



**Township of Southgate
Public Planning Meeting Agenda**

February 23, 2022

1:00 PM

Electronic Participation

Pages

1. Electronic Access Information

If you wish to listen to the Public Planning meeting 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. Public Meeting

- 3.1. C33-21 - Esther Gingrich, Con 3 N Pt Lot 43 and Con 3 PT Lot 43 RP 16R11535 Pt 1 , Geographic Township of Egremont**

3.1.1. Background

The Purpose of the zoning bylaw amendment application is to implement a consent application to add 0.65 acres of land to a small 0.35 acre 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 the 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.

3.1.2. Application and Notice of Public Meeting 4 - 19

3.1.3. Comments Received from Agencies and the Public 20 - 32

3.1.4. Questions from Council

3.1.5. Applicant or Agent

3.1.6. Members of the Public to Speak

3.1.7. Further Questions from Council

3.2. C34-21 - Moses and Anna Bauman, Con 14 Lot 15, Geographic Township of Proton

3.2.1. Background

The Purpose of the proposed zoning bylaw amendment application is to allow for an Agricultural related use being a small scale Industrial Use shop. The owners wish to add the shop to the list of permitted uses for the Agricultural A1 zone. The shop, including office and power room is supposed to be up to 750m² with outside storage of approximately 500m².

The Effect of the proposed zoning by-law amendment would be to change the zone on a portion of the subject lands to permit the Industrial Use shop within the agricultural except zone (A1-XXX). Any Environmental Protection Zone Boundary may be based on Conservation Authority comments.

3.2.2.	Application and Notice of Public Meeting	33 - 51
3.2.3.	Comments Received from Agencies and the Public	52 - 60
3.2.4.	Questions from Council	
3.2.5.	Applicant or Agent	
3.2.6.	Members of the Public to Speak	
3.2.7.	Further Questions from Council	

4. Adjournment

The meeting adjourned at 1:30PM.



**The corporation of
The Township of Southgate**

**Application for planning amendment
Official plan and zoning by-law**

**** Pre-consultation is required with the Township before any zoning or official plan amendment applications will be accepted (By-law 66-2012)****

Instructions:

- Please check all applicable boxes and answer all applicable questions
- 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
- Further information is on the last two pages for your reference
- Applications are not accepted without the required fees
- All applications for zoning by-law amendment or Official Plan Amendment must

For office use only

File no: C33-21
Pre-Consult Date: _____
Date received: Dec 15 2021
Date accepted: _____
Accepted by: _____
Roll # 42 07 060003 16500
Conservation authority fee required: _____
Other information: _____

Pursuant to one or more of the following Sections 22, 34, 36, and/or 39 of the *Planning Act*, as amended, I/we submit an application for: (check appropriate box)

- | | |
|--|--|
| <input type="checkbox"/> Amendment to the Official Plan | Minor \$1,625.00 application fee <i>plus</i>
\$2,000.00 contingency fee |
| | Major \$2,708.00 application fee <i>plus</i>
\$5,000.00 contingency fee |

**contingency fee required for all Official Plan Amendment applications*

- | | |
|--|----------------------------------|
| <input type="checkbox"/> Amendment to the Zoning By-law | \$1,300.00 application fee |
| | Major \$2,166.00 application fee |
| | Major \$2,500.00 contingency fee |

**contingency fee required only for complex applications*

- | | |
|--|---|
| <input type="checkbox"/> Removal of a Holding Provision
with a related Site Plan Application | \$542.00 application fee
or \$542.00 application fee |
|--|---|

- | | |
|--|--|
| <input type="checkbox"/> Temporary Use By-Law Amendment | \$1,625.00 application fee <i>plus</i>
\$111.00 agreement fee <i>plus</i>
\$2,500.00 contingency fee |
|--|--|

Other Required Fees:

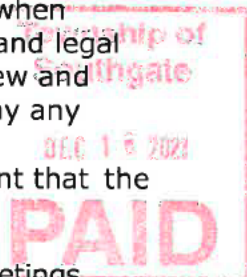
- | | |
|---|---|
| <input type="checkbox"/> Public Notice Sign Fee | \$111.00 |
| <input type="checkbox"/> Conservation Authority Fees | SVCA \$240.00
GRCA Call directly for details |

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

Contingency fees will be utilized to cover costs associated with this application when deemed necessary by the Township of Southgate, i.e. professional consultants and legal advice. Any portion of the contingency fee not used in connection with the review and completion of an application will be returned. The applicant further agrees to pay any additional costs and expenses beyond the initial contingency fee which shall be determined by staff of the Corporation of the Township of Southgate in the event that the amount of the initial contingency fee taken is insufficient.

Be advised that the applicant or a representative is expected to appear at any meetings (including the public meeting) to explain the proposal and answer any questions that may arise. Failure to do so may result in deferral of the application and increased costs.



Part A

Owner/Agent/Application information

*to be completed by the applicant

1. Name of registered owner: Esther Gingrich

Mailing address: 123296 Southgate Rd 12 Holstein ON N0G2A0

Phone# : (H) [REDACTED] (B) —

Email Address: —

2. Name of applicant: Aaron Martin

Mailing address: 123523 Southgate Rd. 12 RR1 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] will do paper work & take phone calls

3. Name of agent (if applicable) Aaron Martin

Mailing address: 123523 Southgate Rd. 12 RR1 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

6. Name any mortgages, charges or encumbrances, in respect to the subject lands:

Mailing Address: —

Phone#: —

Part B

The subject lands

7. Location of subject property (former municipality):

☒ Township of Egremont

☐ Township of Proton

☐ Village of Dundalk

Road/street and number: Southgate Rd 12 123296

Tax Roll #: 42 07 060 003 16500 0000

Lot 43

Concession 3 N PT LOT

Lot — of — Plan —

8. The date the subject land was acquired by the current owner: —

9. Dimensions of subject property:

frontage 30.5 m depth 133.8 m area 0.404 sq m/ha

10. Description of the area affected by this application if only a portion of the entire

property Newly Severed 0.65 Acre parcel South of dwelling + Garden

11. Abutting and nearby lands uses

(a) Interest in abutting lands - does the owner or applicant of the subject lands own or have a legal interest in any lands abutting the subject lands? Yes ☒ No ☐

If yes, describe to what extent Owns parcel North of Subject Land

(b) Use of abutting and nearby lands - describe the present use on all properties abutting and opposite the subject lands.

North Residence/Small Farm SA/EP East Field Crops/Chicken Farm SA/EP
South Field Crops SA/EP West Residence/Small Farm Settlement Area

(c) Agricultural livestock operations

☒ if an existing livestock operation is located within 450 metres of the subject lands, prepare a sketch showing locations and approximate size of livestock barns (as per Additional Requirements 20. (b) request) and you must fill out Schedule "A".

12. Environmental Constraints

Indicate whether any of the following environmental constraints apply to the subject lands:

Wetlands	<input type="checkbox"/>	Specialty Crop Lands	<input type="checkbox"/>
Floodplains	<input checked="" type="checkbox"/>	ANSI's (areas of natural or scientific interest)	<input type="checkbox"/>
Streams, Ravines and Lakes	<input type="checkbox"/>	Aggregate Resources	<input type="checkbox"/>
Water Resources	<input type="checkbox"/>	Thin Overburden	<input type="checkbox"/>
Wooded Areas & Forest Management	<input type="checkbox"/>	Solid Waste Management	<input type="checkbox"/>
Fisheries, Wildlife & Environment	<input type="checkbox"/>	Sewage Treatment Plant	<input type="checkbox"/>
Heritage Resources	<input type="checkbox"/>		

13. Official Plan

Indicate the current Official Plan Designation:

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

14. Zoning By-law

Present zoning Secondary Settlement Area / EP
Requested zoning Allow Horse Barn

15. Specific proposed use(s) of subject property that this amendment would authorize: (provide a sketch showing locations and approximate size for each building or structure)

Build Horse Barn with walled area for
temporary manure storage

For Official Plan Amendment Applications Only:

14.

16. Please answer the following about this proposed Official Plan Amendment:

Does this application change or replace a designation in the Official Plan?

Changes ☒ Replaces ☐

17. Is this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes ☐ No ☒

If yes, please provide the details of the official plan or the official plan amendment that deals with this matter.

18. Does this application propose to remove land from an area of employment?

Yes ☐ No ☐

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

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

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

Type of building/structure Horse Barn

Setbacks:

front lot line 55 m

rear lot line 67.5 m

side lot line 8.5 m from West lot line

Building/structure:

height 22 ft dimensions / floor area 960 sq ft / 89.19 m²

20. The date the existing building(s) or structure(s) on the subject land were constructed: House ~ 1954

21. The length of time that the existing uses of the subject land have continued:

22. If proposed use is residential, indicate proximity of subject lands to community facilities (parks, schools, etc.):

23. Specific reason(s) for requesting amendment(s), if not sufficient space, a cover letter should be attached:

Allow a horse barn for a carriage horse

24. Has the subject land ever been the subject of a Zoning By-law Amendment?

Yes ☒ No ☐ Unknown ☐

If yes, and if known, specify the file number and status of the application:

A2-40, A2-248, EP-464, all complete

Servicing for subject land

25. Facilities existing or proposed for subject lands:

type of access

existing proposed

_____ provincial highway

☒ _____ municipal road, maintained year round

_____ municipal road, seasonally maintained

☒ _____ other public road

please specify Grey Rd 109

_____ right of way available

please specify _____

_____ water access available

Describe the parking and docking facilities and the approximate distance of these facilities

type of water supply

existing proposed

_____ municipally operated piped water system

Yes _____ privately owned/operated individual well

_____ privately owned/operated communal well

_____ lake or other water body

please specify _____

_____ other means

please specify _____

type of storm water management

existing proposed

_____ storm drainage sewer pipe

☒ _____ ditch

_____ swale

_____ other means

please specify _____

type of sewage disposal

existing proposed

_____ municipally operated sanitary sewers

☒ privately owned/operated individual septic

_____ privately owned/operated communal septic

_____ privy

_____ other means

please specify _____

26. Is there an approved Site Plan and/or a Site Plan Control Agreement in effect on any portion of the subject lands?

Yes ☐ No ☒

If yes, has an amendment to the Site Plan and/or Agreement been applied for?

Yes ☐ No ☐

27. Are there any easements, rights-of-way, restrictions, covenants, or other agreements applicable to the subject lands? (if yes, describe what they are and include applicable Site Plan if applicable.)

Yes ☐ No ☒

Part C
The proposal

28. Describe the **nature** and extent of the relief applied for and the proposed use of the subject lands.

Allow Barn for 1 or 2 horses

29. Describe the reasons for the proposed amendment(s).

Barn is not allowed in the settlement area.

30. Describe the timing of the proposed development, including phasing.

June 2022 start, finish in August.

31. Additional Supporting Documents

List any supporting documents: (e.g. Environmental Impact Study, Hydrologic Report, Traffic Study, Market Area Study, Aggregate License Report, Storm Water Management Report)

Building Plan, Lot diagrams, building location, manure agreement

Part D
Statement of compliance

32. Is this application consistent with the policy statements issued under subsection 3(1) of the Planning Act?
Yes ☒ No ☐
33. Is the subject land within an area of land designated under any provincial plan or plans?
Yes ☐ No ☒

If yes, explain how the application conforms with or does not conflict with the applicable provincial plan or plans.

Additional requirements

34. Supplementary and support material to accompany application, where applicable
- a) a survey of the property prepared by an Ontario Land Surveyor indicating topographical contours and other natural and artificial features such as existing buildings and their uses, railways, highways, pipelines, ditches, swamps, watercourses, drainage, and wooded areas within or adjacent to the subject land. This survey should clearly indicate the land which is the subject of the amendment.

OR

- b) a sketch *drawn to scale* showing the following:
 - 1) Boundaries and dimensions of the subject land.
 - 2) Location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
 - 3) 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, roads, watercourses, drainage ditch, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - 4) Current use(s) on land that is adjacent to the subject land.
 - 5) Location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
 - 6) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
 - 7) Location and nature of any easement affecting the subject land.
 - 8) North Arrow

Other information

35. Is there any other information that you think may be useful to the municipality or other agencies in reviewing the application? If so, explain below or attach on a separate page:

Authorization and affidavit

36. 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 documents I (we),

Esther Gingrich and _____
Name of Owner(s)

hereby acknowledge the above-noted and provide my (our) consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

Signature of Owner _____ date Dec 16 2021

Signature of Owner	date
--------------------	------

37. Owner's Authorization for Agent

I(we), Esther Gingrich and _____
Name of Owner(s)

hereby authorize Aaron Martin to act as
our agent(s) for the purpose of this application.

Signature of Owner _____ date Dec 16 2021

Signature of Owner _____ date _____

38. Owner's Authorization for Access

I/we, Esther Gingrich, and _____
Name of Owner(s)

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.

Signature of Owner _____ date Dec 16 2021

Signature of Owner _____ date _____

Signature of Witness _____ date _____

Schedule "A"

Supplementary Information – Agricultural Lands

Agricultural Property History on the subject parcel

(i) What type of farming has been or is currently being conducted?

☐ Beef

☐ Dairy

☐ Swine

☐ Poultry

☐ Sheep

☒ Cash Crop

☐ Other (describe) _____

Describe in detail the size, age and feed type used for the type of farming conducted: _____

(i) How long have you owned the farm? _____

(ii) Are you actively farming the land

(or – do you have the land farmed under your supervision)?

☐ Yes – For how long? _____

☐ No – When did you stop farming? _____

For what reason did you stop farming? _____

(iii) Area of total farm holding: _____

(iv) Number of tillable hectares: _____

(v) Do you own any other farm properties? ☐ Yes ☐ No

If yes, indicate locations: Lot: _____ Concession: _____

Former Township: _____

Total Hectares: _____

(vi) Do you rent any other land for farming purposes? ☐ Yes ☐ No

If yes, indicate locations: Lot: _____ Concession: _____

Former Township: _____

Total Hectares: _____

(vii) Is there a barn on the subject property? ☐ Yes ☐ No

Please indicate the condition of the barn: _____

How big is the barn? _____

What is the present use of the barn? _____

What is the capacity of the barn, in terms of livestock? _____

- (viii) Indicate the manure storage facilities on the subject lands
- ☐ Storage already exists
 - ☐ No storage required (manure/material is stored for less than 14 days)
 - ☐ 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
- (ix) Are there any barns on other properties within 450 meters (1,476.38 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 containing a barn regardless of current use.

(x) What type of farming has been conducted on this other property?

(xi) Indicate the number of tillable hectares on other property: _____

(xii) Indicate the size of the barn(s): _____

(xiii) Capacity of barn in terms of livestock: _____

(xiv) Manure Storage facilities on other property (see storage types listed in question above)

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

Zoning amendment process

Purpose: a zoning by-law amendment is required to change a zone symbol on a property to permit expanded or different land uses on a specific property. A zoning by-law amendment may also be requested to change a zone provision (setback or similar regulation) or general provision.

Process: Discuss your proposal with the municipal planning department prior to submitting your application. Make your application to the planning department along with the required fee. A planning staff report will be prepared and a public meeting will be set. The applicant will be advised of the time and date of this meeting and invited to make representation at this time in order to explain why the zoning amendment request is being made.

You can expect a decision on your application within 150 days. This time is used to review the application, set up a public meeting, post the required public notice, draft a zoning by-law amendment and ensure that all other required documentation is in order.

At least 20 days prior to the public meeting, notice of the public meeting is either sent to every assessed property within 120 metres (400 feet) of the subject property or a notice is placed in the appropriate local newspaper. The applicant or a representative must attend the public meeting to explain why the zoning amendment is required to members of the Council and the public, as well as answer any questions that may arise.

A site plan and agreement may be required to be negotiated prior to any further proceedings of the rezoning process. Following the public meeting and if Council is satisfied with the application, an amending by-law will be considered by Council. Should the by-law be passed, a notice of passing is prepared and sent to everyone on the first mailing list or published in the newspaper. A 20 day appeal period is required to be included in this notice to allow anyone to appeal the by-law to the Ontario Municipal Board.

Should your application not be approved by Council, you also have the right to appeal to the Local Planning Appeals Tribunal within the same 20 day appeal period. More information is available by contacting the municipal planning department or on the Web at: <http://elto.gov.on.ca/news/local-planning-appeal-tribunal/>

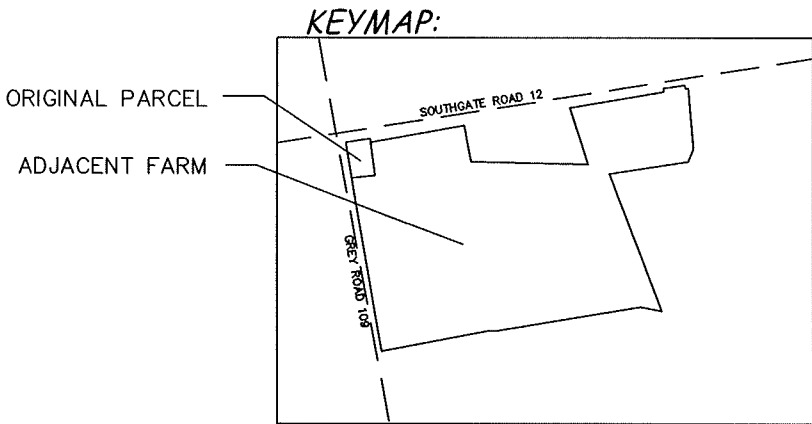
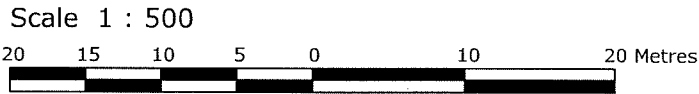
If the application is approved and no appeal is filed, a notice of no appeal is prepared and sent to the applicant at which time the process is now completed. A building permit would not be available for any works associated with the by-law until the appeal period has passed and if no appeals were filed.

Zoning by-law amendment process summary

1. Pre-consultation (required by By-law 66-2012)
2. Submit application
3. Clerk sets a public meeting
Notice sent to neighbours within 120 metres (400 feet) and various agencies, 20 days prior to public meeting.
4. Public meeting
Applicant and/or agent should attend to resolve any potential concerns. Council will consider the proposal and may pass a by-law that meeting.
5. Appeal period
After a Notice of Passing for the by-law amendment is sent to neighbours within 120 metres (400 feet) and agencies, 20 day appeal period begins.
6. Decision final
If not appeal is filed with the Township within the appeal period, the process is complete and the zoning by-law amendment is in full force and effect.

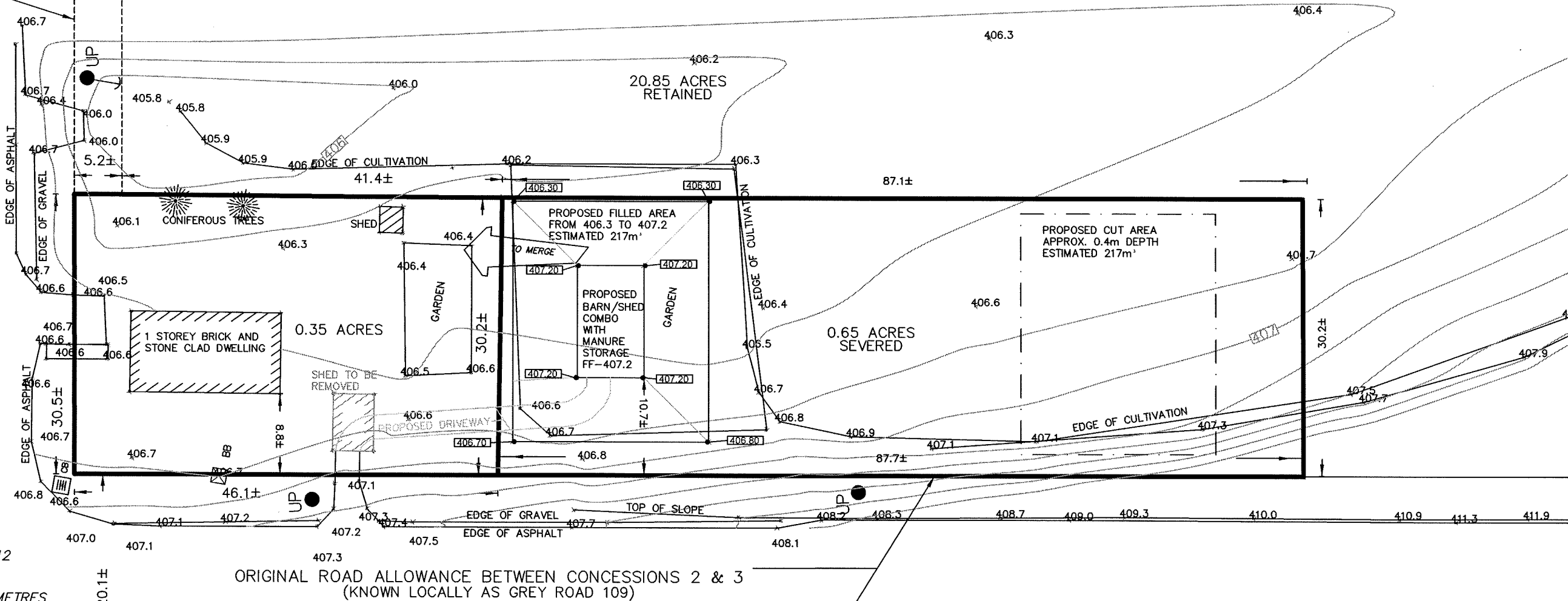
please do not return this page

SKETCH FOR SEVERANCE APPLICATION
(GEOGRAPHIC TOWNSHIP OF EGREMONT)
TOWNSHIP OF SOUTHGATE
COUNTY OF GREY



WILSON-FORD

ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 42 & 43
(KNOWN LOCALLY AS SOUTHGATE ROAD 12)



NOTES:

CIVIC ADDRESS: 123296 SOUTHGATE ROAD 12
ZONING: EP, A2-40
ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES
AND ARE GEODETIC HAVING BEEN DERIVED FROM
GNSS OBSERVATIONS (NAD83 CSRS).
DIMENSIONS SHOWN HEREON REPRESENT A
COMPILATION OF VARIOUS PLANS AND DEEDS AND
DO NOT REFLECT THE RESULTS OF AN ACTUAL
CURRENT FIELD SURVEY.

LEGEND:

- 399.99 EXISTING GRADE
- 400.00 PROPOSED GRADE
- FLOW DIRECTION
- BM ● BENCHMARK

AREAS

- AREA OF ORIGINAL PARCEL: 0.35 ACRES
- AREA OF ADJACENT FARM: 21.5 ACRES
- AREA OF REQUESTED SEVERANCE: 0.65 ACRES
- AREA OF ADJACENT FARM AFTER SEVERANCE: 20.85 ACRES

THIS SKETCH WAS PREPARED FOR AARON MARTIN
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES
FEBRUARY 9, 2022
GREG FORD, P.Eng(CIVIL)
ONTARIO LAND SURVEYOR

WILSON - FORD
Surveying & Engineering
120 KING ST. E., Box 294,
MOUNT FOREST ON, N0G 2L0
PHONE (519)323-2451

PROJECT No.: 21-9495 MARTIN



**The Corporation of the Township of Southgate
Notice of Public Meeting and Complete application
Concerning a Proposed Zoning By-law Amendment**

Take Notice that the Council of the Corporation of the Township of Southgate has received a complete application for approval of a Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended. Council will hold an **electronic public meeting** on:

February 23, 2022 at 1 PM via Electronic Meeting

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](tel:+16474979373)

Access Code: 442-563-645 #

NOTE: If you wish to speak at the meeting, please register in advance by contacting the Clerk, Lindsey Green using the contact information below:

lgreen@southgate.ca or 519-923-2110 ext. 230

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

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

Location of the Subject Land

Applicant: Esther Gingrich

Legal Description: Con 3 N PT Lot 43, and Con 3 Pt lot 43 RP 16R11535 Pt 1 Geographic Township of Egremont

Civic Address: 123296 Southgate Road 12

A key map is attached to this notice for additional information.

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.

When will a decision be made?

A decision of this proposal has NOT been made at this point and will NOT be made at the Public Meeting. After reviewing the application and any comments received, staff will bring a recommendation on this proposal to a future council meeting.

Want to be notified of a decision?

You must make a request in writing if you wish to receive a notice on any decision of Council on this proposal.

Making an Oral or Written Submission

Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of, or in opposition to, the proposed zoning by-law amendment. Persons wishing to make an oral submission to Council at the public meeting are invited to register with the Township Clerk (see contact information below). Written comments should also be addressed to the Clerk at the address below.

Please note that all submissions and the personal information contained therein will

become part of the public record in their entirety and may be posted to Southgate's website.

Your rights to appeal a decision

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body is not entitled to appeal the decision of Council of the Township of Southgate to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional Information and Comments

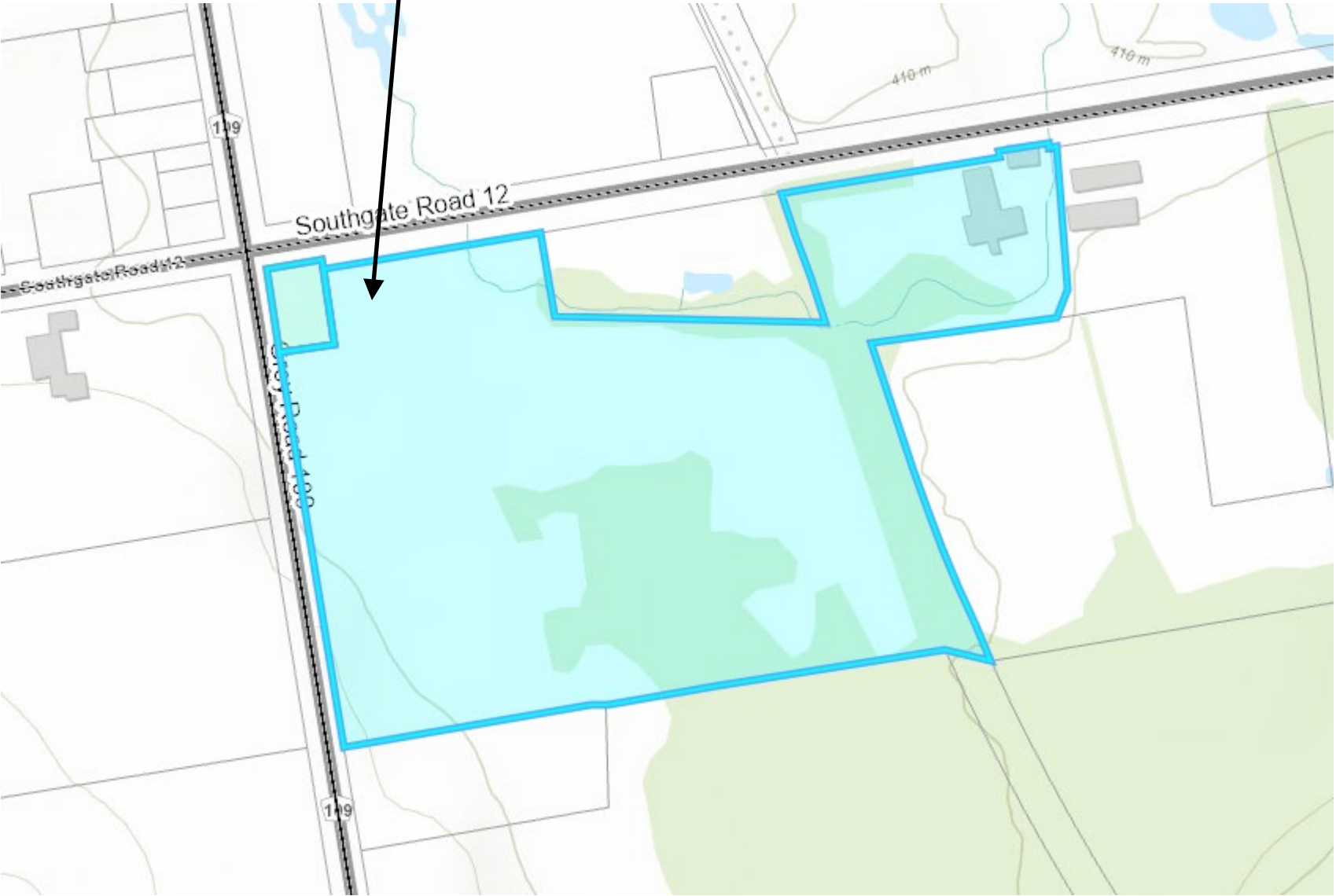
Please submit written comments to the Clerk Lindsey Green at the address shown below. Additional information is also available for public viewing on Southgate's website at <https://www.southgate.ca/planning-notices/> or by contacting the Township planner Clinton Stredwick at cstredwick@southgate.ca or at the Township ext. 235. Please quote file #C33-21

Dated at the Township of Southgate,
this 25th day of January 2022.

Lindsey Green, Clerk
lgreen@southgate.ca
Township of Southgate
185667 Grey Rd 9,
Dundalk, ON N0C 1B0
Phone: (519) 923-2110 ext. 230

Key Map (*not to scale*)

SUBJECT LAND



File Number C33-21

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 31, 2022

File No.: C33-21

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 9th 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

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
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

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.

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

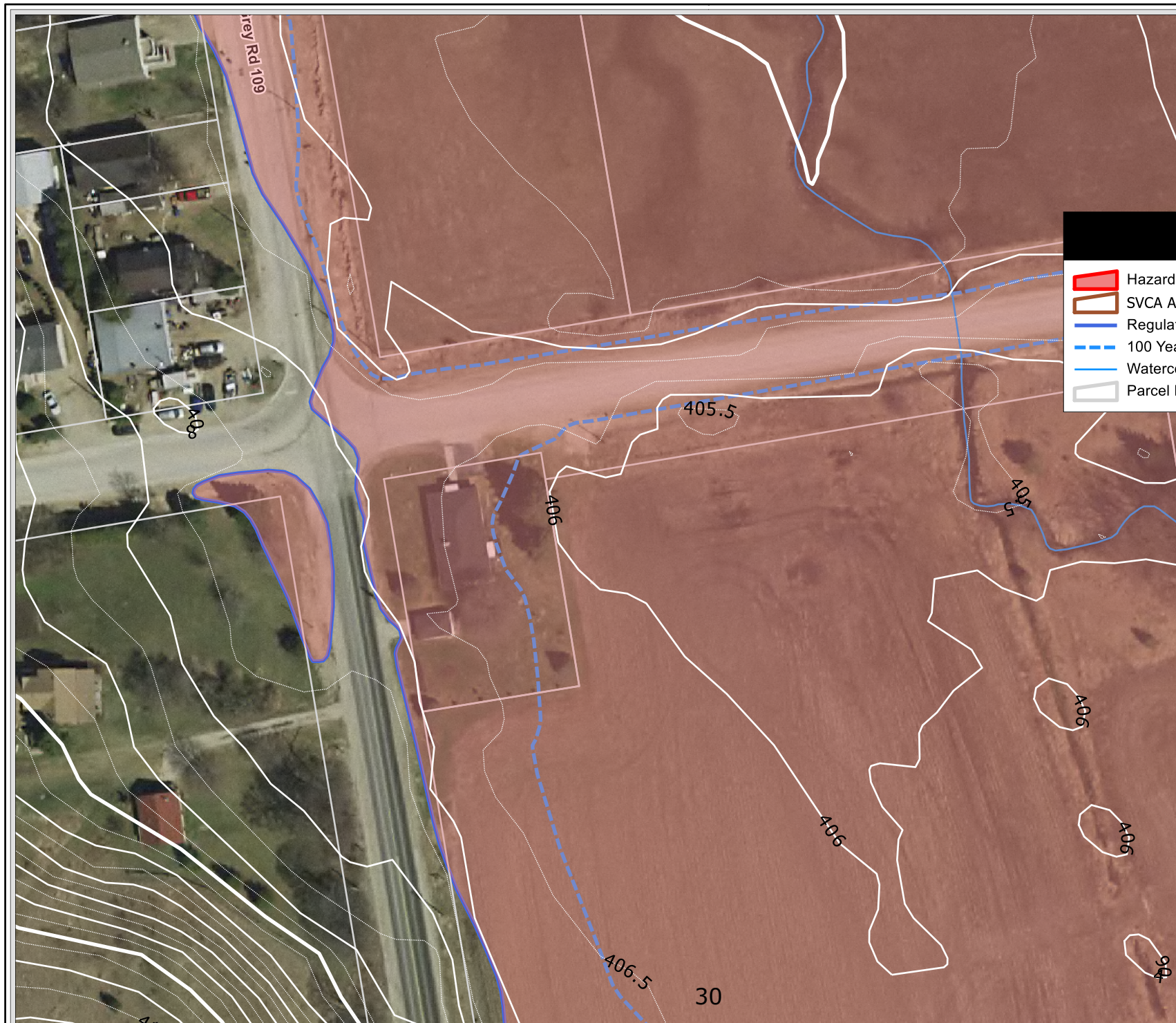
The included mapping has been compiled from various sources and is for information purposes only. Saugeen Valley Conservation Authority (SVCA) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map.

Produced by SVCA and includes material ©[2021] of the Queen's Printer for Ontario. All Rights Reserved. [2021] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

This mapping contains products of the South Western Ontario Orthophotography Project 2015 (SWOOP2015). These images were taken in 2015 at 20cm resolution by Fugro GeoServices. They are the property of Saugeen Valley Conservation Authority ©2021.



February 19, 2021



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
phone: 519-483-4000
site: saugeenmetis.com
address: 204 High Street Southampton, ON

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From: Hall, Charleyne <[REDACTED]>
Sent: February 1, 2022 3:58 PM
To: Planning Southgate <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.



The corporation of
The Township of Southgate

Application for planning amendment
Official plan and zoning by-law

**** Pre-consultation is required with the Township before any zoning or official plan amendment applications will be accepted (By-law 66-2012)****

Instructions:

- Please check all applicable boxes and answer all applicable questions
- 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
- Further information is on the last two pages for your reference
- Applications are not accepted without the required fees
- All applications for zoning by-law amendment or Official Plan Amendment must

For office use only

File no: C34-21
Pre-Consult Date: _____
Date received: _____
Date accepted: _____
Accepted by: _____
Roll # 42 07 040 003 01100
Conservation authority fee required: _____
Other information: _____

Pursuant to one or more of the following Sections 22, 34, 36, and/or 39 of the *Planning Act*, as amended, I/we submit an application for: (check appropriate box)

<input type="checkbox"/> Amendment to the Official Plan	Minor \$1,625.00 application fee plus \$2,000.00 contingency fee Major \$2,708.00 application fee plus \$5,000.00 contingency fee <i>*contingency fee required for all Official Plan Amendment applications</i>
<input checked="" type="checkbox"/> Amendment to the Zoning By-law	\$1,300.00 application fee Major \$2,166.00 application fee Major \$2,500.00 contingency fee <i>*contingency fee required only for complex applications</i>
<input type="checkbox"/> Removal of a Holding Provision with a related Site Plan Application	\$542.00 application fee or \$542.00 application fee
<input type="checkbox"/> Temporary Use By-Law Amendment	\$1,625.00 application fee plus \$111.00 agreement fee plus \$2,500.00 contingency fee

Other Required Fees:

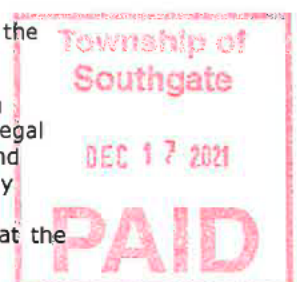
<input type="checkbox"/> Public Notice Sign Fee	\$111.00
<input type="checkbox"/> Conservation Authority Fees	SVCA \$240.00 GRCA Call directly for details

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

Contingency fees will be utilized to cover costs associated with this application when deemed necessary by the Township of Southgate, i.e. professional consultants and legal advice. Any portion of the contingency fee not used in connection with the review and completion of an application will be returned. The applicant further agrees to pay any additional costs and expenses beyond the initial contingency fee which shall be determined by staff of the Corporation of the Township of Southgate in the event that the amount of the initial contingency fee taken is insufficient.

Be advised that the applicant or a representative is expected to appear at any meetings (including the public meeting) to explain the proposal and answer any questions that may arise. Failure to do so may result in deferral of the application and increased costs.



9. Dimensions of subject property;

frontage 405m m depth 1015m m area 40.80 Ha sq m/ha

10. Description of the area affected by this application if only a portion of the entire property this application is to rezone a small portion of the property from A1 to A1 with exception to allow for a small scale dry manufacturing shop on the property

11. Abutting and nearby lands uses

(a) Interest in abutting lands - does the owner or applicant of the subject lands own or have a legal interest in any lands abutting the subject lands? Yes ☐ No ☒

If yes, describe to what extent _____

(b) Use of abutting and nearby lands - describe the present use on all properties abutting and opposite the subject lands.

North agriculture/residential

East agriculture

South agriculture

West agriculture

(c) Agricultural livestock operations

☐ if an existing livestock operation is located within 450 metres of the subject lands, prepare a sketch showing locations and approximate size of livestock barns (as per Additional Requirements 20. (b) request) and you must fill out Schedule "A".

12. Environmental Constraints

Indicate whether any of the following environmental constraints apply to the subject lands:

Wetlands	<input checked="" type="checkbox"/>	Specialty Crop Lands	<input type="checkbox"/>
Floodplains	<input type="checkbox"/>	ANSI's (areas of natural or scientific interest)	<input type="checkbox"/>
Streams, Ravines and Lakes	<input type="checkbox"/>	Aggregate Resources	<input type="checkbox"/>
Water Resources	<input type="checkbox"/>	Thin Overburden	<input type="checkbox"/>
Wooded Areas & Forest Management	<input type="checkbox"/>	Solid Waste Management	<input type="checkbox"/>
Fisheries, Wildlife & Environment	<input type="checkbox"/>	Sewage Treatment Plant	<input type="checkbox"/>
Heritage Resources	<input type="checkbox"/>		

13. Official Plan

Indicate the current Official Plan Designation:

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

14. Zoning By-law

Present zoning A1-EP

Requested zoning A1-EP with exception to allow for a small scale shop

15. Specific proposed use(s) of subject property that this amendment would authorize: (provide a sketch showing locations and approximate size for each building or structure)

see sketch

For Official Plan Amendment Applications Only:

16. Please answer the following about this proposed Official Plan Amendment:
Does this application change or replace a designation in the Official Plan?
Changes ☐ Replaces ☐

17. Is this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?
Yes ☐ No ☐

If yes, please provide the details of the official plan or the official plan amendment that deals with this matter.

18. Does this application propose to remove land from an area of employment?
Yes ☐ No ☐

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

19. Is the application being submitted in conjunction with a proposed County Official Plan Amendment? Yes ☐ No ☐

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

Type of building/structure small scale dry manufacturing shop / power room

Setbacks:
front lot line 89.36m rear lot line 845.34m
side lot line 199.25m / 122.30m

Building/structure:

height 8.56m dimensions / floor area 750m2

20. The date the existing building(s) or structure(s) on the subject land were constructed: N/A
21. The length of time that the existing uses of the subject land have continued: unknown
22. If proposed use is residential, indicate proximity of subject lands to community facilities (parks, schools, etc.): _____
23. Specific reason(s) for requesting amendment(s), if not sufficient space, a cover letter should be attached:
this application is to allow for a small scale dry manufacturing shop on the propoerty
to support the family farm
24. Has the subject land ever been the subject of a Zoning By-law Amendment?
Yes ☐ No ☒ Unknown ☐
If yes, and if known, specify the file number and status of the application: _____

Servicing for subject land

25. Facilities existing or proposed for subject lands:

type of access	existing	proposed
_____ provincial highway	_____	_____
<input checked="" type="checkbox"/> _____ municipal road, maintained year round	<input checked="" type="checkbox"/> _____	_____
_____ municipal road, seasonally maintained	_____	_____
_____ other public road	_____	_____
please specify _____	_____	_____
_____ right of way available	_____	_____
please specify _____	_____	_____
_____ water access available	_____	_____

Describe the parking and docking facilities and the approximate distance of these facilities _____

type of water supply	existing	proposed
_____ municipally operated piped water system	_____	_____
<input checked="" type="checkbox"/> _____ privately owned/operated individual well	<input checked="" type="checkbox"/> _____	_____
_____ privately owned/operated communal well	_____	_____
_____ lake or other water body	_____	_____
please specify _____	_____	_____
_____ other means	_____	_____
please specify _____	_____	_____

type of storm water management	existing	proposed
_____ storm drainage sewer pipe	_____	_____
_____ ditch	_____	_____
_____ swale	_____	_____
<input checked="" type="checkbox"/> _____ other means	_____	_____

please specify sheet flow

please specify _____

- Yes ☐ No ☒

Yes ☐ No ☐

- Yes ☐ No ☒

The proposal

- this application is to allow for a small scale dry manufacturing shop on the property which would be doing metal work that includes machining, welding cutting etc.

on Sundays and statutory holidays, estimated truck traffic is 3 trucks round trip daily

- this application is to allow for a small scale dry manufacturing shop on the property
to support the family farm and supplement the family farm income

- 2022 hopefully

- List any supporting documents: (e.g. Environmental Impact Study, Hydrologic Report, Traffic Study, Market Area Study, Aggregate License Report, Storm Water Management Report)

Part D
Statement of compliance

32. Is this application consistent with the policy statements issued under subsection 3(1) of the Planning Act?
Yes ☒ No ☐
33. Is the subject land within an area of land designated under any provincial plan or plans?
Yes ☐ No ☒

If yes, explain how the application conforms with or does not conflict with the applicable provincial plan or plans.

Additional requirements

34. Supplementary and support material to accompany application, where applicable
- a) a survey of the property prepared by an Ontario Land Surveyor indicating topographical contours and other natural and artificial features such as existing buildings and their uses, railways, highways, pipelines, ditches, swamps, watercourses, drainage, and wooded areas within or adjacent to the subject land. This survey should clearly indicate the land which is the subject of the amendment.
- OR
- b) a sketch *drawn to scale* showing the following:
 - 1) Boundaries and dimensions of the subject land.
 - 2) Location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
 - 3) 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, roads, watercourses, drainage ditch, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - 4) Current use(s) on land that is adjacent to the subject land.
 - 5) Location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
 - 6) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
 - 7) Location and nature of any easement affecting the subject land.
 - 8) North Arrow

Other information

35. Is there any other information that you think may be useful to the municipality or other agencies in reviewing the application? If so, explain below or attach on a separate page:

this application is to allow for a small scale dry manufacturing shop on the property which will run from 7am to 7pm Monday through Friday and 8 to 5 on Saturdays and will be closed on Sundays and statutory holidays ,estimated truck traffic is 3 trucks round trip daily

Type text here

Part E
Authorization and affidavit

36. 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 documents I (we),

Moses & Anna Bauman 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] Dec 16/21
Signature of Owner date
[Redacted Signature] Dec 16/21
Signature of Owner date

37. Owner's Authorization for Agent

I (we), Moses Bauman and Anna Bauman
Name of Owner(s)

hereby authorize Solomon Martin to act as
our agent(s) for the purpose of this application.

[Redacted Signature] Dec 16/21
Signature of Owner date
[Redacted Signature] Dec 16/21
Signature of Owner date

38. Owner's Authorization for Access

I/we, Moses Bauman and Anna Bauman
Name of Owner(s)

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

[Redacted Signature] Dec 16/21
Signature of Owner date
[Redacted Signature] Dec 16/21
Signature of Owner date
[Redacted Signature] Dec 16/21
Signature of Witness date

Solemn declaration

39. Affidavit

To be completed by owner(s), agent(s), or applicant(s) having completed the application form

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

I/ (We) Solomon Martin
Name(s)


of the township of Wellesley in the county of Waterloo
city/town/municipality county/region

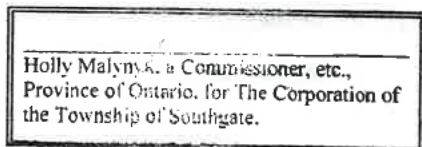
Solemnly declare that all statements contained in this application and all the information provided is true, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the:

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

This 17th day of December, 2021


Signature of Commissioner




Signature of Applicant
Solomon Martin
print name

Signature of Applicant
print name

Schedule "A"

Supplementary Information – Agricultural Lands

Agricultural Property History on the subject parcel

(i) What type of farming has been or is currently being conducted?

☐ Beef

☐ Dairy

☐ Swine

☐ Poultry

☐ Sheep

☒ Cash Crop

☐ Other (describe) _____

Describe in detail the size, age and feed type used for the type of farming conducted: _____

(i) How long have you owned the farm? 2019 _____

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

☒ Yes – For how long?

2019 _____

☐ No – When did you stop farming? _____

For what reason did you stop farming? _____

(iii) Area of total farm holding: 40.80 ha _____

(iv) Number of tillable hectares: 8.82 ha _____

(v) Do you own any other farm properties? ☒ Yes ☐ No

If yes, indicate locations: Lot: 21 _____ Concession: 14 _____

Former Township: Proton _____

Total Hectares: 41 _____

(vi) Do you rent any other land for farming purposes? ☐ Yes ☒ No

If yes, indicate locations: Lot: _____ Concession: _____

Former Township: _____

Total Hectares: _____

(vii) Is there a barn on the subject property? ☐ Yes ☒ No

Please indicate the condition of the barn: _____

How big is the barn? _____

What is the present use of the barn? _____

What is the capacity of the barn, in terms of livestock? _____

- (viii) Indicate the manure storage facilities on the subject lands
- ☐ Storage already exists
 - ☐ No storage required (manure/material is stored for less than 14 days)
 - ☐ 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
- (ix) Are there any barns on other properties within 450 meters (1,476.38 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 containing a barn regardless of current use.

(x) What type of farming has been conducted on this other property?

(xi) Indicate the number of tillable hectares on other property: _____

(xii) Indicate the size of the barn(s): _____

(xiii) Capacity of barn in terms of livestock: _____

(xiv) Manure Storage facilities on other property (see storage types listed in question above)

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

Zoning amendment process

Purpose: a zoning by-law amendment is required to change a zone symbol on a property to permit expanded or different land uses on a specific property. A zoning by-law amendment may also be requested to change a zone provision (setback or similar regulation) or general provision.

Process: Discuss your proposal with the municipal planning department prior to submitting your application. Make your application to the planning department along with the required fee. A planning staff report will be prepared and a public meeting will be set. The applicant will be advised of the time and date of this meeting and invited to make representation at this time in order to explain why the zoning amendment request is being made.

You can expect a decision on your application within 150 days. This time is used to review the application, set up a public meeting, post the required public notice, draft a zoning by-law amendment and ensure that all other required documentation is in order.

At least 20 days prior to the public meeting, notice of the public meeting is either sent to every assessed property within 120 metres (400 feet) of the subject property or a notice is placed in the appropriate local newspaper. The applicant or a representative must attend the public meeting to explain why the zoning amendment is required to members of the Council and the public, as well as answer any questions that may arise.

A site plan and agreement may be required to be negotiated prior to any further proceedings of the rezoning process. Following the public meeting and if Council is satisfied with the application, an amending by-law will be considered by Council. Should the by-law be passed, a notice of passing is prepared and sent to everyone on the first mailing list or published in the newspaper. A 20 day appeal period is required to be included in this notice to allow anyone to appeal the by-law to the Ontario Municipal Board.

Should your application not be approved by Council, you also have the right to appeal to the Local Planning Appeals Tribunal within the same 20 day appeal period. More information is available by contacting the municipal planning department or on the Web at: <http://elto.gov.on.ca/news/local-planning-appeal-tribunal/>

If the application is approved and no appeal is filed, a notice of no appeal is prepared and sent to the applicant at which time the process is now completed. A building permit would not be available for any works associated with the by-law until the appeal period has passed and if no appeals were filed.

Zoning by-law amendment process summary

1. Pre-consultation (required by By-law 66-2012)
2. Submit application
3. Clerk sets a public meeting
Notice sent to neighbours within 120 metres (400 feet) and various agencies, 20 days prior to public meeting.
4. Public meeting
Applicant and/or agent should attend to resolve any potential concerns.
Council will consider the proposal and may pass a by-law that meeting.
5. Appeal period
After a Notice of Passing for the by-law amendment is sent to neighbours within 120 metres (400 feet) and agencies, 20 day appeal period begins.
6. Decision final
If not appeal is filed with the Township within the appeal period, the process is complete and the zoning by-law amendment is in full force and effect.

please do not return this page

Southgate Road 22

SOUTHGATE ROAD 22

PROPOSED NEW ENTRANCE

158.96
ESL LAND USE

89.36

122.30

PROPOSED WEEPING

PROPOSED HOUSE

PROPOSED WELL

PROPOSED WEEPING

BUSH LANE 2

6400M2 REZONE AREA

199.25

PROPOSED 554M2 SHOP/OFFICE/POWER ROOM

PROPOSED TREE BUFFER

PROPOSED OUTDOOR STORAGE

80.30

227.43

PARKING

LOADING

80.30

60'

170'

400.150



Moses & Anna Bauman
225594 Southgate Rd 22
legal, CON 14 LOT 15
TOWNSHIP OF PROTON
roll: 420709000301100
Ph: 519-676-1245







**The Corporation of the Township of Southgate
Notice of Public Meeting and Complete application
Concerning a Proposed Zoning By-law Amendment**

Take Notice that the Council of the Corporation of the Township of Southgate has received a complete application for approval of a Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended. Council will hold an **electronic public meeting** on:

February 23, 2022 at 1 PM via Electronic Meeting

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](tel:+16474979373)

Access Code: 442-563-645 #

NOTE: If you wish to speak at the meeting, please register in advance by contacting the Clerk, Lindsey Green using the contact information below:

lgreen@southgate.ca or 519-923-2110 ext. 230

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

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

Location of the Subject Land

Applicant: Moses and Anna Bauman

Legal Description: Con 14 Lot 15, Geographic Township of Proton

Civic Address: 225594 Southgate Road 22

A key map is attached to this notice for additional information.

The Purpose of the proposed zoning bylaw amendment application is to allow for an Agricultural related use being a small scale Industrial Use shop. The owners wish to add the shop to the list of permitted uses for the Agricultural A1 zone. The shop including office and power room is proposed to be up to 750m² with outside storage of approximately 500m².

The Effect of the proposed zoning by-law amendment would be to change the zone on a portion of the subject lands to permit the Industrial Use shop within the agricultural exception zone (A1-XXX). Any Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

When will a decision be made?

A decision of this proposal has NOT been made at this point and will NOT be made at the Public Meeting. After reviewing the application and any comments received, staff will bring a recommendation on this proposal to a future council meeting.

Want to be notified of a decision?

You must make a request in writing if you wish to receive a notice on any decision of Council on this proposal.

Making an Oral or Written Submission

Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of, or in opposition to, the proposed zoning by-law amendment. Persons wishing to make an oral submission to Council at the public meeting are invited to register with the Township Clerk (see contact information below). Written comments should also be addressed to the Clerk at the address below.

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

Your rights to appeal a decision

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body is not entitled to appeal the decision of Council of the Township of Southgate to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Southgate before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional Information and Comments

Please submit written comments to the Clerk Lindsey Green at the address shown below. Additional information is also available for public viewing on Southgate's website at <https://www.southgate.ca/planning-notice/> or by contacting the Township planner Clinton Stredwick at cstredwick@southgate.ca or at the Township ext. 235. Please quote file #C32-21.

Dated at the Township of Southgate,
this 24th day of January 2022.

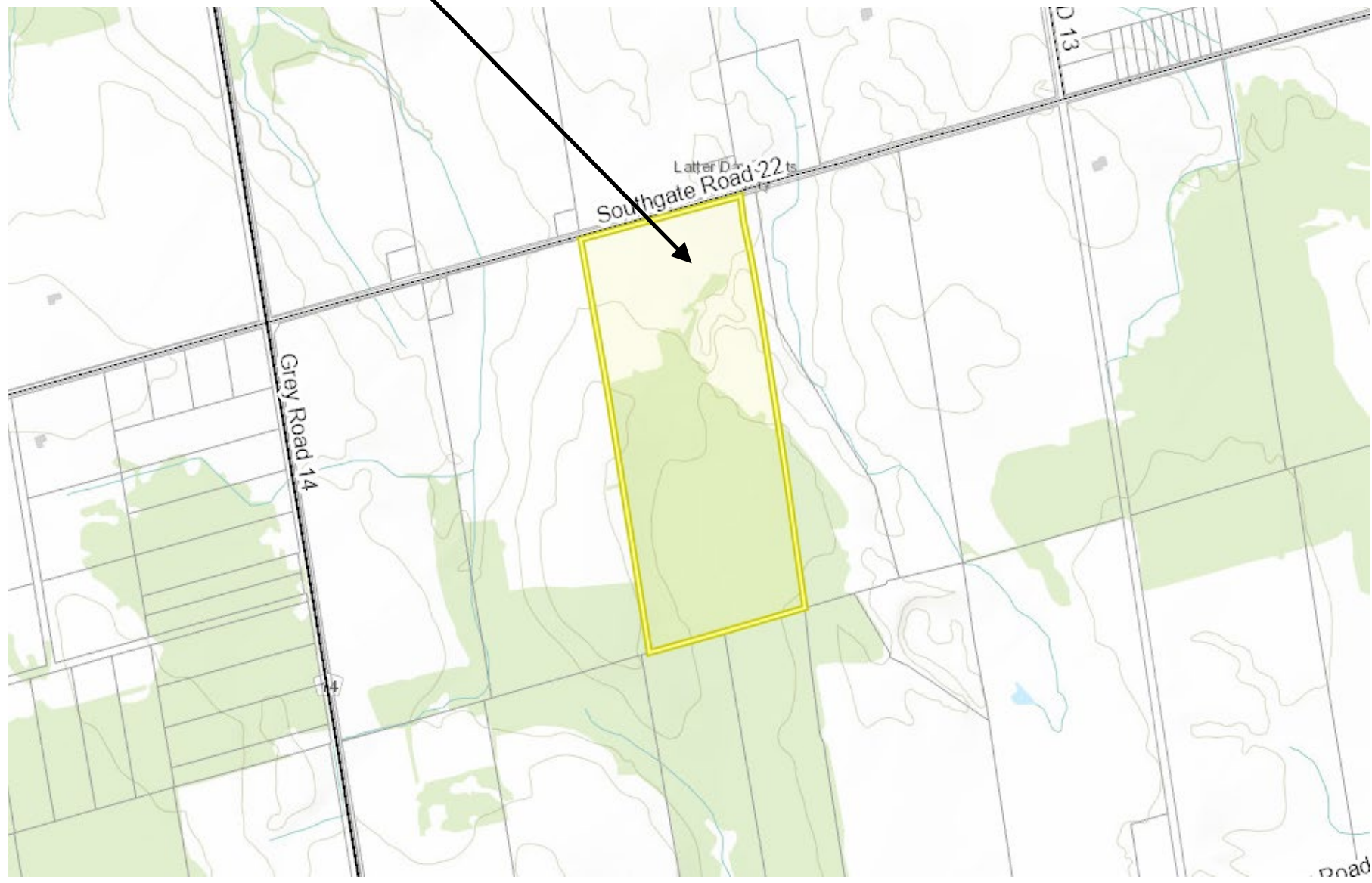
Lindsey Green, Clerk
lgreen@southgate.ca
Township of Southgate
185667 Grey Rd 9,
Dundalk, ON N0C 1B0
Phone: (519) 923-2110 ext. 230



File Number C34-21

SUBJECT LAND

Key Map (*not to scale*)



From: [Coordinator LRC HSM](#)
To: [Holly Malynyk](#)
Subject: Request for Comments - Southgate (Bauman) - proposed Zoning By-law Amendment
Date: January 28, 2022 11:03:41 AM

Your file: C34-21

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 Zoning By-law Amendment 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
phone: 519-483-4000
site: 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 31, 2022

File No.: C34-21

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Rural asphalt

Road Widening Necessary? Yes ☐ No ☒

Entrance Requirements: Commercial paved apron required

Load Restricted Road: Yes ☒ No ☐

Comments:

Consideration for a new entrance with enhanced sightlines for truck traffic

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

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: Proposed Zoning By-law Amendment C34-21 (Moses and Anna Bauman)
225594 Southgate Road 22
Lot 15 Concession 14
Roll No.: 420709000301100
Geographic Township of Proton
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 and Effect

The purpose of the proposed zoning bylaw amendment application is to allow for an Agricultural related use being a small scale Industrial Use shop. The owners wish to add the shop to the list of permitted uses for the Agricultural A1 zone. The shop including office and power room is proposed to be up to 750m² with outside storage of approximately 500m². The effect of the proposed zoning by-law amendment would be to change the zone on a portion of the subject lands to permit the Industrial Use shop within the agricultural exception zone (A1-XXX). Any Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

Recommendation

The proposed zoning by-law amendment application is acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Township of Southgate in that we provide expert advice and technical clearance on *Planning Act* applications 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 southern half of the property is designated Hazard Lands in the Grey County Official Plan (OP) and the Township of Southgate OP. This same area is also zoned Environmental Protection (EP) in the Township of Southgate Zoning By-law No. 19-2002, as amended. SVCA staff is of the opinion that the Hazard Lands designation and the EP zone generally coincides with the Hazardous Lands mapping as plotted by SVCA staff for the property. In general, no new buildings or structures are permitted within the Hazard Lands designation or the EP zone. Based on the plans submitted with the application, it is the opinion of SVCA staff that the location of the proposed development, including the area to be rezoned, will not be located in, or adjacent to the EP zone, therefore the development proposal is acceptable to SVCA staff.

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 to be rezoned will not be located within the EP zone, therefore development is acceptable to the SVCA. It is the opinion of SVCA staff that development as proposed 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, fish habitat and its adjacent lands, wetlands, and habitat of endangered species and threatened species.

Provincial Policy Statement – Section 2.1

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

Township of Southgate Official Plan and Grey County Official Plan Policies

Significant Woodlands

Significant woodlands are identified as per Appendix B Constraint Mapping of the Grey County OP and are shown to include the woodlands on the property. Section 7.4.1 of the Grey County OP states in part that no development or site alteration may occur within significant woodlands or its adjacent lands unless it has been demonstrated by an Environmental Impact Study (EIS) that there will be no impact on the feature or its ecological functions.

Based on the plans submitted with the application, it is the opinion of SVCA staff that development will not be located within the woodlands but would be located within the adjacent lands to the woodlands. Specifically, significant woodlands have been mapped for the wooded area directly south of the proposed house location, and significant woodlands have been mapped for the wooded area directly east of the proposed barn/shed. Therefore, SVCA staff recommend that tree clearing to the south of the proposed house and east of the proposed barn/shed does not occur on the property. Provided this recommendation is followed, it is the opinion of SVCA staff that the preparation of an EIS to address impacts to the woodlands, is not recommended at this time, as impacts to the woodlands would be negligible.

Fish Habitat

An unnamed tributary of the Main Saugeen River appears to flow through lands directly east of 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 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 is not proposed within the adjacent lands to the watercourse. Therefore, in the opinion of SVCA staff the preparation of an EIS to address potential impacts to fish habitat or its adjacent lands is not warranted at this time.

Other Identified Wetlands

Other Identified Wetlands are shown on the Appendix B Constraint Mapping, of the Grey County OP. Unevaluated wetlands have been identified on the property, however are not shown on Appendix B of the Grey County OP as Other identified Wetlands, however SVCA staff recommends that as part of the next update to the OP schedules it be included. Section 2.8.6 (6) and (7) of the Grey OP states in part that no development or site alteration may occur within other identified wetlands or their adjacent lands unless it has been demonstrated through an EIS, that there will be no negative impacts on the natural features or their ecological functions. Based on the plans submitted with the application, development is not proposed within the adjacent lands to the wetlands. Therefore, in the opinion of SVCA staff the preparation of an EIS to address potential impacts to wetlands is not warranted at this time.

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 on lands adjacent to the property. The SVCA's role is to identify habitat through a screening process in consideration of the PPS, 2020 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 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 southern half of the property and a small area along the eastern property boundary are within the Approximate Screening 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, 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" within 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 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 located on the property as well as a 30 metre offset distance outwards from the unevaluated wetland edge; and the watercourse located on lands to the east of the property, and its related flood hazard, and 15 metres outwards from the floodplain of the watercourse.

SVCA Permission for Development or Alteration

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

Based on the plans submitted with the application, all development of: area to be re-zoned, shop, house, sewage disposal systems, barn/shed will all be located beyond/outside of the SVCA Approximate Screening Area, therefore permission (SVCA permit) will not be required for development as proposed for the property.

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, with the exception of Section 2.1.7 habitat of endangered species and threatened species, which the applicant/owner must address.
- 3) Consistency with Grey County OP and Township of Southgate policies for natural hazards and natural heritage has been demonstrated, with the exception of habitat of endangered species and threatened species, must be addressed by the applicant/owner.

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: Solomon Martin, agent (via email: kingwoodplating@live.ca)
Barbara Dobreen, SVCA Authority Member representing the Township of Southgate (via email)

From: john dow <[REDACTED]>
Sent: January 27, 2022 11:25 AM
To: Lindsey Green <lgreen@southgate.ca>
Subject: File # C34-21 By-law amendment

Dear Sirs and Madams : I have the farm kitty corner to the back south west corner of this property . I am 5th generation on this farm. I am opposed to this development ,primarily due to the removal of farm land to build said buildings and storage area plus the power generation facility . We have enough diesel engines running in the neighbourhood without anymore generators . If this has to go ahead at the least it should be hooked to the hydro grid . Also you can not farm cement , by the time these buildings and a house are built there will be little arable land left unless they are going to clear the maple bush ?Thank you for your time . John Dow

From: planning@grey.ca
To: [Planning Southgate](#); [Lindsey Green](#); [Holly Malynyk](#)
Subject: County comments for C34-21 Bauman
Date: February 15, 2022 2:18:04 PM

County comments for C34-21 Bauman

Hello Southgate,

County Staff have reviewed Zoning application C34-21 Bauman - Moses & Anna Bauman.

The proposed OFDU (dry manufacturing use) would appear to be well within the size limitations established for a 40 ha Agricultural property, per Table 8 of the County's Official Plan.

Schedule B indicates a mapped Aggregate Resource Area on the subject property, as well as a Mineral Resource Extraction Area on the abutting property to the east. As the lot is existing, and the proposed OFDU would be secondary to the agricultural use of the lands, the County generally has no concerns in this regard. From a general planning perspective, the proponents may wish to consider developing the house in further proximity to the Mineral Resource Extraction Area, to lessen any potential noise or dust impacts.

Appendix B indicates Significant woodlands on the subject property. The proposed development may fall within the adjacent lands of the significant woodlands, and it is recommended that further comments be provided by the Conservation Authority.

It is recommended that D6 Guidelines be considered in relation to the proposed use. MDS should be achieved to the proposed OFDU, if required by the municipal zoning by-law.

It is recommended that positive comments be received by the Conservation Authority. The County has no further comments on the subject application.

Please note, a paper copy will not be provided unless requested.

Let us know if you have any questions.

Best regards,

Becky Hillyer