate Road 12  
Part Lot 43 Concession 3 EGR, Con 3 PT Lot 43 Part 1 Plan 16R11535; and  
North Part Lot 43 Con 3  
Roll Nos.: 420706000316300 and 420706000316500  
Geographic Township of Egremont  
Township of Southgate

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Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications 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 applications have 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.

SVCA staff are commenting to both B-15-21 (Calder) and C-33-21 (Gingrich) in the same correspondence as the applications are directly related.

### **Purpose**

The purpose of the consent application is to sever a small 0.65 acre lot and add it to the abutting corner lot that is 0.35 acres. The addition will allow for the construction of a small barn for maximum of 2 horses for transportation purposes. The severed lot will have frontage on Grey Road 109 and will require access for the proposed barn. The retained lot will have frontage on Grey Road 109 and Southgate Road 12 and still be approximately 20 acres in size. The Effect of the consent application would be to enlarge the small corner lot to 1 acre in size to allow for the small horse barn to be constructed. The retained lot will continue to be used for agriculture.



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



The purpose of the proposed zoning bylaw amendment application is to implement a consent application to add 0.65 acres of land to a small 0.35 acre lot to allow for the construction of a horse barn. The small lot being added to is currently zoned Environmental Protection (EP) and the severed lot is currently zoned Restricted Agricultural Exception (A2-40) and Environmental Protection (EP). Both the severed lot and the lot being added to will be zoned Residential Type 5 exception (R5-XXX) to recognize the reduced front yard setback of the existing house. The retained lands will continue to be zoned A2-40 however the minimum lot size will be reduced. The effect of the proposed zoning by-law amendment would be to change the zone symbol of the severed lands as well as the small lot from EP and A2-40 to (R5-XXX). The retained lands will continue to be zoned A2-40 and EP. Any Environmental Protection Zone Boundary adjustment will be based on Conservation Authority comments.

### **Background**

On February 16, 2020, the SVCA was contacted by Mr. Aaron Martin (agent) on behalf of Ms. Esther Gingerich regarding the proposed construction of a proposed horse barn. Mr. Aaron Martin indicated that a severance of land was also being proposed to allow for a larger corner lot to construct the proposed horse barn. SVCA staff (Michael Oberle) verbally indicated to Mr. Aaron Martin that the entirety of the corner lot and surrounding lands were in the Regulatory Floodplain associated with a tributary to the Norman Reeves Creek, and that the floodplain was based on the Village of Holstein engineered floodplain mapping. Furthermore, that in order for the proposal to be supported by the SVCA, that the flood hazard would have to be addressed. SVCA staff indicated specifically that a cut-fill balance would need to be calculated that demonstrated no additional fill material being deposited in the floodplain, furthermore, that the proposed building would be required to be located above the flood elevation. SVCA staff have been in contact with Wilson-Ford Surveying and Engineering since September 10, 2021, and we have indicated to Wilson-Ford the SVCA requirements for the proposal.

### **Recommendation**

Notwithstanding the ability to mitigate the flood hazard as indicated on the attached site plan, it is SVCA staff's interpretation the proposal is not in conformance with the natural hazard policies of the Province, Township of Southgate Official Plan (OP) and, Grey County OP. Please see below for more information.

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

**SVCA staff has reviewed the applications 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 applications 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:**

In the opinion of SVCA staff, the entirety of the corner lot, and the parcel to be severed and merged with the corner lot are within the Regulatory Floodplain associated with a tributary to the Norman Reeves Creek. While the proposal for horse barn will be located within the floodplain, SVCA staff note that the proposal for the horse barn is to be located /outside of the 100 year floodplain, but will still be located at the limits of the Regional/Regulatory (also known as the Hurricane Hazel Flood Event Standard) floodplain. For reference, please see attached SVCA mapping for the property.

In accordance with Provincial policy/guidelines, the floodplain is considered One-Zone, where the entirety of the floodplain is deemed to be floodway.

SVCA staff note that in Schedule A, land use designations of the Grey County Official Plan (OP) and in the Township of Southgate OP, both the corner lot and the parcel to be severed and merged with the corner lot are shown as Secondary Settlement Area. However, it is the opinion of SVCA staff that these lots should be designated as Hazard Lands to reflect the Saugeen Valley Conservation Authority Holstein Floodplain Mapping study prepared by BM Ross and Associates Ltd., dated May 2000. It is the recommendation of SVCA staff that this change occur at the next available opportunity.

Furthermore, SVCA staff note that the entirety of the corner lot, and almost all of the parcel to be severed and merged with the corner lot, are zoned as Environmental Protection (EP) in the Township of Southgate Zoning By-law No. 19-2002, as amended. SVCA staff note that the current EP zone for the corner lot and for the parcel to be severed and merged with the corner lot reflects the floodplain as shown on SVCA floodplain mapping noted above. Should the approval authority approve the applications, SVCA staff recommend that the corner lot and the parcel to be severed and merged with the corner lot remain zoned EP to recognize the floodplain. SVCA staff would not have any objection to a zoning by-law amendment that proposes an 'EP-special' notation to recognize the existing dwelling.

It is SVCA staff's interpretation, that, no new buildings or structures are permitted within the Hazard Lands designations or the EP zone.

#### Provincial Policy Statement – Section 3.1

Section 3.1.1 b) and c) of the PPS, 2020 states, in part that development shall generally be directed to areas outside of hazardous lands adjacent to rivers/streams which are impacted by flooding hazards; and hazardous sites.

Furthermore section 3.1.2 d) of the PPS, 2020 states in part that development and site alteration shall not be permitted within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

SVCA staff note that while a cut-fill balance has been shown on the site plan submitted with the applications, and the site plan appears to mitigate the flood hazard, the proposed applications/development do not conform to the above PPS policy because the entirety of the floodplain is deemed by the Province to be floodway (One-Zone).

#### Township of Southgate Official Plan and Grey County Official Plan

It is SVCA staff's interpretation, that Section 7.2.3 of the Grey County OP and Section 6.2.2.1 of the Southgate OP state in part that buildings and structures are generally not permitted in the Hazard Lands land use type.

Furthermore, Section 7.2 4) of the County OP states in part that development and site alteration is not permitted within the floodway portion of the floodplain. The floodway is the entire floodplain, unless the Two-Zone concept is in use.

Section 5.3.3 of the Township's OP, as interpreted by SVCA staff, also does not support new development within the existing floodplain, until such time the floodplain mapping is revised for the Village of Holstein.

SVCA staff note that while the cut-fill balance as shown on the attached site plan appears to mitigate the flood hazard, it is staff's interpretation, the proposed applications/development do not conform to the above County and Township natural hazard policies.

#### **Natural Heritage:**

It is the opinion of SVCA staff that the natural heritage features and areas affecting the property include: 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 fish habitat and its adjacent lands, 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

##### Fish Habitat

A tributary of Norman Reeves Creek flows through lands adjacent to 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. Regardless, it is the opinion of SVCA staff that the preparation of an Environmental Impact Study (EIS) to address potential impacts to the adjacent lands to fish habitat may be waived in accordance with section 7.11.3 of the Grey County OP as impacts to fish habitat are likely to be negligible based on the proposal. Therefore, in the opinion of SVCA staff, fish habitat and its adjacent lands policies have been satisfactorily addressed according to the Grey County OP and the Southgate OP.

##### Habitat of Endangered Species and Threatened 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 OPS 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 applications 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 entirety of the corner lot, and the entirety of the parcel to be severed and merged with the corner lot are within the SVCA Approximate Regulated Area associated with the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act*, R.S.O. Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a wetland or watercourse.

"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 Regulated Area is located associated with our Regulation on the properties, 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 corner lot, and the parcel to be severed and merged with the corner lot, the SVCA Approximate Regulated Area includes natural hazards, specifically the floodplain of the watercourse, and an offset distance of 15 metres outwards from floodplain edge.

#### SVCA Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage is proposed on the corner lot, and/or on the parcel to be severed and merged with the corner lot, the SVCA should be contacted, as permission will be required.

As mentioned above, the SVCA has been in contact with Mr. Aaron Martin (on behalf of Ms. Ester Gingrich) and Wilson-Ford Surveying and Engineering regarding the SVCA Regulatory process (SVCA permit process) for the proposed barn. An SVCA permit will be required for the proposed development; and can be issued for the proposal for barn and site alteration required for the proposal. When ready to do so, the owner/applicant will be required to submit an SVCA application form and pay SVCA permit fee.

Township of Southgate  
B-15-21 (Calder) and C-33-21 (Gingrich)  
February 17, 2022  
Page 6 of 6

### Summary

SVCA staff has reviewed the applications 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 not been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated, with the exception of habitat of endangered species and threatened species, which must be addressed by the applicant/owner;
- 3) Consistency with Grey County OP and Township of Southgate OP policies for natural hazards has not been demonstrated.
- 4) Consistency with Grey County OP and Township of Southgate OP policies for and natural heritage has been demonstrated, with the exception of habitat of endangered species and threatened species, which must be addressed by the applicant/owner; and,

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

Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/







Enclosure: SVCA map

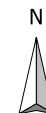
cc: Barbara Dobreen, SVCA Member representing the Township of Southgate (via email)



Aaron Martin for  
Ester Gingrich  
123296 SG Rd 12,  
Egremont, Southgate  
w/ contours

### Legend

-  Hazard Land
-  SVCA Approximate Screening Area Limit
-  Regulatory Flood Line
-  100 Year Flood Line
-  Watercourse
-  Parcel Fabric



UTM Zone 17N, NAD 83

1:1000

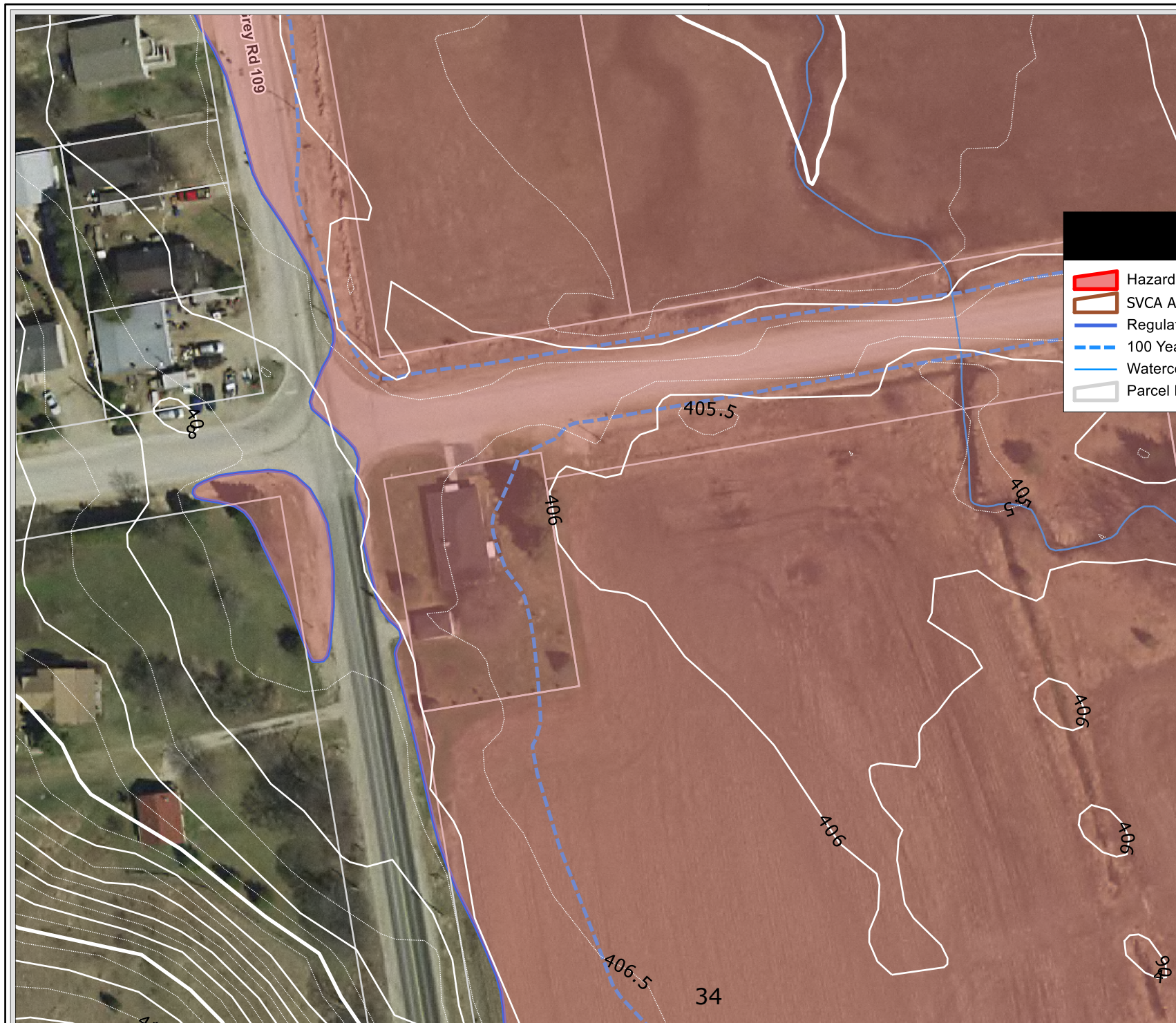
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February 19, 2021





**Township of Southgate**  
**Administration Office**  
185667 Grey Road 9, RR 1  
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## **Staff Report PL2022-012**

**Title of Report:** PL2022-012-B15-21-Murray Calder  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** February 23, 2022

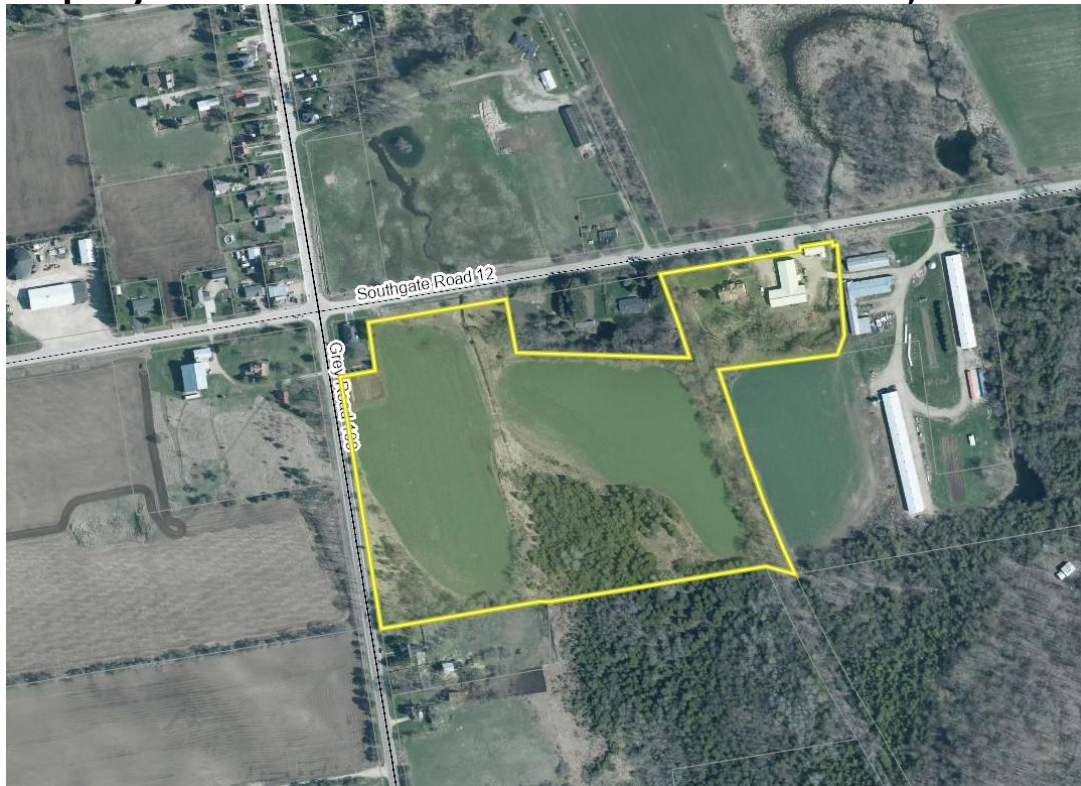
**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2022-012 for information; and

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

- 1. That** the application is deferred pending comments from the conservation Authority, and confirmation that with the requested road widening and 75ft setback from the centerline of the road that the applicant will still have enough land to build the barn and meet the required setbacks.

**Property Location: EGREMONT CON 3 PT LOT 43 RP;16R11535 PART 1**



**The Proposal:**

The proposal is to sever a small 0.65acre lot and add it to the abutting corner lot that is only 0.35acres. The addition will allow for the construction of a small barn for maximum of 2 horses for transportation purposes. The severed lot will have frontage on Grey Road 109 and will require access for the proposed barn. The retained lot will have frontage on Grey Road 109 and Southgate Road 12 and still be approximately 20 acres in size.

The effect is to enlarge the small corner lot to 1 acre in size to allow for the small horse barn to be constructed. The retained lot will continue to be used for agriculture.

**Background:**

The consent file B15-21 can be viewed at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B15-21-Murray-Calder>

The Comments received to date on the consent application B5-21 are as follows:

Bell Canada has no concerns

Saugeen Valley Conservation Authority Comments: None received as of the writing of this report.

The Historic Saugeen Metis have no objection or opposition to the proposal.

Public Works Department indicates that it is Grey County jurisdiction as there is frontage on Grey Road 109. Township Road 12 is a load restricted road.

SVCA finds the Consent acceptable to SVCA staff.

County of Grey- Provided that zoning limitations are in place to ensure the proposed barn would accommodate a maximum of (2) horses for transportation purposes; positive comments are received from the SVCA, and that Grey county transportation comments are applied and the road widening allocated to the county. County Transportation comments are listed below.

- Widening of 5.182m (17ft) is required along the County Road along the proposed retained and severed portion of the lands.
- A proposed secondary access is not shown. The County's policy would not recommend a second entrance onto the County Road. Access to the new barn shall be through the existing access to the property.
- The new structure must adhere to the County's Setback Policy of 75 feet from the existing centreline of the County Road.

**Staff Comment**



The proposed location of the barn is within an area zoned as Environmental Protection (EP) so it is essential that we have confirmation from the Conservation Authority before proceeding with the severance that the lands can be build on.

The comments from the County of Grey, particularly the setback requirements and the road widening make it difficult to determine if the barn can be accommodated on the current proposed lot. Additional lands may be required as a result. Based on these comments it is recommended that the application be deferred until additional information is provided from the SVCA and confirmation from the applicant that the size of barn that they want can be placed on the subject lands.

### **Policy Review:**

All applications must be reviewed against Provincial, County and Township policy and all applications must be consistent with those policies. The lands are considered to be within a settlement area within the Provincial Policy Statement.

The Provincial Policy Statement allows for consents within settlement areas however both the severed and retained lots should be developable. The amount of land to be added to the residential lot is a minimal amount to accommodate the construction of a barn for two horses.

The Hazard lands identified on the severed parcel must be verified to be developable before the severance can proceed.

MDS is not applicable within settlement areas nor when the use is for horses for transportation purposes.

The Township of Southgate Official Plan permits lot additions within the Village community designation. Provided both the severed and retained lots can be developed. The permitted uses and special policy for the Holstein village community are quoted below.

#### **"5.3.1 Permitted Uses**

*Permitted Uses shall include:*

*i. Residential uses, bed and breakfast establishments, home/rural occupations, commercial and dry industrial uses, public recreational and institutional uses intended to support the surrounding agricultural community.*

#### **5.3.2 Development Policies**

*1. Village Communities are intended to provide a limited opportunity for growth and to provide a range of living styles and employment opportunities.*

*2. No residential development in excess of 5 units nor new commercial or industrial uses will be considered in the Village Community designation unless it can be shown that the proposed uses can be accommodated by private service; that site conditions are suitable for the long term provision of these services.*

*Where private communal sewage and water services are proposed, it must be shown that the systems are provided in a manner that:*

- a. can be sustained by the water resources upon which such services rely;*
- b. is financially viable and complies with all regulatory requirements; and*
- c. protects human health and the natural environment.*

*3. Expansion of the Village Community boundaries is not anticipated during the planning period.*

*4. The maximum density permitted within the Village Community designations shall be 2.5 units per hectare (1 unit per acre). The density may be increased pursuant to the Ministry of the Environment Reasonable Use Guidelines. Should municipal water and sewer and treatment facilities be provided within any Village Community designation, the maximum density requirement of this policy shall not apply.*

*5. That adequate drainage and outlets are available for storm water runoff. Approval of drainage provisions may be required from the Municipality and subject to the Ontario Water Resources Act.*

Staff Comment: The proposed lot addition for the residential use is consistent with the Official Plan as it enlarges an extremely undersized lot and does not create a new development lot.

### **5.3.3 Village Community of Holstein**

*With a population of approximately 180 persons, the Village Community of Holstein represents the second most populated settlement area within the Municipality. The Village of Holstein is located in the valley of the Norman Reeves Tributary of the Beatty Saugeen River. Portions of the growth and development in the community have been located within the natural floodplain area. Development in the community is limited based on the lack of municipal water and sanitary sewers and the extensive floodplain area.*

*The floodplain mapping depicted as Hazard Lands on Schedule A-2 is the approved Regional Storm Floodplain mapping for Norman Reeves Creek and its tributary system. (Approved by the Conservation Authority)*

*Until such time as municipal water and sanitary sewer and treatment system to serve development becomes available, major new development is not anticipated. Specific policies include:*

- a. New development considered infilling or on lands already appropriately zoned and on private services must be based on:*

*i. evidence of the site's suitability to provide an adequate quality and quantity of water supply; and*  
*ii. evidence of the site's suitability in terms of lot size, to accommodate an approved sanitary sewerage disposal system.*

*b. Development may occur at a greater density than identified above should the provision of municipal water and municipal sanitary sewer and treatment services be provided.*

*c. All new development must be located outside of the established flood control area.*

*The "Floodplain Control Study – Village of Holstein" provides for possible recommendations of future flood control work, including the,*

*i. raising of the existing bridge structure by 300 mm; and,*  
*ii. construction of a flood wall on the upstream embankment in order to prevent the possibility of downstream flooding.*

*Once the above flood control works are designed, approved and implemented, and the floodplain mapping is remodelled, the floodplain mapping will then be incorporated into this Plan as an amendment. Until such time as the flood plain mapping is revised, no new development is permitted within the existing floodplain area."*

Staff Comment: Based on this section of the Official Plan comments are critical to ensure that the severed lot can be built on without causing any issues with the Flood plan of Holstein.

The proposed consent conforms to the County and Township Official Plans

## **Zoning**

The subject lands are currently zoned Restricted Agriculture exception (A2-40) and Environmental Protection (EP). The lands to be added to are zoned as Environmental Protection (EP). Comments must be received from the SVCA to verify if the lands can be built upon without affecting the flood plane our Environmental Protection Area.

The A2-40 zone will need to be amendment to recognize a slightly reduced lot area. The severed lot will be rezoned to the R5 zone. It is difficult to tell if the proposed severed lot will be of sufficient size to accommodate the barn once the road widening and centerline setback are taken into consideration. Enlargement of the severed parcel may be required. If the applicant choses to not enlarge the lot further but amend the zone standards,( which is not recommended) then an exception to the R5 zone would be required to accommodate the barn.

Based on this lack of information it is recommended that the application be deferred.

**Financial Implications:**

There are no financial implications to this proposal.

**Concluding Comments:**

Based on the above, comments received it is recommended that the consent be deferred.

Respectfully Submitted,

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

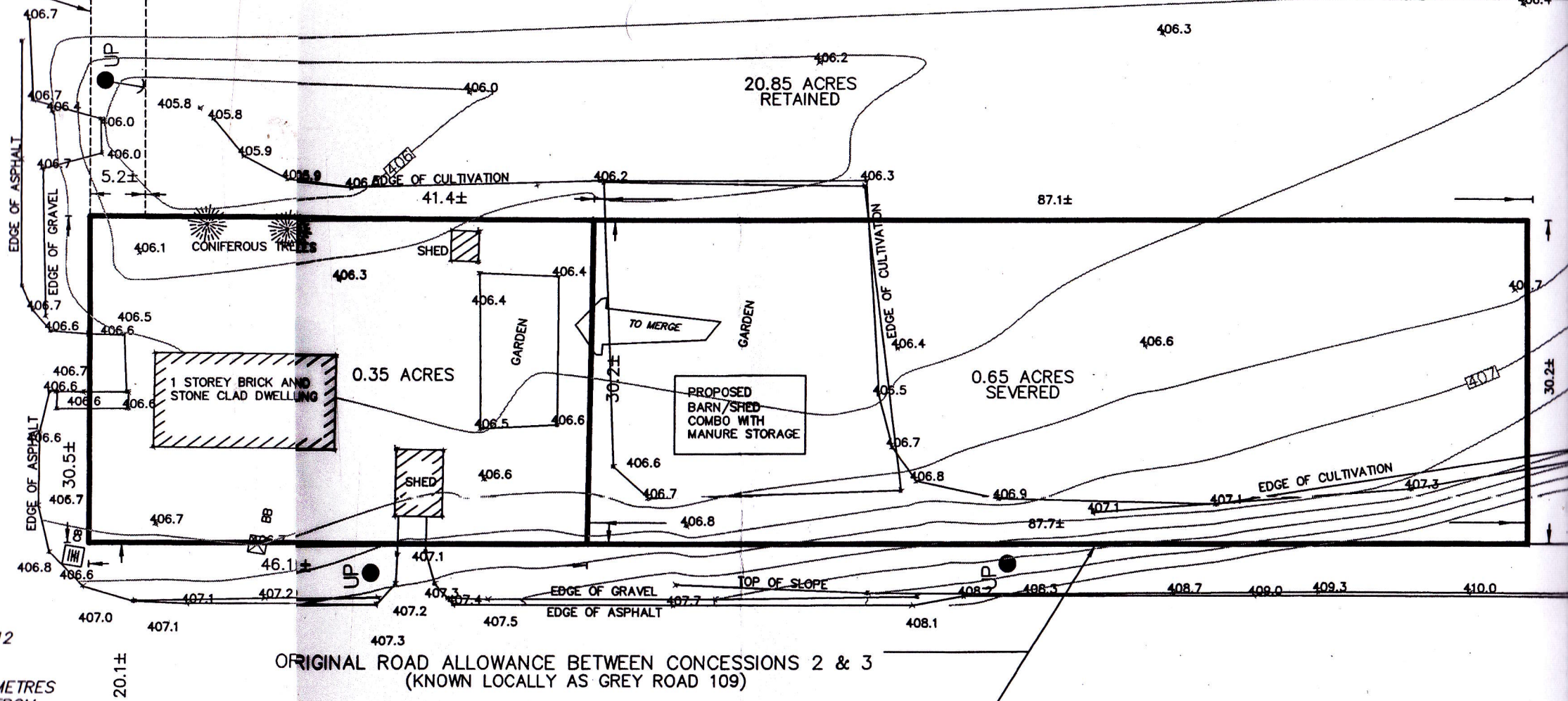


**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:**

1. Consent Sketch showing proposed lots.

N  S



LEGEND:

RADE

AREAS

AREA OF ORIGINAL PARCEL: 0.35 ACRES

41

THIS SKETCH WAS PREPARED FOR AARON MARTIN  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY OTHER PARTIES.

WIL  
SU