



**Township of Southgate
Committee of Adjustment Agenda**

April 24, 2024

9:00 AM

Electronic Participation

| | Pages |
|--|---------------|
| 1. Call to Order | |
| 2. Confirmation of Agenda | |
| Be it resolved that the Committee confirm the agenda as presented. | |
| 3. Declaration of Pecuniary Interest | |
| 4. Adoption of Minutes | 5 - 15 |
| Be it resolved that the Committee approve the minutes from the March 27, 2024 Committee of Adjustment meeting as presented. | |
| 5. Hearing | |
| 5.1 A4-24 - Kevin Martin, Con 2, Lot 28, Geographic Township of Egremont, Township of Southgate | |
| 5.1.1 Application and Notice of Public Hearing | 16 - 27 |
| 5.1.2 Comments Received from Agencies and the Public | 28 - 35 |
| 5.1.3 Applicant or Agent | |
| 5.1.4 Comments and Planning Report | 36 - 38 |
| 5.1.5 Committee Member Questions | |
| 5.1.6 Members of the Public to Speak | |
| 5.1.7 Further Questions from the Committee | |

5.1.8 Approval or Refusal

Be it resolved that Committee of Adjustment receive Staff Report PL2024-028 for information; and
That the application for minor variance be approved subject to the following condition:

1. That the proposed variance applies to proposed barn expansion as outlined in the submitted site plan.

5.2 A5-24 - Timothy Frey, Con 1 SWTSR Pt Lots 221 and 222, Geographic Township of Proton, Township of Southgate

5.2.1 Application and Notice of Public Hearing 39 - 48

5.2.2 Comments Received from Agencies and the Public 49 - 58

5.2.3 Applicant or Agent

5.2.4 Comments and Planning Report 59 - 61

5.2.5 Committee Member Questions

5.2.6 Members of the Public to Speak

5.2.7 Further Questions from the Committee

5.2.8 Approval or Refusal

Be it resolved that Committee of Adjustment receive Staff Report PL2024-029 for information; and
That the application for minor variance be approved subject to the following condition:

1. That the proposed variance applies to proposed barn expansion as outlined in the submitted site plan.

5.3 B2-24 - Manassa S Martin, Con 4 SWTSR Lot 231 and 233, Geographic Township of Proton, Township of Southgate

5.3.1 Application and Notice of Public Hearing 62 - 78

5.3.2 Comments Received from Agencies and the Public 79 - 92

5.3.3 Applicant or Agent

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| 5.3.4 | Comments and Planning Report | 93 - 94 |
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| 5.3.5 | Committee Member Questions |
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| 5.3.6 | Members of the Public to Speak |
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| 5.3.7 | Further Questions from the Committee |
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| 5.3.8 | Approval or Refusal |
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Be it resolved that the Committee of Adjustment receive Staff Report PL2024-030 for information; and **That** the severance be approved with the following conditions:

1. **That** the appropriate Planning Act application be approved and in full force and effect to recognize the deficient lot area for the proposed severed lot.
2. **That** standard conditions regarding parkland dedication, driveway access and similar apply as recommended by other agencies and Township Departments including that all requirements of the Township, financial or otherwise, be addressed to the satisfaction of the Township Staff prior to issuance of a certificate of consent.
3. **That** a reference plan of survey be provided; and
4. **That** all outstanding taxes, fees, and charges are paid, if any.

5.4 B1-24 Paul Sherk, Con 9, Lot 13, Geographic Township of Proton, Township of Southgate

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| 5.4.1 | Application and Notice of Public Hearing | 95 - 104 |
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| 5.4.2 | Comments Received from Agencies and the Public | 105 - 114 |
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| 5.4.3 | Applicant or Agent |
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| 5.4.4 | Comments and Planning Report | 115 - 132 |
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| 5.4.5 | Committee Member Questions |
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| 5.4.6 | Members of the Public to Speak |
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5.4.7 Further Questions from the Committee

5.4.8 Approval or Refusal

Be it resolved that the Committee of Adjustment receive Staff Report PL2024-031 for information; and **That** the application for Consent file B1-24 be refused for the following reasons:

1. **That** the application failed to comply with applicable requirements of the Planning Act (Section 51(24)) related to the giving of a provisional consent; and

2. **That** the application failed to consider applicable policies related to land development and granting of consents under the Township Official Plan.

or

That the application for Consent file B1-24 be approved subject to the following conditions:

1. **That** the existing zoning of the severed and retained parcel be addressed through an application for relief on lot area and any other site and building regulations.

2. **That** the standard conditions regarding parkland dedication, driveway access and similar apply as recommended by other agencies and Township Departments including that all requirements of the Township, financial or otherwise, be addressed to the satisfaction of the Township Staff prior to issuance of a certificate of consent.

6. Adjournment

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



Township of Southgate
Minutes of Committee of Adjustment

March 27, 2024
9:00 AM
Electronic Participation

Members Present: Member Barbara Dobreen
Member Martin Shipston
Member Jim Ferguson
Member Monica Singh Soares

Members Absent: Member Brian Milne
Member Jason Rice
Member Joan John

Staff Present: Lindsey Green, Clerk
Elisha Milne, Secretary-Treasurer
Dina Lundy, CAO
Victoria Mance, Junior Planner

Others Present: Kristine Loft, Loft Planning

1. Call to Order

Chair Dobreen called the meeting to order at 9:01 AM.

2. Confirmation of Agenda

Moved By Member Ferguson

Seconded By Member Shipston

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

Carried

3. Declaration of Pecuniary Interest

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

4. Adoption of Minutes

Moved By Member Singh Soares

Seconded By Member Shipston

Be it resolved that the Committee approve the minutes from the February 28, 2024, Committee of Adjustment meeting as presented.

Carried

5. Reports of Municipal Officers

5.1 Secretary Treasurer Elisha Milne

5.1.1 PL2024-019 - Standard Conditions Wording for Consent Applications

Moved By Member Ferguson

Seconded By Member Shipston

Be it resolved that the Committee of Adjustment receive Staff Report PL2024-019 for information; and

That the Committee approve the implementation of the Standard Conditions Wording for Consent applications.

Carried

6. Hearing

6.1 B1-24 - Paul H Sherk, Con 9 Lot 13 Geographic Township of Proton

6.1.1 Application and Notice of Public Hearing

The Purpose of application B1-24 is to sever the subject lands into two proposed farm lots as follows:

- 1) Severed lot +-484 meters frontage on Grey Road 14, +-385 meters depth and +-18.5 hectares lot area
- 2) Retained lot +-385 meters frontage on Southgate Road

12, +-523 meters depth along Grey Road 14 and +- 20 hectares lot area.

The Effect of proposed consent application B1-24 is to split the subject lands into two farm parcels with less than the minimum lot area required in the Agricultural-1 zone. Notice of rezoning application C4-24 issued separately for a pending public meeting to address minimum lot area required in the zoning bylaw.

6.1.2 Comments Received from Agencies and the Public

Junior Planner Victoria Mance reviewed comments received from the County of Grey, Enbridge Gas, the Historic Saugeen Metis, and the Southgate Public Works Department. There were no comments received from members of the public.

6.1.3 Applicant or Agent

The applicant or agent were not in attendance.

6.1.4 Committee Member Questions

Member Shipston inquired about the Zoning and Official Plan land designation of the parcel and Junior Planner Victoria Mance provided clarification.

Member Singh Soares had questions regarding the entrance requirements and Junior Planner Victoria Mance provided a response.

Chair Dobreen expressed her concerns regarding the proposal and had questions about the provisions of the original approved On Farm Diversified Use Shop and Junior Planner Victoria Mance provided a response.

6.1.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.1.6 Members of the Public to Speak

There were no members of the public in attendance to speak in support of or in opposition to the application.

6.1.7 Further Questions from the Committee

There were no further comments from Members of the Committee.

6.1.8 Approval or Refusal

Chair Dobreen called for a recorded vote on the main motion.

Moved By Member Ferguson

Seconded By Member Singh Soares

Be it resolved that Committee of Adjustment receive Staff Report PL2024-023 for information; and

That the application for consent be approved subject to the following conditions:

1. That the existing zoning of the severed and retained parcel be addressed through an application for relief on lot area and any other site and building regulations.
2. The standard conditions regarding parkland dedication, driveway access and similar apply as recommended by other agencies and Township Departments including that all requirements of the Township, financial or otherwise, be addressed to the satisfaction of the Township Staff prior to issuance of a certificate of consent.

Failed (2 to 2)

Yay (2): Member Ferguson, Member Singh Soares

Nay (2): Chair Dobreen, Member Shipston

6.2 A1-24 - Solomon and Salinda Martin, Con 2 SWTSR Pt Lots 198 to 200 RP 16R9480 Part 2, Geographic Township of Proton

6.2.1 Application and Notice of Public Hearing

The Purpose of the proposed Minor Variance is to decrease the amount of outdoor storage and increase the maximum combined size of structures associated with the On Farm Diversified Use approved in Bylaw 2014-064 for the subject lands. The Agricultural-1 Exception 333 Zone permits a 676.3 square meter Workshop, 35.6 square meter office (711.9 square meters total), and a maximum 500 square meters outdoor storage.

The applicant proposes to increase the maximum combined size of structures from 711.9 to 904 square meters and decreasing permitted outdoor storage from 500 to 310 square meters.

The Effect of the Minor Variance would be to increase the maximum combined size of structures to 904 square meters and decrease outdoor storage to 310 square meters for the On Farm Diversified Use on the subject lands.

6.2.2 Comments Received from Agencies and the Public

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

6.2.3 Applicant or Agent

The applicants Agent, Kristine Loft of Loft Planning, was in attendance, presented the proposal and was available for any questions from the Committee.

6.2.4 Committee Member Questions

Member Singh Soares had questions regarding the proposal being compliant with the current zoning and any potential negative impacts the proposal will have, and Kristine Loft provided clarification.

Member Shipston questioned the use of the shop, and Chair Dobreen requested clarification on the proposal, and Kristine Loft provided a response.

6.2.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.2.6 Members of the Public to Speak

There were no members of the public in attendance to speak in support of or in opposition to the application.

6.2.7 Further Questions from the Committee

There were no further comments from Members of the Committee.

6.2.8 Approval or Refusal

Moved By Member Shipston

Seconded By Member Singh Soares

Be it resolved that Committee of Adjustment receive Staff Report PL2024-020 for information; and

That the application for minor variance be approved subject to the following conditions:

1. That 191.6 square meters covered storage proposed in the sap and shanty shed not be used as part of the On Farm Diversified Use (workshop, office, power room etc.) and that outdoor storage correspondingly be reduced to 310 square meters.
2. That covered or outdoor storage be further reduced by 44.6 square meters to recognize the power room.

Carried

6.3 A2-24 - Cutway Inc., Con 2 SWTSR Pt Lot 221 Pt Lot 222, Geographic Township of Proton

6.3.1 Application and Notice of Public Hearing

The Purpose of the proposed Minor Variance is to decrease the amount of outdoor storage and increase the amount of indoor storage associated with the On Farm Diversified Use approved in Bylaw 2012-049 for the subject lands. The Agricultural-1 Exception 289 Zone permits a Metal Fabrication and Welding Workshop with outdoor storage of 500 square meters and maximum combined size of structures of 750 square meters. The applicant proposes to increase the maximum combined size of structures from 750 to 940 square meters by adding 190 square meters of inside storage and decreasing permitted outdoor storage from 500 to 310 square meters.

The Effect of the Minor Variance would be to increase the maximum combined size of structures to 940 square meters and decrease outdoor storage to 310 square meters for the On Farm Diversified Use on the subject lands.

6.3.2 Comments Received from Agencies and the Public

Junior Planner Victoria Mance reviewed comments received from the County of Grey, the Historic Saugeen Metis, Southgate Public Works, and the Saugeen Valley Conservation Authority. There were no comments received from members of the public.

6.3.3 Applicant or Agent

The applicants Agent, Kristine Loft of Loft Planning, was in attendance, presented the proposal and was available for any questions from the Committee.

6.3.4 Committee Member Questions

Member Singh Soares had questions regarding communication to the Ministry of the Environment, Conservation and Parks and Member Shipston presented his concerns regarding safety and Kristine Loft provided clarification.

6.3.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.3.6 Members of the Public to Speak

There were no further comments from Members of the Committee.

6.3.7 Further Questions from the Committee

Member Singh Soares asked for clarification on compliance and zoning requirements on and Kristine Loft provided a response.

6.3.8 Approval or Refusal

Moved By Member Shipston

Seconded By Member Ferguson

Be it resolved that Committee of Adjustment receive Staff Report PL2024-021 for information; and

That the application for minor variance be approved subject to the following condition:

1. That 189.12 square meters of covered storage proposed in the accessory building not be used as part of the On Farm Diversified Use (workshop, office) and that the maximum outdoor storage be reduced to 310 square meters instead of the maximum 500 square meters allowed in the previous rezoning.

Carried

6.4 A3-24 - RS MAR INC., Con 3 SWTSR Pt Lots 201 and 202 RP 16R8397 Part 2, Geographic Township of Proton

6.4.1 Application and Notice of Public Hearing

The Purpose of the proposed Minor Variance is to decrease the amount of outdoor storage and increase the

total floor area of the On Farm Diversified Use approved in Bylaw 2010-030 for the subject lands. The Agricultural-1 Exception 244 Zone permits a Metal Fabrication Workshop of 750 square meters, outdoor storage of 500 square meters, and a combined maximum workshop and storage area of 1250 square meters.

The applicant proposes an 895 square meter metal fabrication workshop, 355 square meters outside storage and to maintain a combined maximum workshop and storage area of 1250 square meters.

The Effect of the Minor Variance would be to increase the metal fabrication workshop from 750 square meters to 895 square meters and decrease outdoor storage from 500 square meters to 355 square meters on the subject lands.

6.4.2 Comments Received from Agencies and the Public

Junior Planner Victoria Mance reviewed comments received from the County of Grey, Historic Saugeen Metis, Southgate Public Works, and the Saugeen Valley Conservation Authority. There were no comments received from members of the public.

6.4.3 Applicant or Agent

The applicants Agent, Kristine Loft of Loft Planning, was in attendance, presented the proposal and was available for any questions from the Committee.

6.4.4 Committee Member Questions

Member Shipston requested confirmation that proposed change will not be used for manufacturing and only used for office space and Member Singh Soares questioned if the proposed expansion is for current and future staff members and what measures are in place to keep the proposed space as office space only and Kristine Loft provides clarification.

6.4.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.4.6 Members of the Public to Speak

There were no members of the public in attendance to speak in support of or in opposition to the application.

6.4.7 Further Questions from the Committee

There were no further comments from Members of the Committee.

6.4.8 Approval or Refusal

Moved By Member Ferguson

Seconded By Member Shipston

Be it resolved that Committee of Adjustment receive Staff Report PL2024-022 for information; and

That the application for minor variance be approved subject to the following condition:

1. That the additional office floor space be approved at 186.7 square meters (to a total of 222 square meters) and that office space never be converted to workshop.
2. That outdoor storage be 355 square meters maximum (reduced from 500 square meters) so that the combined On Farm Diversified Use floor space and outdoor storage be maintained at 1250 square meters as per the existing A1-244 zone.

Carried

7. Adjournment

Moved By Member Singh Soares

Seconded By Member Ferguson

Be it resolved that the Committee adjourn the meeting at 10:19 AM.

Carried

Chair Barbara Dobreen

Secretary-Treasurer Elisha Milne



Township of Southgate Committee of Adjustment

Application for Minor Variance

Fees Effective January 1, 2024

By-law 2023-109

Instructions:

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

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

For office use only:

File No. A- **A4-24**

Pre-Consult _____ Date: _____

Date received: **Feb 14, 2024**

Accepted by: _____

Roll #42 07 **060-003-10800**

Conservation Authority Fee

Required: **SVCA**

Official Plan: _____

Property's Zone: **A1, EP, A1-490**

Other Information: _____

It is a requirement that any potential applicant pre-consult with the Planning Department pursuant to by-law 66-2012 prior to submitting any planning application, for the initial pre consultation meeting, please provide a drawing or sketch of your proposal accompanied by a written description.

The Approval Authority is the **Township of Southgate Committee of Adjustment** Required Fees:

| | |
|------------------------------------|--|
| Pre-Consultation Fee | \$ 500.00 due prior to the application being submitted |
| Application Fee | \$ 1,400.00 due with submitted application |
| Public Notice Sign Fee | \$ 145.00 |
| Conservation Authority Fees | |
| Saugeen Valley CA | \$190.00 |
| Grand River CA | Contact directly for details |
| County of Grey Review Fee | \$400.00 |

PAID

Note on fees:

The application fees were adopted and approved under the Township of Southgate's Fee's and Charges By-law and will only be accepted once the application is deemed complete by the Township of Southgate Planning Department.

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

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

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

1. Name of Owner/Applicant (circle one) Kevin Martin
Address 391708 GREY ROAD 109, MOUNT FOREST
Postal Code [REDACTED] Telephone Number N0G 2L0

2. Name of Agent Cleon Martin
Address [REDACTED]
Postal Code [REDACTED] Telephone Number [REDACTED]

3. Nature and extent of relief applied for:
-- Reduce the MDS from 146m to 60m for barn with manure storage pack to nearest dwelling
-- Reduce the MDS from 29m to 22m for barn with manure storage pack to road allowance

4. Why is it not possible to comply with the provisions of the by-law? _____
The proposed building is an addition to an existing building.

5. Legal description of subject land (registered plan number and lot number or other legal description, and, where applicable, street and street number):
391708 GREY ROAD 109, MOUNT FOREST ON N0G 2L0
Grey, Southgate, Egremont, con 2, lot 48, 4207060003108000000

6. Dimensions of land affected in metric units:
Frontage: _____ Area: _____
Depth: _____ Width of Street: _____

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

Existing: _____

Proposed: _____

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

Existing: _____

Proposed: _____

9. Date of acquisition of subject land: 2019

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

11. Existing uses of the subject property:
Agricultural

12. Existing uses of the abutting properties:
North: Agricultural East: Agricultural
South: Agricultural West: Agricultural

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

14. Water is provided to the subject land by a:
_____ publicly owned and operated piped water system
_____ ☒ privately owned and operated individual or communal well
_____ lake or other water body or other means (please explain)

15. Sewage disposal is provided to the subject land by a:
_____ publicly owned and operated sanitary sewage system
_____ ☒ privately owned and operated individual or communal well
_____ privy or other means (please explain)

16. Storm drainage is provided by (check applicable):
Sewers: _____ Ditches _____ Swales : _____
Other means (please explain) _____

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

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

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

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

20. Is the subject property the subject of a current application for a plan of subdivision or consent under Section 51 or 53 of the Planning Act?
Yes ☐ No ☒

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

21. Owners authorization and declaration:

I/we Kevin Martin
(print name or names)

authorize Cleon Martin
(print name of agent)

Signer ID: (Signature of Owner) 2024.02.14
(date)

(Signature of Owner)

(date)

I/we Kevin Martin
(print name or names)

 (Signature of Owner)

 (date)

(Signature of Owner)

(date)

23. Affidavit or sworn declaration :

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

I/ (We) Kevin ^{Owner} Martin Clean Martin
Name of Owner(s) or Authorized Agent or Applicant

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

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

Declared before me at the:

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

This 14 day of February, 20 21

Signatures of

2024.02.14

Date

Signatures of Owner

February 14 2024

Date

Signature of Commissioner

February 14 2024

Date

Holly Malynyk, a Commissioner, etc.,
Province of Ontario, for The Corporation of
the Township of Southgate.

Kevin Martin

Site details/ owner contact info

Kevin Martin
391708 GREY ROAD 109
MOUNT FOREST ON N0G 2L0
519-334-3727
4207060003108000000

Buildings

- 120x90' barn addition with bedded pack manure storage
- 44x100' new feed bunkers

MDS II Setback Requirement

- 146m radius
- 29m to road allowance



Kevin_Carol Martin

General information

Application date

Feb 14, 2024

Municipal file number

Applicant contact information

Kevin Martin
391708 GREY ROAD 109
MOUNT FOREST, ON
N0G 2L0
519-334-3727

Location of subject livestock facilities

County of Grey
Township of Southgate
EGREMONT
Concession 2 , Lot 48
Roll number: 4207060003108000000

Notes

391708 GREY ROAD 109
MOUNT FOREST ON N0G 2L0

Calculations

Farm A

Livestock/manure summary

| Manure Form | Type of livestock/manure | Existing maximum | Total after alteration | Estimated livestock barn area |
|-------------|--|------------------|------------------------|-------------------------------|
| Solid | Beef, Feeders (7 - 16 months), Confinement Bedded Pack | 120 (40 NU) | 240 (80 NU) | 12000 ft² |
| Solid | Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring) | 2 (2 NU) | 2 (2 NU) | 500 ft² |

Setback summary


| | |
|----------------------------------|---------------------------------------|
| Existing manure storage | V1. Solid, inside, bedded pack |
| Existing design capacity | 42 NU |
| Design capacity after alteration | 82 NU |

| | | | |
|------------------------------|---------------|----------------------------|---------------|
| Factor A (odour potential) | 0.8 | Factor B (design capacity) | 299.66 |
| Factor C (orderly expansion) | 0.8677 | Factor D (manure type) | 0.7 |

Building base distance 'F' (A x B x C x D)
(minimum distance from livestock barn) **146 m (479 ft)**

Storage base distance 'S'
(minimum distance from manure storage) **146 m (479 ft)**

Setback distance summary

| Description | Building setbacks | | Storage setbacks | |
|---------------------------------|------------------------------|--|------------------------------|--|
| Type A land uses | Minimum 146 m (479 ft) | Actual 61 m (200 ft)  | Minimum 146 m (479 ft) | Actual 61 m (200 ft)  |
| Type B land uses | Minimum 292 m (958 ft) | Actual NA (Not available) | Minimum 292 m (958 ft) | Actual NA (Not available) |
| Nearest lot line (side or rear) | Minimum 15 m (48 ft) | Actual 82 m (270 ft) | Minimum 15 m (48 ft) | Actual 82 m (270 ft) |
| Nearest road allowance | Minimum 29 m (96 ft) | Actual 23 m (75 ft)  | Minimum 29 m (96 ft) | Actual 23 m (75 ft)  |

Preparer signoff & disclaimer

Preparer contact information

Cleon Martin
9481 Sally Street
Mount Forest, ON
N0G 2L0

Site details/ owner contact info

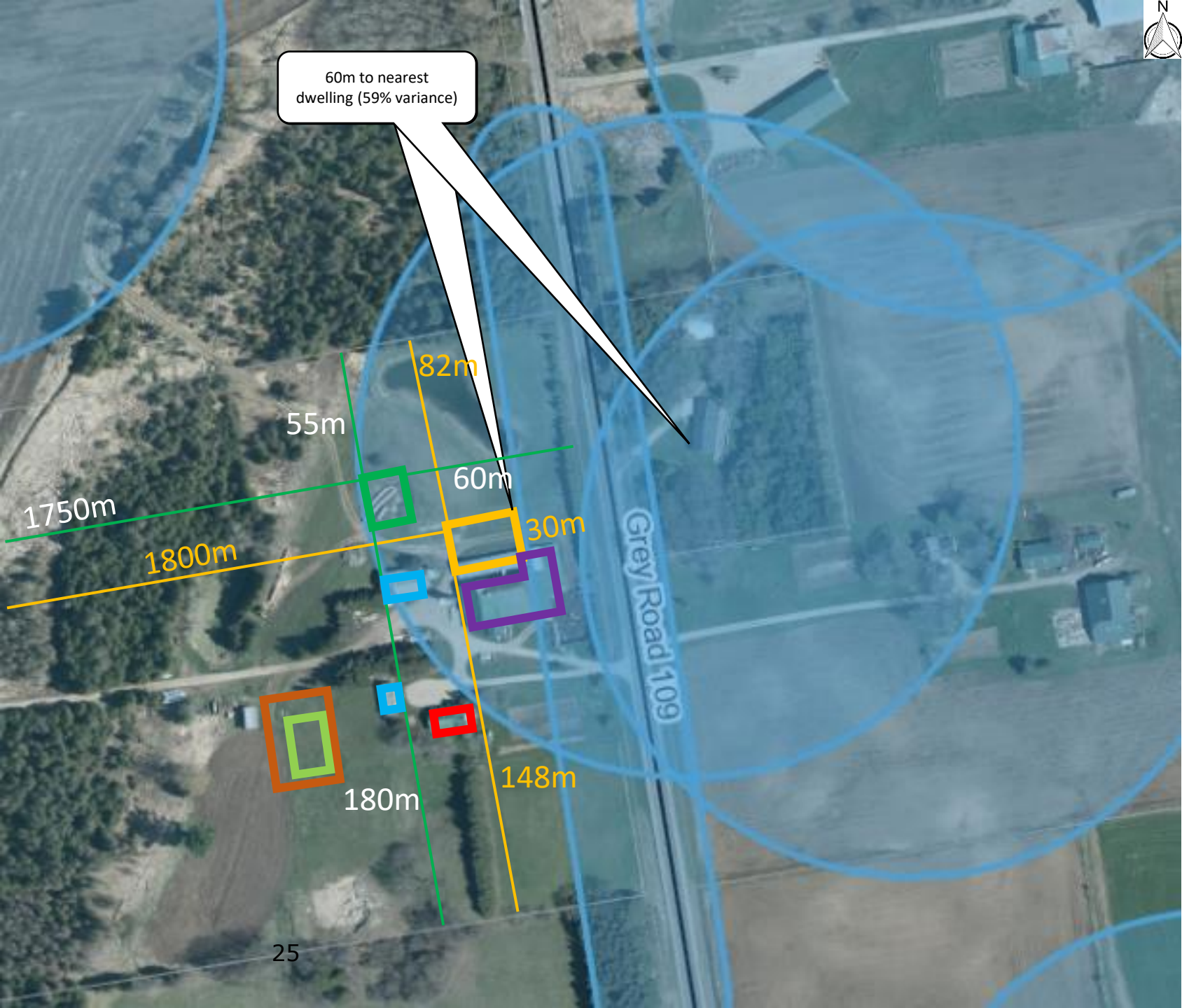
Kevin Martin
391708 GREY ROAD 109
MOUNT FOREST ON NOG 2L0
4207060003108000000

Buildings

- 120x90' barn addition with bedded pack manure storage
- 44x100' new feed bunkers
- 1250 sq. m OFDU
- 180 sq. m house
- 750 sq. m OFDU workshop
- 960 sq. m existing beef barn
- 340 sq. m of utility/ equipment sheds
- 000m Distance from barn addition to lot lines in metres
- 000m Distance from new bunker to lot lines in meters

MDS II Setback Requirement

- 146m radius
- 29m to road allowance





**TOWNSHIP OF SOUTHGATE COMMITTEE OF ADJUSTMENT
NOTICE OF APPLICATION FOR MINOR VARIANCE AND PUBLIC
HEARING**

The Planning Act, RSO 1990, as amended

TAKE NOTICE that the Township of Southgate Committee of Adjustment has appointed April 24, 2024, at 9:00 am for the purpose of a public hearing to be held **electronically** at the following credentials:

Please join the meeting from your computer, tablet, or smartphone

<https://zoom.us/j/99695951220?pwd=aERScXJtQ2Qzb1Y5TS9aOURvOW90dz09>

You can also dial in using your phone. Phone: +1 647 374 4685 Meeting ID: 996 9595 1220 Passcode: 349215

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

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

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

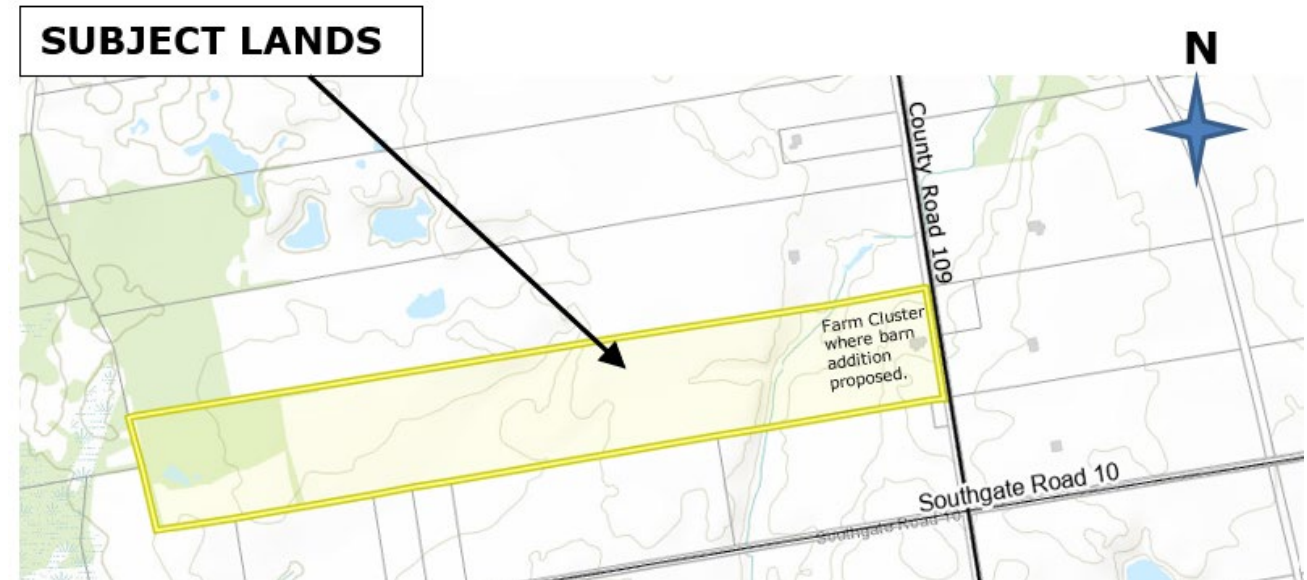
APPLICATION FOR MINOR VARIANCE - FILE NO. A4-24

OWNERS: Kevin Martin

Description and Key Map of the Subject Land

Legal Description: Con 2, Lot 28, Geographic Township of Egremont, Township of Southgate

Civic Address: 391708 Grey Road 109



The Purpose of the Minor Variance is reduce required Minimum Distance Separations for a proposed barn addition with bedded pack manure storage as follows:

- 1) From 29 meter required separation from the Grey Road 9 road allowance to a 22 meter separation from the road allowance.
- 2) From 146 meter required separation from the nearest residential dwelling to 60 meters minimum from the nearest dwelling.

The Effect of the rezoning is to permit construction of a barn addition with a 22 meter separation from the Grey Road 9 road allowance and 60 meter separation from the nearest residence.

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

If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make **written submission** to: Committee of Adjustment, Township of Southgate office before it gives a provisional consent, the Tribunal (OLT) may dismiss.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the undersigned. For more information about this matter, contact

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

Additional information regarding this application is available at
<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#A4-24-Kevin-Martin>

When requesting information please quote File No. **A4-24**

From: planning@grey.ca
To: [Southgate Planning](#); [Lindsey Green](#); [Elisha Milne](#)
Subject: County comments for A4-24 Martin
Date: April 11, 2024 2:09:56 PM

County comments for A4-24 Martin

Hello Southgate,

Please see below for the County comments for Minor Variance application A4-24 Martin - Kevin Martin.

County Planning Ecology staff have reviewed the subject application and have no concerns.

County Transportation Services have reviewed the subject application and have a comment stating,

All proposed buildings must maintain a 75ft setback from the centreline of the County RoW or apply for an exemption. The attached sketch appears to maintain this distance but exact measurements by the applicant are necessary.

County Planning staff have reviewed the subject application. Schedule A of the County OP designates the subject lands as 'Agricultural' and 'Rural'. Section 5.2.2(5) states,

Municipalities should not reduce MDS through a minor variance, zoning amendment, or official plan amendment, except where sufficient reasoning has been provided, and the intent of the MDS Guidelines has been maintained. MDS shall generally not be modified for the purposes of permitting new non-farm sized lot creation. In reviewing the rationale for a variance, there should be demonstration that the variance would:

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

The existing barn does not conform to MDS setbacks and the proposed development is for an addition to the existing barn. Further, it is not possible for the addition to meet MDS setbacks, unless the entire barn were rebuilt in a location that meets MDS setbacks. Therefore, County Planning staff have no concerns.

Schedule A of the County OP indicates that the subject lands contain 'Hazard Lands'. The proposed development is located outside of the Hazard Lands;

therefore, County Planning staff have no concerns.

Schedule B of the County OP indicates that the subject lands contain 'Aggregate Resource Area'. Section 5.6.2(1) states,

Where the Aggregate Resource Area overlaps an Agricultural, Special Agricultural, Rural, or Hazard Lands land use type, the policies and permitted use of the underlying land use types shall apply until such time as the site is licensed for sand, gravel, or bedrock extraction

The subject lands are not currently licensed for sand, gravel, or bedrock extraction; therefore, County Planning staff have no concerns.

Provided all buildings maintain a 75 foot setback from the centreline of the County RoW or an exemption to this is applied for; County Planning staff have no concerns with the subject application.

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

Let us know if you have any questions.

Best regards,

Derek McMurdie

County of Grey, Owen Sound, ON

From: [Coordinator LRC HSM](#)
To: [Elisha Milne](#)
Subject: Request for Comment - Township of Southgate (Kevin Martin) Proposed Minor Variance
Date: April 15, 2024 1:22:37 PM
Attachments: [PastedGraphic-5.png](#)

Township of Southgate

RE: A4-24

The Historic Saugeen Métis (HSM) Lands, Waters and Consultation Department has reviewed the relevant documents and has no objection or opposition to the proposed Minor Variance.

Thank you for the opportunity to review this matter.

Regards,

Georgia Lumley

Coordinator, Lands, Waters & Consultation
Historic Saugeen Métis
204 High Street
Southampton, ON
saugeenmetis.com
519.483.4000



This message is intended for the addressees only. It may contain confidential or privileged information. No rights to privilege have been waived. Any copying, retransmittal, taking of action in reliance on, or other use of the information in this communication by persons other than the intended recipients(s) is prohibited. If you have received this message in error, please reply to the sender by e-mail and delete or destroy all copies of this message.

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: April 15, 2024

File No.: A4-24

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Grey County jurisdiction

Road Widening Necessary? Yes ☐ No ☒

Entrance Requirements: Grey County jurisdiction

Load Restricted Road: Yes ☐ No ☒

Comments: _____

Risk Management Office

Property is located in a Well Head Protection Area:

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

Comments: _____

Signed: _____

Jim Ellis, Public Works Manager / Risk Management Official

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

April 15, 2024

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

ATTENTION: Elisha Milne, Secretary-Treasurer

Dear Elisha Milne,

RE: Proposed Minor Variance A4-24 (Martin)
391708 Grey Road 109
Lot 48, Con 2
Roll No. 420706000310800
Geographic Township of Egremont
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 41/24 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards, and natural heritage. Furthermore, the application has been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of the Minor Variance is reducing required Minimum Distance Separations for a proposed barn addition with bedded pack manure storage as follows:

- 1) From 29 meter required separation from the Grey Road 9 road allowance to a 22 meter separation from the road allowance.
- 2) From 146 meter required separation from the nearest residential dwelling to 60 meters minimum from the nearest dwelling.

The Effect of the rezoning is to permit construction of a barn addition with a 22 meter separation from the Grey Road 9 road allowance and 60 meter separation from the nearest residence.

Background

The agent for the owner contacted the SVCA on January 10, 2024, regarding the proposal. SVCA conducted a site visit to the property on February 13, 2024. Based on site conditions, SVCA edited our SVCA mapping and recommended an update to the EP zone. Based on the site inspection a SVCA permit would not be required for the construction of the proposed addition or for the manure storage. SVCA provided written comments and mapping, dated March 1, 2024. Furthermore, SVCA is in the process of issuing a SVCA permit for the site alteration required to close the pond on the property.

Recommendation

The proposed minor variance application is generally acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments - Natural Hazards

The natural hazard features located on the property include a watercourse and its related flood hazard and wetlands/swamp. The Hazard Land Area and Environmental Protection (EP) zone currently do not coincide with the hazard lands as mapped by the SVCA for the property. As mentioned above, based on the SVCA site inspection, the SVCA has revised our SVCA hazard lands mapping to best reflect the most applicable information for the property. Therefore, SVCA recommend that the Township of Southgate update the EP zone for the property at the earliest opportunity to best reflect SVCA mapping. The SVCA's recommended EP zone is shown on the attached SVCA mapping as Hazard Lands. Based on the plans submitted with the application and site inspection, it is the opinion of SVCA staff that the location of the proposed development will not be located in the EP zone.

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. It is the opinion of SVCA staff that the application is consistent with the natural hazard policies of the Southgate OP and the Grey County OP.

Statutory Comments

A large part of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 41/24. As such, development and/or site alteration within the Approximate Screening Area requires the permission from SVCA, prior to carrying out the work.

“Development Activities” 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 41/24 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 this property, the SVCA Approximate Regulated Area is the largest of the watercourse and its floodplain and 15 metres outwards from any flood plain, and the wetlands/swamp and 30 metres outwards from the wetland/swamp. As noted above, an SVCA permit is not required for development as proposed as part of this application.

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 Grey County OP and Township of Southgate policies for natural hazards has been demonstrated.

Please inform this office of any decision made by the Township of Southgate with regard to the application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,

Jason Dodds
Environmental Planning Technician
Saugeen Conservation
JD/

Enclosure: SVCA map

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



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 ©[2023] of the Queen's Printer for Ontario. All Rights Reserved. [2023] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

This mapping contains products of the South Western Ontario Orthophotography Project 2020 (SWOOP2020). These images were taken in 2020 at 16cm resolution by Mapcon Mapping Ltd. They are the property of Saugeen Valley Conservation Authority ©2023.



UTM Zone 17N, NAD 83



1:2000

Legend

-  Approximate Regulatory Screening Area
-  Hazard Land \ EP Zone
-  Watercourse
-  Parcel Fabric

SVCA Hazard Zone
K. Martin
420706000310800
Legal Description: Lot 48, Con 2
Egremont, Southgate



35 March 1 2024

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



Phone: 519-923-2110
Toll Free: 1-888-560-6607
Fax: 519-923-9262
Web: www.southgate.ca

Staff Report PL2024-028

Title of Report: Application A4-24 for Minor Variance, Kevin Martin 391708 Grey Road 109
Department: Clerks
Branch: Planning Services
Committee Date: April 24, 2024

Recommendation:

Be it resolved that Committee of Adjustment receive Staff Report PL2024-028 for information; and

That the application for minor variance be approved subject to the following condition:

1. That the proposed variance applies to proposed barn expansion as outlined in the submitted site plan.

Property Location: 391708 Grey Road 109, Con 2, Lot 28, Former Egremont Twp

The Proposal: The proposed minor variance would reduce required Minimum Distance Separations for a proposed barn addition with bedded pack manure storage from a 29-meter required separation from the Grey Road 9 road allowance to a 22-meter separation, and from 146 meter a required separation from the nearest residential dwelling to 60 meters minimum from the nearest dwelling.

As shown in the sketch below the existing barn that is being replaced already does not comply with MDS setbacks. Due to the alignment of the existing buildings on-site there is no way to other location to place the barn addition within the farm cluster.

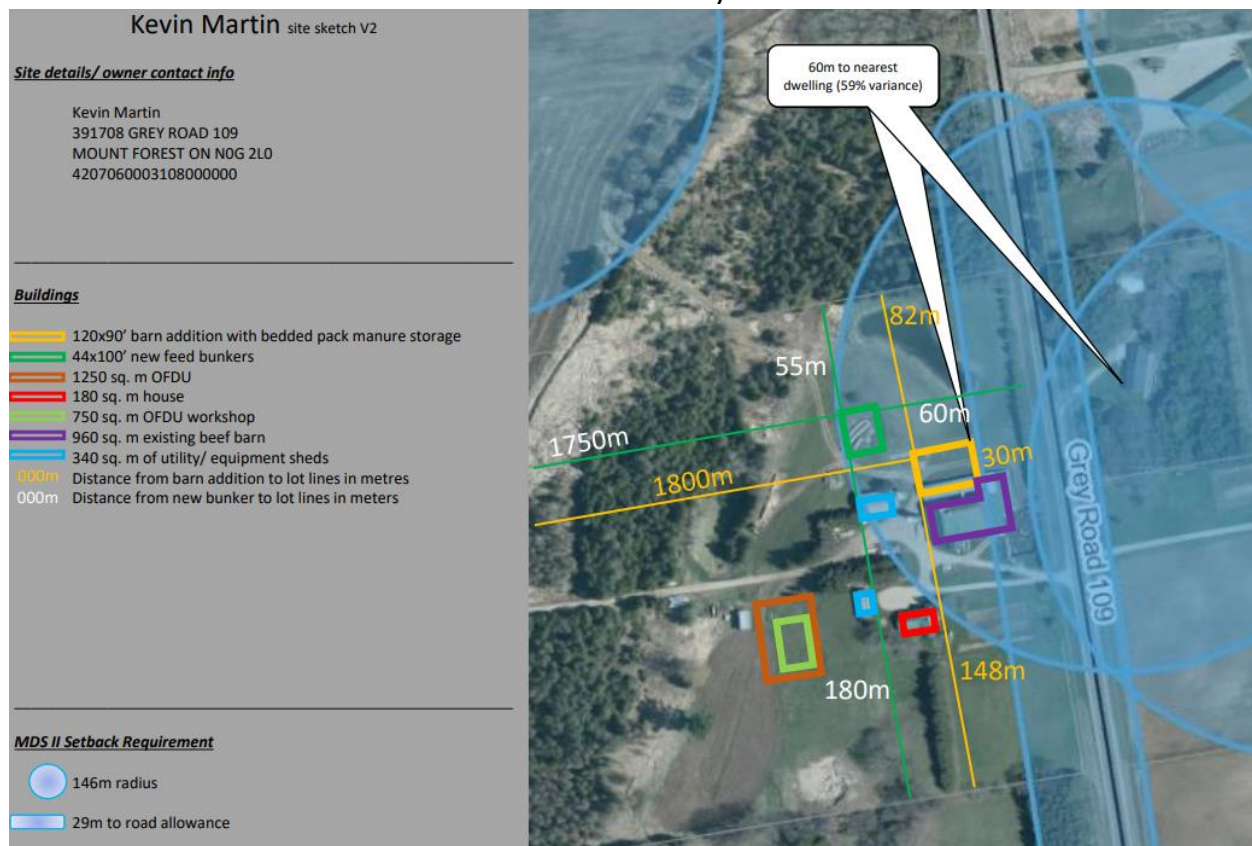
1706000310800
391708 GREY ROAD 109
[on property](#)

c CON 2 LOT 48
m with residence - with or without secondary
arm outbuildings
t: 916000 see additional details for updated values.

[View Additional Details](#)



The applicant's agent calculated the minimum distance separation and shown it on the site plan on the following below. The variance application only deals with the setback to the home across the road and County Road 109.



Background: The subject lands front on County Road 109 and are north of Southgate Sideroad 10, just south of Holstein. The owner of the house across the street has written Committee indicating support for the variance.

Policy Review: Section 5.4.1.2 (23) states "a small reduction to the MDS requirement may be considered through a Minor Variance application only where sufficient reasoning has been provided, and the intent of the MDS Guidelines has been maintained. MDS shall generally not be modified for the purposes of permitting new non-farm sized lot creation." There is no new lot creation proposed and little room in the existing farm cluster to expand the beef barn without impacting MDS separations.

This proposal involves more intensive development of an established agricultural property within an area designated to allow "all types, sizes and intensities of agricultural uses." The parcel is over 49 acres (120 acres) in size but is long and narrow with the farm cluster in the front of the lot nearby the street. Trees and grade changes at the front of the lot provide a visual barrier of barn from the street as shown by the Fall 2023 street view on the following page.

Provincial Planning Policy, and County and Township Official Plans all encourage active expanding farm operations within intensive agricultural areas due to the strong benefits to the rural economy.



Provincial Policy Statement: 2.3.1 Prime Agricultural Areas shall be protected for long-term agricultural use.

Township Official Plan: Agriculture, Hazard Land

Zoning By-law: Agricultural-1, A1- Exception 490, Environmental Protection

Concluding Comments: Due to the long narrow lot, and the configuration of the farm cluster, the applicant has few options to efficiently expand the operation. On that basis, Township staff believe the proposed minor variance could be considered minor, desirable for the appropriate development of the lands, and to maintain the intent and purpose of the Official Plan and Zoning Bylaw.

Respectfully submitted,

**Triton Engineering
Services Senior Planner:**

Original Signed By

[Bill White, MCIP RPP]

CAO Approval:

Original Signed By

Dina Lundy, CAO

Attachments: None.



Township of Southgate Committee of Adjustment

Application for Minor Variance

Fees Effective January 1, 2024

By-law 2023-109

Instructions:

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

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

For office use only:

File No. A- 5-24

Pre-Consult Date: Feb 26/24

Date received: March 8, 2024

Accepted by: _____

Roll #42 07 090 005 02800

Conservation Authority Fee

Required: SVCA

Official Plan: Rural + Hazard

Property's Zone: A1+EP

Other Information: _____

It is a requirement that any potential applicant pre-consult with the Planning Department pursuant to by-law 66-2012 prior to submitting any planning application, for the initial pre consultation meeting, please provide a drawing or sketch of your proposal accompanied by a written description.

The Approval Authority is the Township of Southgate Committee of Adjustment Required Fees:

| | |
|------------------------------------|--|
| Pre-Consultation Fee | \$ 500.00 due prior to the application being submitted |
| Application Fee | \$ 1,400.00 due with submitted application |
| Public Notice Sign Fee | \$ 145.00 |
| Conservation Authority Fees | |
| Saugeen Valley CA | \$190.00 |
| Grand River CA | Contact directly for details |
| County of Grey Review Fee | \$400.00 |

Note on fees:

The application fees were adopted and approved under the Township of Southgate's Fee's and Charges By-law and will only be accepted once the application is deemed complete by the Township of Southgate Planning Department.

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

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

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

1. Name of Owner/Applicant (circle one) Timothy H Frey - T. Frey Manufacturing Ltd

Address 772410 HIGHWAY 10 RR#3 Dundalk

Postal Code N0C 1B0

Telephone Number [REDACTED]

2. Name of Agent Solomon Martin

Address [REDACTED]

Postal Code [REDACTED]

Telephone Number [REDACTED]

3. Nature and extent of relief applied for: this application is to seek a sideyard setback relief

from 15 meters to 10 meters for a proposed barn addition to an existing barn and to address the inaccurate EP zone boundary in the Township Zoning by-law

4. Why is it not possible to comply with the provisions of the by-law?

there is already an existing building there so the addition when attached is closer then the 15m

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

PROTON CON 1 SWTSR PT LOTS;221 AND 222

6. Dimensions of land affected in metric units:

Frontage: 406m

Area: 40.5 ha

Depth: 1015m

Width of Street: hwy10 36m

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

Existing: see sketch attached

house= 194m2 -2 story shop 630m2 = single story existing barn = 432m2

Proposed: proposed barn addition as shown in sketch

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

Existing: see sketch attached

Proposed: see sketch attached

9. Date of acquisition of subject land: 2011

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

shop 2013 barn 2012 house 2016 shed 2019

11. Existing uses of the subject property:

agriculture with a residence and OFDU

12. Existing uses of the abutting properties:

North: agriculture

East: agriculture

South: agriculture

West: agriculture

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

2012

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

 publicly owned and operated piped water system

X privately owned and operated individual or communal well

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

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

 publicly owned and operated sanitary sewage system

X privately owned and operated individual or communal well

 privy or other means (please explain)

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

Sewers: Ditches Swales :

Other means (please explain) sheet flow

17. Present Official Plan designation on the subject lands: RU , EP

18. Present Zoning By-law provisions applying to the land: RU , EP , A1-282

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

Yes ☐ No ☒

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

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

Yes ☐ No ☒

Sketch Instructions:

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

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

21. Owners authorization and declaration:

Authorization for agent

I/we Timothy Frey

(print name or names)

authorize Solomon Martin

(print name of agent)

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

(Signature of Owner)

Mar 7, 2024

(date)

(Signature of Owner)

(date)

22. Owners authorization for access:

I/we Timothy Frey - T.Frey Manufacturing Ltd.

(print name or names)

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

(Signature of Owner)

Mar 7, 2024

(date)

(Signature of Owner)

(date _____)

23. Affidavit or sworn declaration :

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

I/ (We) Solomon Martin
Name of Owner(s) or Authorized Agent or Applicant
of the Township of Wellesley in the Region of Waterloo
city/town/municipality county/region

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

Declared before me at the:

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

This 8 day of March, 2024

Signatures of Owner Agent

Date

March 8, 2024

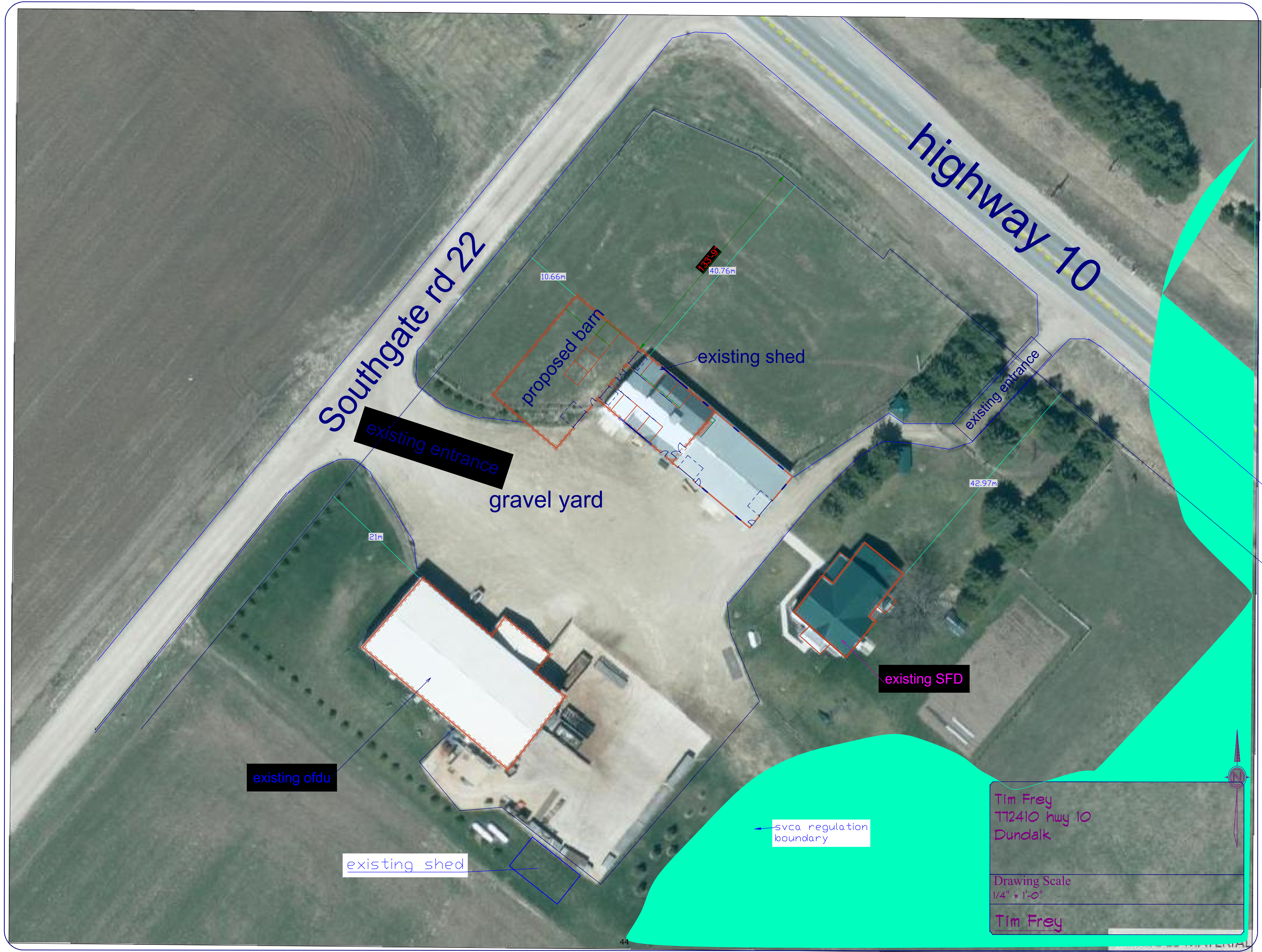
Signatures of Owner

Date

Signature of Commissioner

March 8, 2024
Date

Elisla White, a Commissioner, etc.,
Province of Ontario, for The Corporation of
the Township of Southgate, County of Grey.







**TOWNSHIP OF SOUTHGATE COMMITTEE OF ADJUSTMENT
NOTICE OF APPLICATION FOR MINOR VARIANCE AND PUBLIC
HEARING**

The Planning Act, RSO 1990, as amended

TAKE NOTICE that the Township of Southgate Committee of Adjustment has appointed April 24, 2024, at 9:00 am for the purpose of a public hearing to be held **electronically** at the following credentials:

Please join the meeting from your computer, tablet, or smartphone

<https://zoom.us/j/99695951220?pwd=aERScXJtQ2Qzb1Y5TS9aOURvOW90dz09>

You can also dial in using your phone. Phone: +1 647 374 4685 Meeting ID: 996 9595 1220 Passcode: 349215

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

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

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

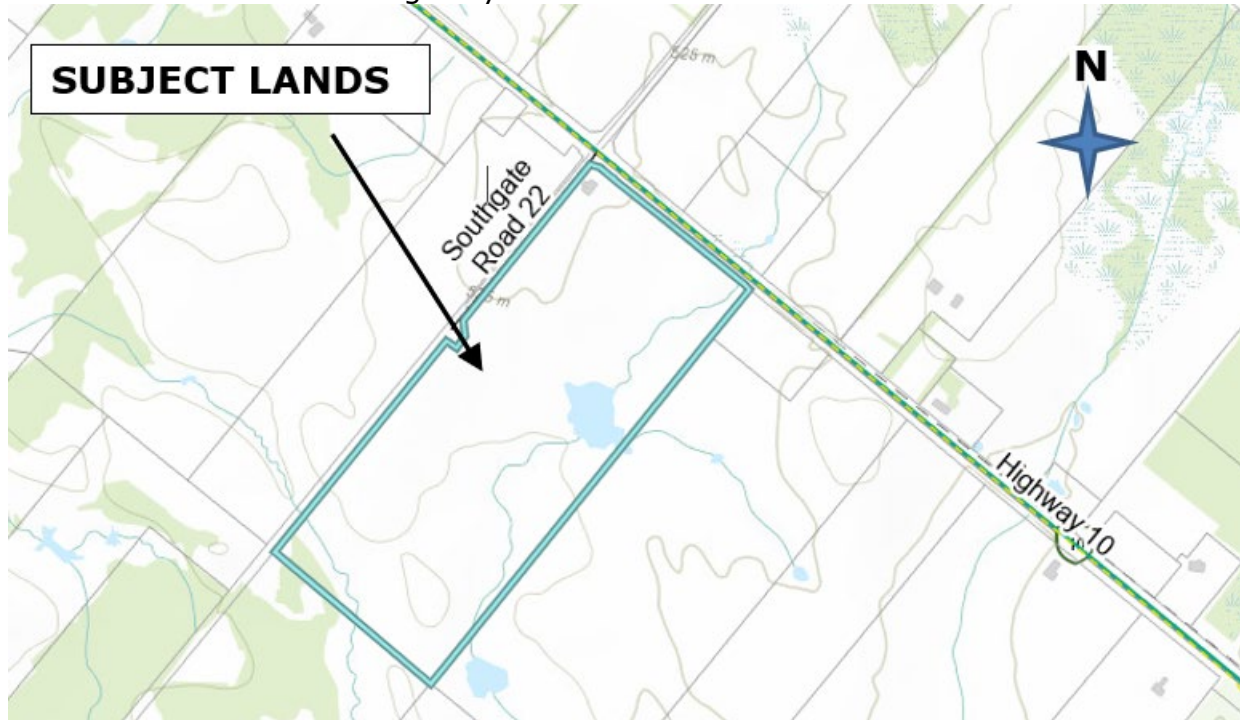
APPLICATION FOR MINOR VARIANCE - FILE NO. A5-24

OWNERS: Timothy Frey

Description and Key Map of the Subject Land

Legal Description: Con 1 SWTSR PT LOTS 221 and 222, Geographic Township of Proton, Township of Southgate

Civic Address: 772410 Highway 10



The Purpose of the Minor Variance is to permit construction of a proposed addition to an existing barn with a 10.66 meter side yard to the Southgate Road 22 side lot line. A 20 meter side yard to an improved street is required in the Agricultural-1 Zone. A variance is also requested on the location of the Environmental Protection Zone boundary to remove it from the farm cluster so that it corresponds with the Saugeen Valley Conservation Authority regulated area

The Effect of the Minor Variance is to permit an addition north and west of the existing barn within the farm cluster area with a side yard 9.34 meters less than the required setback to Southgate Road 22.

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

If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make **written submission** to: Committee of Adjustment, Township of Southgate office before it gives a provisional consent, the Tribunal (OLT) may dismiss.

If you wish to be notified of the decision of the Committee of Adjustment in respect of

the proposed consent, you must make a written request to the undersigned. For more information about this matter, contact

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

Additional information regarding this application is available at
<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#A5-24-Timothy-Frey>

When requesting information please quote File No. **A5-24**

From: [CA - Circulations](#)
To: [Elisha Milne](#)
Subject: RE: Notice of Public Hearing - Minor Variance Application A5-24 Timothy Frey
Date: April 5, 2024 9:22:50 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
Importance: Low



Your E-mail was Received on: Friday, April 5, 2024

Thank you for your email on: Notice of Public Hearing - Minor Variance Application A5-24 Timothy Frey

The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications infrastructure and we appreciate the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments / input be required on the information included in the circulation received. Bell Canada kindly requests that even if a specific comment is not provided at this time that you continue to circulate us at circulations@wsp.com on any future materials related to this development project or infrastructure / policy initiative so that we can continue to monitor its progress and are informed of future opportunities for engagement.

1) Bell Canada Responses to Pre-Consultation & Complete Development Application Circulations:

Pre-consultation Circulations

Please note that Bell Canada does NOT generally comment on pre-consultation circulations unless the information provided identifies that a future draft plan of subdivision, draft plan of condominium and/or site plan control application will be required to advance the development proposal.

Complete Application Circulations & Recirculations

Please note that Bell Canada does NOT generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

Bell Canada will generally comment on recirculations where the change modifies the proposed residential dwelling unit count and/or non-residential gross floor area in a draft plan of subdivision, draft plan of condominium and/or site plan control application.

2) Bell Canada Responses to Infrastructure and Policy Initiative Circulations:

If required, a follow-up email will be provided by Bell Canada to outline any input to be considered on the infrastructure / policy initiative circulation received at this time.

Concluding Remarks:

If you have any other specific questions, please contact planninganddevelopment@bell.ca directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours Truly,



Juan Corvalan

Bell Canada

Senior Manager – Municipal Liaison

Network Provisioning

planninganddevelopment@bell.ca

From: Elisha Milne <emilne@southgate.ca>

Sent: Friday, April 5, 2024 1:17:01 PM

To: Six Nations of the Grand River <lonnybomberry@sixnations.ca>; Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme_bastarache@bwdsb.on.ca>; Brenna Carroll <bcarroll@southgate.ca>; chad.aitken@bgcdsb.org <chad.aitken@bgcdsb.org>; Dina Lundy <dlundy@southgate.ca>; Enbridge <municipalplanning@enbridge.com>; Enbridge Gas <ONTLands@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group_PlanningDeptEmails <Group_PlanningDeptEmails@grey.ca>; Haudenosaunee <info@hdi.land>; Historic Saugeen Metis <hsmrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jjellis@southgate.ca>; Juanita Meekins <juanita.meekins@saugeenogibwaynation.ca>; Kevin Green <kgreen@southgate.ca>; Lacy Russell <lrussell@southgate.ca>; Lindsey Green <lgreen@southgate.ca>; Meagan Bruce <M.Bruce@publichealthgreybruce.on.ca>; Metis Nation of Ontario <consultations@metisnation.org>; Newdevelopment@rci.rogers.com <Newdevelopment@rci.rogers.com>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Pegelo, Jessica - MTO <jessica.pegelo@ontario.ca>; Saugeen Ojibway Nation <associate.ri@saugeenogibwaynation.ca>; SVCA Planning <southgate@svca.on.ca>; Taylor McMann <tmcmann@southgate.ca>; Union Gas <ontugllandsinq@uniongas.com>; Victoria Mance <vmance@southgate.ca>; CA - Circulations <CA.Circulations@wsp.com>

Cc: Rebecca Whelan <rwhelan@dufferincounty.ca>; Denise Holmes <dholmes@melancthontownship.ca>

Subject: Notice of Public Hearing - Minor Variance Application A5-24 Timothy Frey

Good morning,

Please find the below link for the application documents including the Notice of Public Hearing for Minor Variance Application A5-24 Timothy Frey.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#A5-24-Timothy-Frey>

The Public Hearing is scheduled **via Zoom** for **April 24, 2024, at 9:00AM**. Please supply all comments on the above notification by **April 17, 2024**, so they may be included in the public agenda.

Comments can be received by:

Email: emilne@southgate.ca

Fax: 519-923-9262 Attn: Elisha Milne

Mail: Elisha Milne, Legislative and Planning Coordinator
185667 Grey County Road 9
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

Elisha Milne

Legislative & Planning Coordinator
Township of Southgate

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

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

emilne@southgate.ca | www.southgate.ca



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-LAEmHhHzdJzBITWfa4Hgs7pbKl

From: planning@grey.ca
To: [Southgate Planning](#); [Lindsey Green](#); [Elisha Milne](#)
Subject: County comments for A5-24 Frey
Date: April 8, 2024 3:01:26 PM

County comments for A5-24 Frey

Hello Southgate,

Please see below for the County comments for Minor Variance application A5-24 Frey - Timothy Frey - T. Frey Manufacturing Ltd.

County Planning Ecology staff have reviewed the subject application and have no concerns.

County Planning staff have reviewed the subject application and have no concerns.

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

Let us know if you have any questions.

Best regards,

Derek McMurdie

County of Grey, Owen Sound, ON

From: [Coordinator LRC HSM](#)
To: [Elisha Milne](#)
Subject: Request for Comment - Township of Southgate (Timothy Frey) Proposed Minor Variance
Date: April 15, 2024 1:27:32 PM
Attachments: [PastedGraphic-5.png](#)

Township of Southgate

RE: A5-24

The Historic Saugeen Métis (HSM) Lands, Waters and Consultation Department has reviewed the relevant documents and has no objection or opposition to the proposed Minor Variance.

Thank you for the opportunity to review this matter.

Regards,

Georgia Lumley

Coordinator, Lands, Waters & Consultation
Historic Saugeen Métis
204 High Street
Southampton, ON
saugeenmetis.com
519.483.4000



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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: April 15, 2024

File No.: A5-24

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: MTO jurisdiction Hwy 10, Southgate Road 22

Road Widening Necessary? Yes ☐ No ☒

Entrance Requirements: N/A

Load Restricted Road: Yes ☒ SGT Rd 22 No ☒ Hwy 10

Comments:

Risk Management Office

Property is located in a Well Head Protection Area:

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

Comments:

Signed: _____

Jim Ellis / Public Works Manager / Risk Management Official

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

April 16, 2024

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

ATTENTION: Elisha Milne, Legislative and Planning Coordinator

Dear Ms. Milne,

RE: A5-24 (T. Frey Manufacturing Limited – Timothy Frey)
772410 Highway 10
Part of Lot 221 and 222, Concession 1 SWTSR
Roll No.: 420709000502800
Geographic Township of Proton
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 41/24 (SVCA's Prohibited Activities, Exemptions and Permits Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards. The application has also 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. Finally, we have screened the application to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

The purpose of this application is to permit construction of a proposed addition to an existing barn with a 10.66-meter side yard to the Southgate Road 22 side lot line. A 20-meter side yard to an improved street is required in the Agricultural-1 zone. A variance is also requested on the location of the Environmental Protection (EP) zone boundary to remove it from the farm cluster so that it corresponds with the Saugeen Valley Conservation Authority Regulated Area.

Background

On January 25, 2024, Mr. Frey Contacted the Saugeen Valley Conservation Authority to inquire about proposed tree clearing on the subject property. On February 15, 2024, SVCA staff conducted a site visit to the property. On February 26, 2024, SVCA staff comments and a map of the area approved to clear trees were provided to Mr. Frey. On April 8, 2024, SVCA staff provided comments to the County of Grey for a minor exemption application (T. Frey Manufacturing) that was directly related to the subject property.

Recommendation

The application is generally acceptable to SVCA staff. We elaborate in the following comments.

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, water resources as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards

The natural hazard features affecting the property include wetlands/swamps and watercourses and their associated floodplains. SVCA staff recommend an edit to the Environmental Protection (EP) zone to coincide with the hazard lands designation as shown in Schedule A of the Grey County Official Plan and Schedule A of the Southgate Official Plan.

Provincial Policy Statement – Section 3.1

Section 3.1 of the PPS, 2020 states, in part, that development shall generally be directed to areas outside of hazardous lands, and hazardous sites. It is the opinion of SVCA staff that the application is consistent with Section 3.1.1 of the PPS, 2020.

Township of Southgate Official Plan and Grey County Official Plan

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

Drinking Water Source Protection

The Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan came into effect on July 1st, 2016, and contains policies to protect sources of municipal drinking water from existing and future land use activities. The subject property appears to SVCA staff to not be subject to the local Drinking Water Source Protection Plan.

SVCA Regulation 41/24

SVCA staff has reviewed the proposal as per our responsibilities as a regulatory authority under Ontario Regulation 41/24 (SVCA's Prohibited Activities, Exemptions and Permits 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, or unstable soil or bedrock are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

A large portion of the property associated with the floodplain of watercourses and the wetlands/swamps, are within the SVCA Approximate Screening Area associated with Ontario Regulation 41/24. As such, development and/or site alteration within the SVCA Approximate Screening Area requires permission (permit) from SVCA, prior to carrying out the work.

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

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the SVCA Approximate Screening Area, associated with our Regulation on the property, the SVCA should be contacted, as permission may be required.

However, based on the site plans submitted as part of the application, development will not be located within the SVCA Approximate Screening Area, therefore a permit from the SVCA will not be required for development proposed as part of the application.

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 the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
and
- 2) Consistency with local planning policies for natural hazards has been demonstrated.

Please inform the SVCA of any decision made by the Township of Southgate with regard to the application. We respectfully request to receive a copy of the decisions and notices of any appeals filed. Should you have any questions, please contact this office.

Township of Southgate
A5-24 (T. Frey Manufacturing Limited)
April 16, 2024
Page 4 of 4

Sincerely,

A handwritten signature in cursive script, appearing to read "Vivian Vanceeder".

Vivian Vanceeder
Environmental Planning Technician
Saugeen Conservation
VV/

cc: Barbara Dobreen, Authority Member, SVCA (via email)
Tim Frey, Landowner (via email)

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



Phone: 519-923-2110
Toll Free: 1-888-560-6607
Fax: 519-923-9262
Web: www.southgate.ca

Staff Report PL2024-029

Title of Report: Application A5-24 for Minor Variance, Timothy Frey, 772410 Highway 10

Department: Clerks

Branch: Planning Services

Committee Date: April 24, 2024

Recommendation:

Be it resolved that Committee of Adjustment receive Staff Report PL2024-029 for information; and

That the application for minor variance be approved subject to the following condition:

1. That the proposed variance applies to proposed barn expansion as outlined in the submitted site plan.

Property Location: 772410 Highway 10, Con 1 SWTSR, Part Lots 221, 222, Former Proton

The Proposal: The subject property is located at the intersection of Highway 10 and Southgate Sideroad 22. The proposed variance would reduce 20-meter setback to the Township Road to 10.66 meters. The variance would also relocate an inaccurate Environmental Protection Zone boundary to correspond with Township official plan mapping and the Saugeen Valley Conservation Authority regulated areas.



The site plan on the left shows the location of existing buildings and proposed addition, while the zoning map on the right shows the EP zone boundary inexplicably drawing across the lot right to the intersection of Sideroad 22 and Highway 10

Background: As shown by the sketch below, Southgate Sideroad 22 extends 450 meters southwesterly from Highway 10 to a farm located at 220425 Sideroad 22.



The sketch also shows there are no major drainage courses or other environmental features that would cause the EP zone to extend to the intersection of the side road with Highway 10.

Policy Review: This proposed barn addition is within a rural area on an established farm property where “all types, sizes and intensities of agricultural uses” are allowed. The lot has over 40 hectares (101 acres) of area, but the farm cluster is restricted due to the existing home location and OFDU building to the southwest. The barn addition fits well into the farm cluster although a reduced setback from the sideroad is needed to accommodate the size of the addition.

The Hazard designation and resulting Environmental Protection zoning is established to protect public health and safety of residents by reducing the risk of natural and human made hazards. The Township official plan map shown below does not show the Hazard Land designation crossing to the intersection of Highway 10 and Sideroad 22. The County of Grey comments do not indicate a hazard on-site.



The proposed barn addition meets the required setback to Highway 10 and maintains reasonable site lines for farm vehicles entering and exiting the existing driveway. The view down Sideroad 22 from Highway 10 is shown on the following page.



The barn addition would not project much closer to the street than the OFDU building behind the barn. The OFDU is located within the A1-282 exception zone written to override normal setbacks that apply to a regular barn addition for an agricultural use.

Provincial Policy Statement: 2.3.1 Agricultural Areas shall be protected for long-term agricultural use.

Township Official Plan: Rural, Hazard Land

Zoning By-law: Agricultural-1, A1- Exception 282, Environmental Protection

Concluding Comments: Southgate Sideroad 22 is a dead-end road servicing two farms. The reduced setback to allow the barn addition would not impact traffic flow or visibility and has a similar setback to the existing OFDU on-site. The EP zone boundary is wrongly shown on the Town's zoning maps as there is no physical hazard present. On that basis Township staff believe the proposed variance could be considered minor, desirable for the appropriate development of the lands, and to maintain the intent and purpose of the Official Plan and Zoning Bylaw.

Respectfully submitted,

**Triton Engineering
Services Senior Planner:**

Original Signed By

[Bill White, MCIP RPP]

CAO Approval:

Original Signed By

Dina Lundy, CAO

Attachments: None.



The Corporation of The Township of Southgate

Consent Application Form Effective January 1, 2024

Instructions:

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

For office use only

File No: B2-24
Pre-Consult Date: Jan 18/24
Date received: Feb 16/24
Date accepted: _____
Accepted by: _____
Roll # 42 07 090 005 09300
Conservation Authority Fee
Required: SVCA
Other information: A1+EP
Rural + Hazard OP

It is a requirement that any potential applicant pre-consult with the Planning Department prior to submitting any planning application, for the initial pre consultation meeting, please provide a drawing or sketch of your proposal accompanied by a written description.

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

Required Fees:

| | | |
|-----------------------------|---|---|
| Pre-Consultation Review Fee | \$ 500.00 due prior to the application being submitted | ✓ |
| Application Fees | \$ 1,600.00 due with submitted application | ✓ |
| | \$ 300.00 due on completion (if approved) | |
| Public Notice Sign Fee | \$ 145.00 | ✓ |
| Parkland Dedication Fee | \$ 3,500.00 (all new residential lots) | |
| Deed Stamping | \$ 380.00 due before finalization of approved consent | |
| Conservation Authority Fee | SVCA \$ 260.00 (per each net lot created) ✓ GRCA – Call directly for details | |
| County of Grey Review Fee | \$400.00 ✓ | |

Note on fees:

The application fees were adopted and approved under the Township of Southgate's Fee's and Charges By-law and will only be accepted once the application is deemed complete by the Township of Southgate Planning Department.

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

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

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

Part One

Owner/Agent/Application Information

*To be completed by the applicant

1. Name of registered owner: Manassa S Martin
 Mailing address: [REDACTED]
 Phone#: (H) [REDACTED] (B) [REDACTED]
 Email Address: [REDACTED]
2. Name of applicant (if different than above): Solomon Martin
 Mailing address: [REDACTED]
 Email: [REDACTED]
 Applicant's Relationship to Subject Lands:
☐ Registered Property Owner
☐ Holder of Option to Purchase Subject Lands
☐ Signing Officer of Corporation
☒ Other (Specify) applicant
3. Name of agent: _____
 Mailing address: _____
 Phone#: _____ Email: _____
4. Send all correspondence to: (Choose only ONE) ☐ Applicant ☐ Agent
5. Preferred Method of communication: ☐ Phone ☐ email ☐ Postal Mail

Part Two

The Subject Lands

6. Subject Land: (Legal Description)
 NOTE: On this form "SUBJECT LAND" means the parcel to be severed & the parcel to be retained.
 Former Municipality Proton
 Road Name Grey Rd 9 Civic Address (911) No. 180032
 Lot No. 231 to 233 Plan/Concession 4SWTSR
 Part _____ Reference Plan No. _____
 7. Description of Subject Land:
 - a) Existing use of the subject land:
☒ Agricultural ☐ Rural ☐ Commercial/Industrial ☐ Residential
☐ Other(explain) _____
 - b) Existing buildings house, barn, shed , shop , trenches
 - c) Is the "subject land" presently subject to any of the following:
☐ Easement ☐ Restrictive Covenants ☐ Right of Way
 Describe: _____
- NOTE: all existing easements and right of ways must be shown on the sketch.

Part Three The Proposal

8. Proposal

Dimensions of land intended
to be SEVERED

Frontage 279m +/- metres

Depth 695m +/- metres

Area 40.6 ha +/- hectares

Dimensions of land intended
to be RETAINED

Frontage 323m +/- metres

Depth 1009m +/- metres

Area 20ha +/- hectares

**These dimensions must be accurate*

9. Reason for severance

(a) Reason for severance to make 2 homesteads for 2 of his sons

i) New Lot ☒

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

iii) Lease/Charge ☐

iv) Easement/Right of Way ☐

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

v) Correction of Title ☐

vi) Other ☐ Specify _____

(b) Name of person(s), if known, to whom land or interest in land is to be transferred,
leased or charged: this will stay in the same owners name for another of his sons

Address: _____

10. Proposed use of land to be severed

Existing buildings house barn and shop, it will be a homestead like we usually build

Proposed buildings house, barn and shop

| | |
|---|---|
| <input type="checkbox"/> Non-farm residential | <input type="checkbox"/> Surplus farm dwelling |
| <input checked="" type="checkbox"/> Agricultural | <input type="checkbox"/> Agricultural related |
| <input type="checkbox"/> Hobby Farm | <input type="checkbox"/> Commercial/Industrial |
| <input checked="" type="checkbox"/> Other (Specify) | <u>future A1 with exception for aa small scale OFDU</u> |

11. Proposed use of land to be retained

Existing buildings all buildings existing and will stay un touched

Proposed buildings none

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

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

Existing buildings/structures: _____

Use: _____

Access: _____

Servicing: _____

13. Road Access:

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

14. Servicing:

a) What type of water supply is proposed?

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

b) What type of sewage disposal is proposed?

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

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

Electricity ☒ School Bus ☒ Telephone ☒ Garbage Collection ☒

15. Agricultural property history

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

Part Four Statement of Compliance

16. Applicable legislation and policies

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

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

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

☐ Yes ☐ No

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

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

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

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No If yes, how many severances? _____

Indicate year, file #'s, if known _____

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

☐ Yes ☒ No ☐ Unknown

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

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

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

☒ Yes ☐ No

i) If yes, please provide some additional information:

File # A1-480 Submitted _____ Approved yes

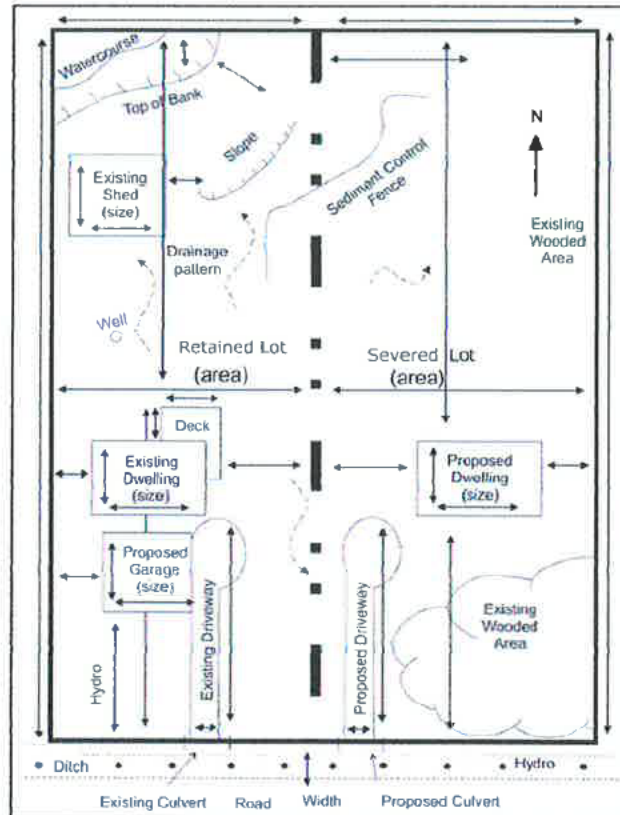
File # _____ Submitted _____ Approved _____

Additional Requirements

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

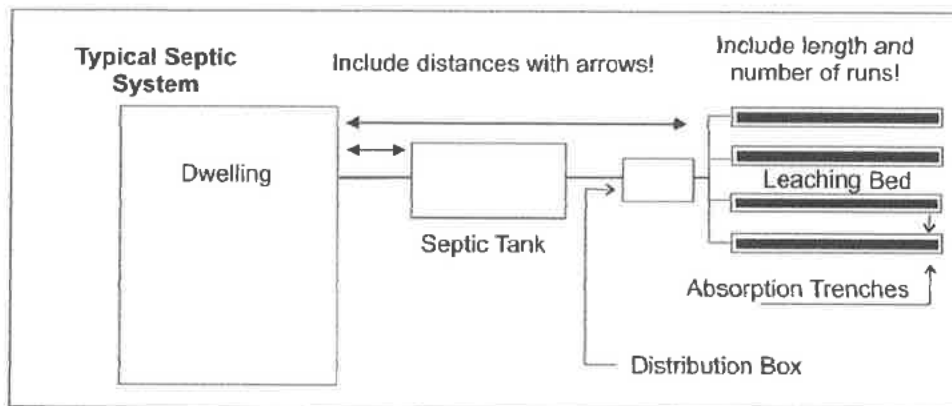
Sketch must be submitted on paper no larger than 8 1/2" x 14". Please review the example sketches to help you with what is required. Sketches must be neat and easy to read.

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

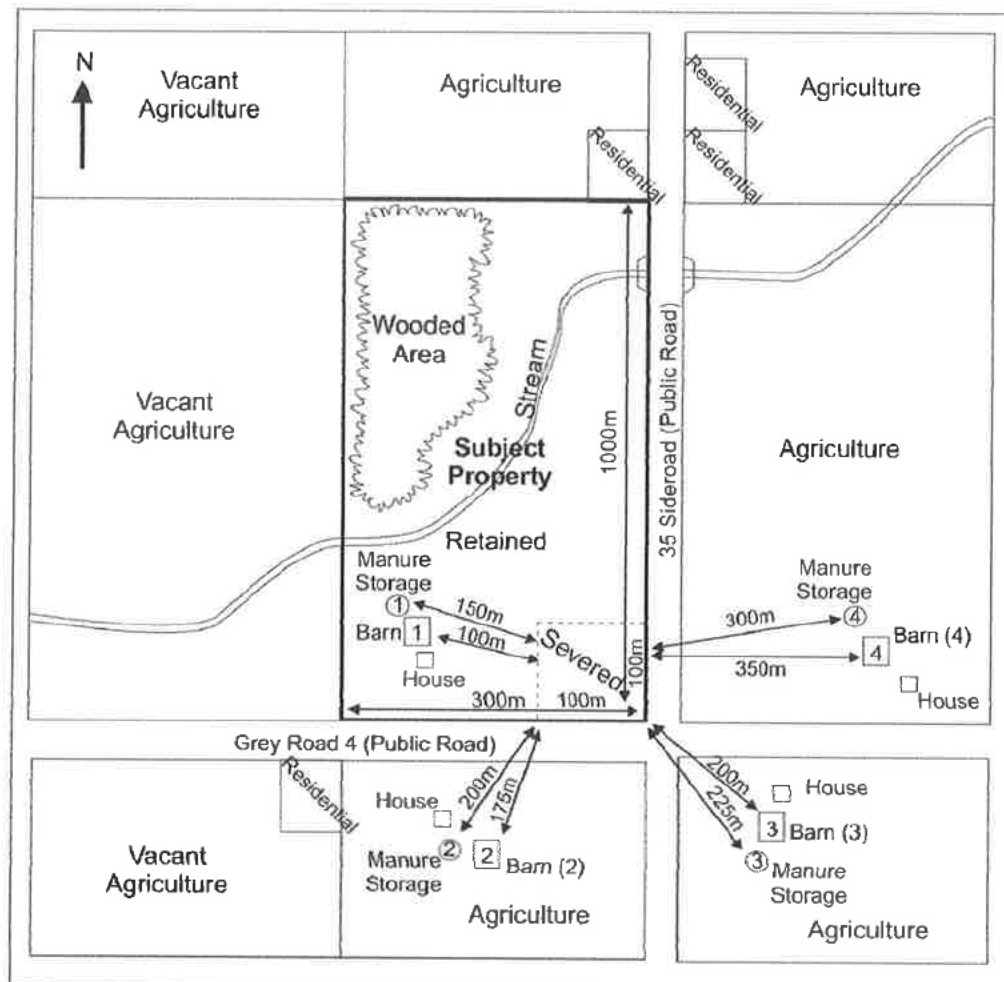


Sample 1 Residential Lot Severance Sketch

Please do not return this page



Sample 2 Septic System Information



Sample 3 Agricultural Severance

Further Note on Sketches:

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

Please do not return this page

Part Five

Authorization and affidavit

18. Owner's Consent (Freedom of Information):

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

I(we), Solomon Martin and _____
name of owner(s)

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

[Redacted Signature]
Signature of Owner

02-16-2024

date

Signature of Owner

date

19. Owner authorization for agent

I/we Manassa S Martin

authorize Solomon Martin

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

[Redacted Signature]
Signature of Owner

Signature of Witness

Dated at the Township of Wellesley

this 16th day of February, 2024.

20. Owners authorization for access

I/we Manassa S Martin

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

[Redacted Signature]
Signature of Owner

Feb 16, 2024

date

Signature of Owner

date

21. Affidavit or sworn declaration

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

I/ (We) Solomon Martin
 Name of Owner(s) or Authorized Agent
 of the Township of Wellesley in the County of Waterloo
 city/township/municipality county/region

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

Declared before me at the:

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

This 16 day of February, 2024




Signature of Owner or Authorized Agent

02-16-2024
 Date

Signature of Owner

Date

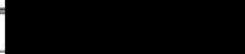


Signature of Commissioner

Feb 16, 2024
 Date

Return this completed form and payment to:

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


 Elisha White, a Commissioner, etc.,
 Province of Ontario, for The Corporation of
 the Township of Southgate, County of Grey.

Schedule "A"

Supplementary Information – Agricultural Lands

Agricultural property history

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

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

a) Describe in detail the size and age of animals, and feed type used for the type of farming conducted: coverall beef- 150 head barn beef - 100 head

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

If yes, answer the questions below:

- a) Indicate the condition of the barn: good condition
- b) Size of Barn: coverall 435m2
- c) Present Use of Barn: _____
- d) Livestock Capacity of Barn: _____
- e) MANURE STORAGE:

Please indicate the manure storage facilities on the subject lands

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

i) Type of Storage:

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

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

- ☒ Yes – For how long? 2015
- ☐ No – When did you stop farming? _____
- a) If no, for what reason did you stop farming? _____

4. How long have you owned the farm? 2015

5. Area of total farm holdings: 61.4 ha

6. Number of tillable hectares: 58 ha

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

If yes, indicate locations: Lot: LOT 234 TO 235 Concession: CON 4 SWTSR

Former Township: proton

Total Hectares: 41 ha

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

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

Former Township: _____

Total Hectares: _____

9. Adjacent and nearby farms

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

☒ Yes ☐ No

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

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

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

beef farm and cash crop

c) Indicate the number of tillable hectares on other property: 25 ha

d) Indicate the size of the barn(s): 1064m2

e) Capacity of barn in terms of livestock: empty barn so unknown at this time

f) Manure Storage facilities on other property (see storage types listed in question above):
would be inside a portion of the barn

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

MDS I

General information

Application date
Feb 16, 2024

Municipal file number

Proposed application
Lot creation for an agricultural use (e.g. farm split)

Applicant contact information
Manassa Martin

Location of subject lands
County of Grey
Township of Southgate
PROTON
Concession 4 , Lot 231 to 233
Roll number: 420709000509300

Calculations

New farm

Farm contact information ⓘ

retained
ON

Location of existing livestock facility or anaerobic digester

County of Grey
Township of Southgate
PROTON
Concession 4, Lot 233
Roll number: 420709000509300

Total lot size
61.4 ha

Livestock/manure summary

| Manure Form | Type of livestock/manure | Existing maximum number | Existing maximum number (NU) | Estimated livestock barn area |
|-------------|--|-------------------------|------------------------------|-------------------------------|
| Solid | Beef, Feeders (7 - 16 months), Yard/Barn | 250 | 83.3 NU | 1045 m ² |
| Solid | Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring) | 4 | 4 NU | 93 m ² |

Setback summary

| | |
|---------------------------|-----------------------------|
| Existing manure storage | V2. Solid, outside, covered |
| Design capacity | 87.3 NU |
| Potential design capacity | 262 NU |

Factor A (odour potential) 0.8
Factor D (manure type) 0.7

Factor B (design capacity) 442.32
Factor E (encroaching land use) 1.1

Building base distance 'F' (A x B x D x E)
(minimum distance from livestock barn)

273 m (896 ft)

Actual distance from livestock barn

NA

Storage base distance 'S'
(minimum distance from manure storage)

273 m (896 ft)

Actual distance from manure storage

NA

Preparer signoff & disclaimer

Preparer contact information
Solomon Martin

Signature of preparer



Solomon Martin

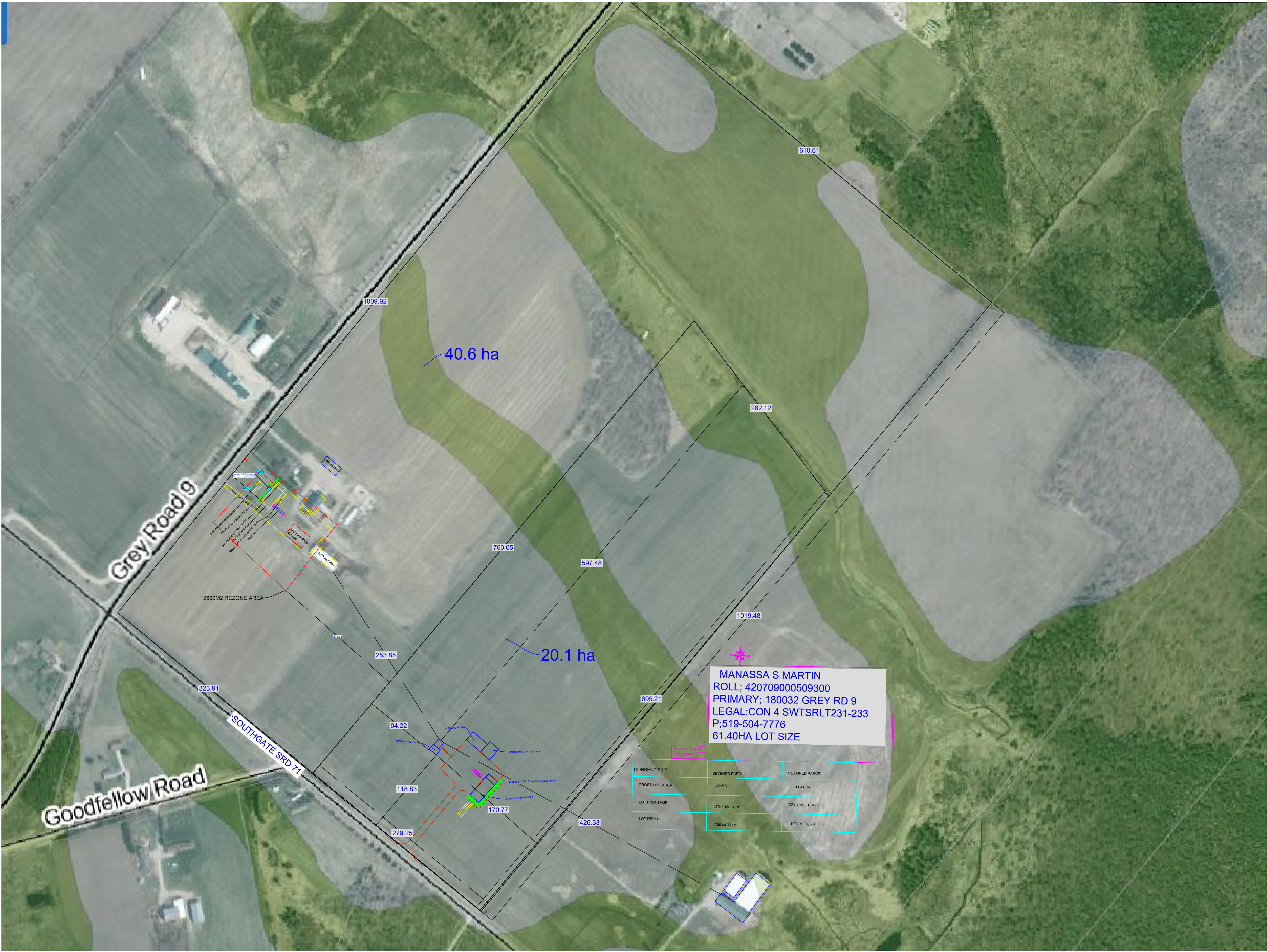
02-16-2024

Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

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

TAKE NOTICE that the Township of Southgate Committee of Adjustment has appointed April 24, 2024, at 9:00 am for the purpose of a public hearing to be held **electronically** at the following credentials:

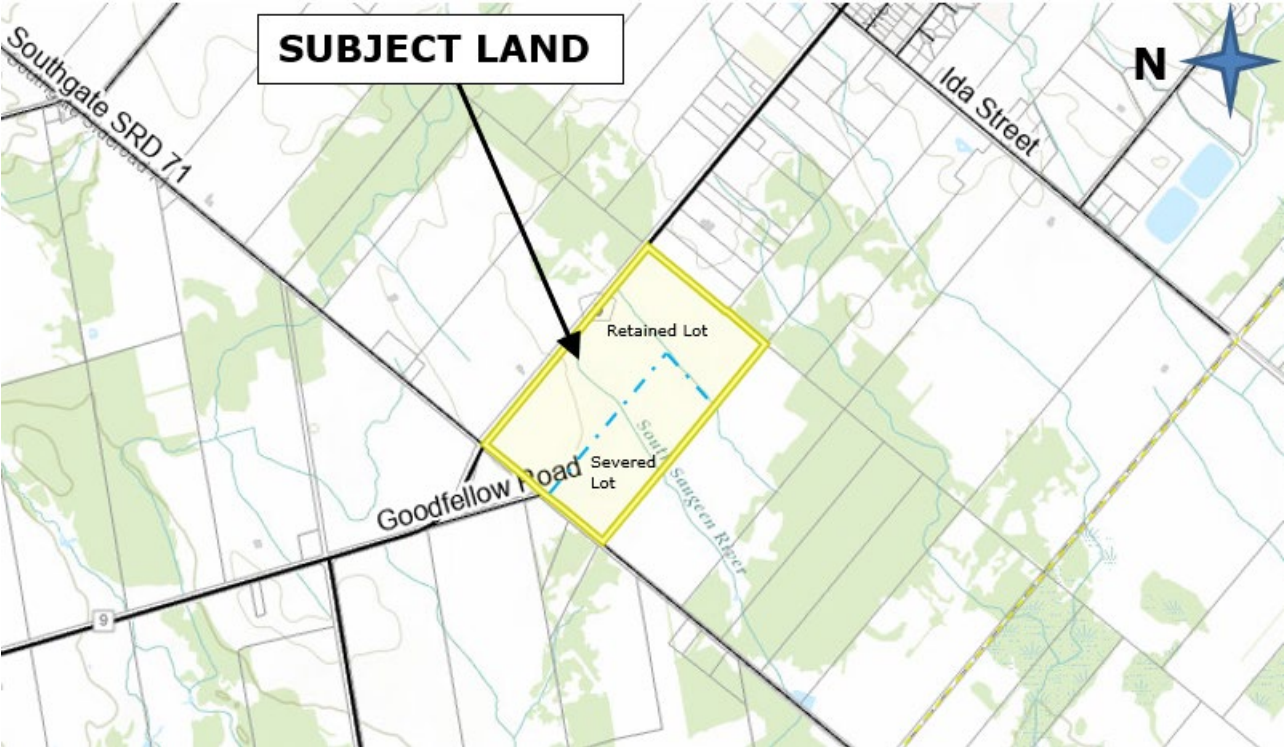
Please join the meeting from your computer, tablet, or smartphone
<https://zoom.us/j/99695951220?pwd=aERScXJtQ2Qzb1Y5TS9aOURvOW90dz09>
You can also dial in using your phone. Phone: +1 647 374 4685 Meeting ID: 996 9595 1220 Passcode: 349215

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

The meeting will be live streamed and uploaded to the Township YouTube Channel:
<https://www.youtube.com/user/SouthgateTownship>

APPLICATION FOR CONSENT - FILE NO. B2-24

OWNERS: Manassa S Martin
Description and Key Map of the Subject Land
Legal Description: Concession 4 SWTSR Lot 231 to 233, Geographic Township of Proton, Township of Southgate
Civic Address: 180032 Grey Road 9



- The Purpose** of application B2-24 is to sever the subject lands into two proposed farm lots as follows:
- 1) Severed lot +-323.91 meters frontage on Southgate Sideroad 71, +-1009 meters depth along Grey Road 9, is irregular in shape, +- 40.6 hectares lot area, and contains an existing on farm diversified use.
 - 2) Retained lot +-279.25 meters frontage on Southgate Sideroad 71, +-725 meters average lot depth and +-20.1 hectares lot area.

The Effect of proposed consent application B2-24 is to split the subject lands into two farm parcels with the retained lot having less than the minimum lot area required in the Agricultural-1 zone.

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

If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make **written submission** to: Committee of Adjustment, Township of Southgate office before it gives a provisional consent, the Tribunal (OLT) may dismiss.

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

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

Additional information regarding this application is available at
[https://www.southgate.ca/en/municipal-services/planning-applications-public-
notices.aspx#B2-24-Manassa-S-Martin](https://www.southgate.ca/en/municipal-services/planning-applications-public-
notices.aspx#B2-24-Manassa-S-Martin)

When requesting information please quote File No. **B2-24**. The sketch below is preliminary provided as additional information only

April 11th, 2024

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

RE: Consent Application B2-24
Concession 4 SWTSR, Lot 231 to 233 (180032 Grey Road 9)
Township of Southgate (geographic Township of Proton)
Roll: 420709000509300
Owner: Manassa S Martin
Applicant: Solomon Martin

Dear Ms. Milne,

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

The purpose and effect of the subject application is to sever the subject lands into two proposed farm lots as follows:

1) Severed lot +-323.91 meters frontage on Southgate Sideroad 71, +-1009 meters depth along Grey Road 9, is irregular in shape, +- 40.6 hectares lot area, and contains an existing on farm diversified use.

2) Retained lot +-279.25 meters frontage on Southgate Sideroad 71, +-725 meters average lot depth and +-20.1 hectares lot area.

This will split the subject lands into two farm parcels with the retained lot having less than the minimum lot area required in the Agricultural-1 zone.

County Planning Ecology staff have reviewed the subject application and have no concerns.

County Transportation Services have reviewed the subject application and have a comment stating,

As a condition of approval, a Road Widening of 17 feet (5.18 meters) shall be conveyed to the County of Grey along the frontage of the County Road for both the severed and retained parcels, where applicable.

As a condition of approval, a daylight triangle, measuring 15.24m shall be conveyed to the County of Grey at the intersection of Grey Road 9 and Southgate SRD 71. This shall be legally conveyed at the expense of the applicant.

Any proposed or altered entrances will require an entrance permit and all proposed buildings must maintain 75ft setback from the centreline of County ROW.

Provided our comments relating to Pre-Consultation Application 420709000509300 Martin and County Transportation Services comments have been addressed; County Planning staff have no concerns with the subject application.

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

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

Yours truly,



Derek McMurdie
Planner
(548) 877 0857
Derek.McMurdie@grey.ca
www.grey.ca

From: [Municipal Planning](#)
To: [Elisha Milne](#)
Subject: RE: Notice of Public Hearing - Consent file B2-24 Manassa S Martin
Date: April 5, 2024 4:14:51 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please always call before you dig, see web link for additional details:
<https://www.enbridgegas.com/safety/digging-safety-for-contractors>

It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. For more details contact ONTLands@enbridge.com.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio CET (he/him)

Sr Analyst, Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: Elisha Milne <emilne@southgate.ca>
Sent: Tuesday, April 2, 2024 10:59 AM
To: Six Nations of the Grand River <lonnybomberry@sixnations.ca>; Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley_crummer@bwdsb.on.ca>; Bluewater District School Board <jayne_bastarache@bwdsb.on.ca>; Brenna Carroll <bcarroll@southgate.ca>; chad.aitken@bgcdsb.org; Dina Lundy <dlundy@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Ontario Lands <ONTLands@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group_PlanningDeptEmails <Group_PlanningDeptEmails@grey.ca>; Haudenosaunee <info@hdi.land>; Historic Saugeen Metis <hsmlrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jellis@southgate.ca>; Juanita Meekins <juanita.meekins@saugeenojibwaynation.ca>; Kevin Green <kgreen@southgate.ca>; Lacy Russell <lrussell@southgate.ca>; Lindsey Green <lgreen@southgate.ca>; Meagan Bruce

<M.Bruce@publichealthgreybruce.on.ca>; Metis Nation of Ontario
<consultations@metisnation.org>; Newdevelopment@rci.rogers.com; Ontario Power Generation
<Executivevp.lawanddevelopment@opg.com>; Pegelo, Jessica - MTO <jessica.pegelo@ontario.ca>;
Saugeen Ojibway Nation <associate.ri@saugeenojibwaynation.ca>; SVCA Planning
<southgate@svca.on.ca>; Taylor McMann <tmcmann@southgate.ca>; ONTUGLLandsINQ
<ONTUGLLandsINQ@enbridge.com>; Victoria Mance <vmance@southgate.ca>; WSP on behalf of
Bell <circulations@wsp.com>

Subject: [External] Notice of Public Hearing - Consent file B2-24 Manassa S Martin

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Good morning,

Please find the below link for the application documents including the Notice of Public Hearing for
Consent Application B2-24 for Manassa S Martin.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B2-24-Manassa-S-Martin>

The Public Hearing is scheduled **via Zoom** for **April 24, 2024, at 9:00AM**. Please supply all comments
on the above notification by **April 17, 2024**, so they may be included in the public agenda.

Comments can be received by:

Email: emilne@southgate.ca
Fax: 519-923-9262 Attn: Elisha Milne
Mail: Elisha Milne, Legislative and Planning Coordinator
185667 Grey County Road 9
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

Elisha Milne

Legislative & Planning Coordinator

Township of Southgate

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

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

emilne@southgate.ca | www.southgate.ca



From: [Coordinator LRC HSM](#)
To: [Elisha Milne](#)
Subject: Request for Comments - Township of Southgate (Manassa S Martin) Proposed Severance
Date: April 15, 2024 1:13:22 PM
Attachments: [PastedGraphic-5.png](#)

Township of Southgate

RE: B2-24

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

Thank you for the opportunity to review this matter.

Regards,

Georgia Lumley

Coordinator, Lands, Waters & Consultation
Historic Saugeen Métis
204 High Street
Southampton, ON
saugeenmetis.com
519.483.4000



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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: April 15, 2024

File No.: B2-24

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Grey County jurisdiction – Grey 9, Southgate -SDR 71

Road Widening Necessary? Yes ☒ SGT 71 No ☐

Entrance Requirements: Grey County or Southgate if required

Load Restricted Road: Yes ☒ SGT 71 No ☒ Grey 9

Comments: _____

Risk Management Office

Property is located in a Well Head Protection Area:

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

Comments: _____

Signed: _____

Jim Ellis, Public Works Manager / Risk Management Official

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

April 15, 2024

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

ATTENTION: Elisha Milne, Legislative and Planning Coordinator

Dear Ms. Milne,

RE: Application for Consent B2-24 (Manassa S. Martin)
180032 Grey Road 9
Roll No.: 420709000509300
Lots 231 to 233, Concession 4 SWTSR
Geographic Township of Proton
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 41/24 (SVCA's Prohibited Activities, Exemptions and Permits Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Southgate representing natural hazards. The application has also 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. Finally, we have screened the application to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

Based on the plan submitted with the proposal, the purpose of the proposal is to sever the property into two farm parcels.

Recommendation

The proposal is acceptable to SVCA staff. These comments should be viewed together with the SVCA comments provided on January 23, 2024 (copy attached for reference).

Delegated Responsibility and Advisory Comments - Natural Hazards

The natural hazard features affecting the property are floodplains. SVCA Hazardous Lands mapping shows areas of the property to be low in elevation associated with the floodplain of two watercourses that are located on and/or on lands to the southeast of the property. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, and Schedule A of the Southgate OP, and the EP Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, generally coincides with the SVCA Hazardous Lands mapping for the property. Based on the plan submitted with the proposal, the farmstead area for the parcel to be retained, and the proposed farmstead area on the parcel to be severed are both not within the EP zone.

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. Based on the plan submitted with the proposal, the proposal would be consistent with Section 3.1.1 of the PPS, 2020.

Township of Southgate Official Plan and Grey County Official Plan

Section 5.5.2 of the Southgate OP and Section 7.2.3 of the Grey County OP state in part that buildings and structures are generally not permitted in the Hazard Lands land use type. Based on the plan submitted with the proposal, the proposal would be consistent with the Southgate OP and Grey County OP.

Drinking Water Source Protection

The properties appear to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact Jim Ellis, Drinking Water Source Protection Risk Management Official at: jellis@southgate.ca.

SVCA Regulation 41/24

SVCA staff has reviewed the proposal as per our responsibilities as a regulatory authority under Ontario Regulation 41/24 (SVCA's Prohibited Activities, Exemptions and Permits 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, or unstable soil or bedrock are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

Portions of the property are within the Approximate Screening Area associated with the SVCA's Prohibited Activities, Exemptions and Permits Regulation (Ontario Regulation 41/24, 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.

For this property, the SVCA Approximate Screening Area includes all watercourses on and/or adjacent to the property, any floodplain associated with the watercourses, and an offset distance from these features.

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

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the SVCA Approximate Screening Area, associated with our Regulation on the property, the SVCA should be contacted, as permission may be required.

Based on the plan submitted with the proposal, all current building and structures, as well as the proposed buildings and structures will be located outside/beyond the SVCA Approximate Screening Area, and so permission (an SVCA permit) will not be required from the SVCA.

Summary

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

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

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

Please inform this office of any decision made by the Township of Southgate with regard to the proposal. Should you have any questions, please contact the undersigned.

Sincerely,



Vivian Vanceeder
Environmental Planning Technician
Saugeen Conservation
VV/

Enclosure: SVCA comments dated January 23, 2024

cc: Barbara Dobreen, Authority Member, SVCA (via email)
Solomon Martin, Agent (via email)

SENT ELECTRONICALLY ONLY: emilne@southgate.ca

January 23, 2024

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

ATTENTION: Elisha Milne, Legislative and Planning Coordinator

Dear Ms. Milne,

RE: Pre-consultation for Proposed Severance (Manassa S. Martin)
180032 Grey Road 9
Roll No.: 420709000509300
Lots 231 to 233, Concession 4 SWTRS
Geographic Township of Proton
Township of Southgate

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3 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. The proposal has also been screened to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

Based on the plan submitted with the proposal, the purpose of the proposal is to sever the property into two farm parcels.

Recommendation

The proposal is acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments - Natural Hazards

The natural hazard features affecting the property is floodplain. SVCA Hazardous Lands mapping shows areas of the property to be low in elevation associated with the floodplain of two watercourses that

are located on and/or on lands to the southeast of the property. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County OP, and Schedule A of the Southgate OP, and the EP Zone as shown in the Township of Southgate Zoning By-law 19-2002, as amended, generally coincides with the SVCA Hazardous Lands mapping for the property. Based on the plan submitted with the proposal, the farmstead area for the parcel to be retained, and the proposed farmstead area on the parcel to be severed are both not within the EP zone.

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. Based on the plan submitted with the proposal, the proposal would be consistent with Section 3.1.1 of the PPS, 2020.

Township of Southgate Official Plan and Grey County Official Plan

Section 5.5.2 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. Based on the plan submitted with the proposal, the proposal would be consistent with the Southgate OP and Grey County OP.

Drinking Water Source Protection

The properties appear to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact Jim Ellis, Drinking Water Source Protection Risk Management Official at: jellis@southgate.ca.

SVCA Regulation 169/06

SVCA staff has reviewed the proposal 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.

Portions of the property 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.

For this property, the SVCA Approximate Screening Area includes all watercourses on and/or adjacent to the property, any floodplain associated with the watercourses, and an offset distance from these features.

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

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the SVCA Approximate Screening Area, associated with our Regulation on the property, the SVCA should be contacted, as permission may be required.

Based on the plan submitted with the proposal, all current building and structures, as well as the proposed buildings and structures will be located outside/beyond the SVCA Approximate Screening Area, and so permission (an SVCA permit) will not be required from the SVCA.

Summary

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

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

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

Please inform this office of any decision made by the Township of Southgate with regard to the proposal. Should you have any questions, please contact the undersigned.

Township of Southgate
Pre-consultation for Proposed Severance (Manassa S. Martin)
January 23, 2024
Page 4 of 4

Sincerely,



Michael Oberle
Environmental Planning Coordinator
Saugeen Conservation
MO/

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

From: AMIN Pransav
To: Elissa Milne
Subject: Southgate - 180032 Grey Road 9 - B2-24
Date: April 17, 2024 2:41:36 PM
Attachments: [image001.png](#)

Hello,

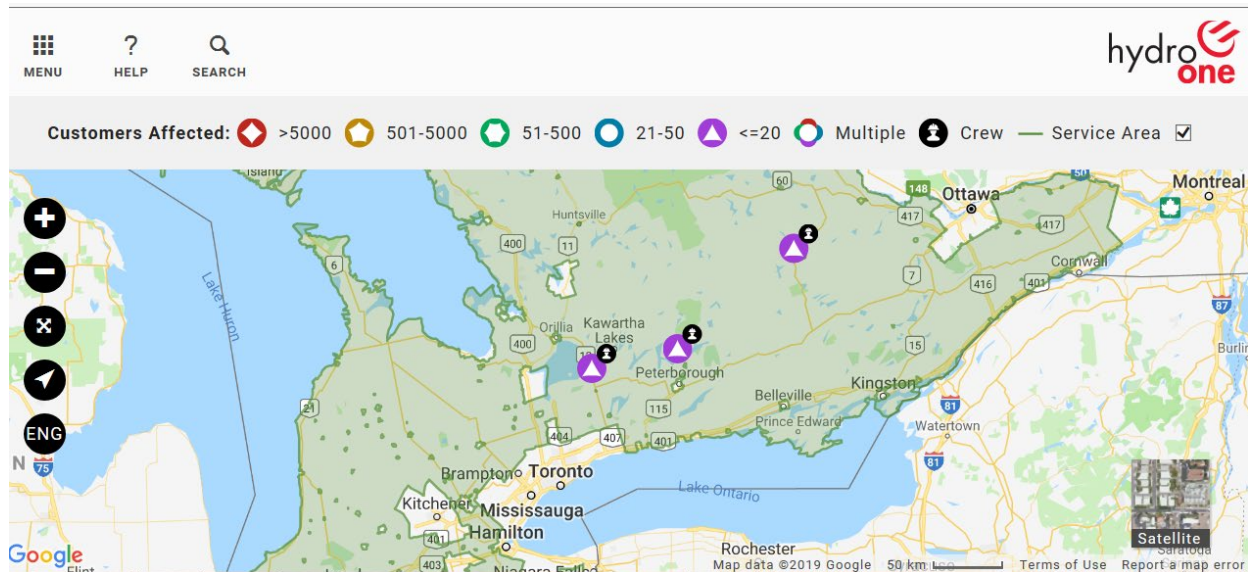
We are in receipt of your Application for Consent, B2-24 dated April 2nd, 2024. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

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

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

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

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



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

Please let me know if you have any questions or concerns.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com



Staff Report PL2024-030

Title of Report: PL2024-030 - Application for Consent Manassa S. Martin, File B2-24
Department: Clerks
Branch: Planning Services
Council Date: April 24, 2024

Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2024-030 for information; and

That the severance be approved with the following conditions:

- 1. That** the appropriate Planning Act application be approved and in full force and effect to recognize the deficient lot area for the proposed severed lot.
- 2. That** standard conditions regarding parkland dedication, driveway access and similar apply as recommended by other agencies and Township Departments including that all requirements of the Township, financial or otherwise, be addressed to the satisfaction of the Township Staff prior to issuance of a certificate of consent.
- 3. That** a reference plan of survey be provided; and
- 4. That** all outstanding taxes, fees, and charges are paid, if any.

Property Location: 180032 Grey Road 9, Concession 4 SWTSR Lot 231 to 233, former Township of Proton (see sketch)

The Proposal: The proposed severance would create a 20.1-hectare farm parcel with 279.25 meters frontage on Sideroad 71 and an average depth of 725 meters. The retained parcel is 40 hectares and contains an existing farm cluster and on farm diversified use with 323.9 meters frontage on Sideroad 71 and 1009-meters depth along Grey Road 9.

Background: The subject lands are located at the intersection of Grey Road 9 and Sideroad 71. The lands are flat to gently sloping with tile drainage and surface ditches along with a small woodlot on the northeast edge of the severed lot. The proposed farm cluster on the severed lot would have a new driveway to Sideroad 71.



Farm drainage crossing the proposed lots is zoned Environmental Protection, while most of the lands are zoned Agricultural-1. The existing on farm diversified use is zoned A1-480 to recognize the existing dry industrial use (Rustic Cedar Lodge Furniture) on the retained parcel with an existing driveway access to Grey Road 9.

Policy Review: The Rural designation in the official plan permits agricultural uses as well as non-farm residential uses that conform with development and consent policies in sections 5.4.2.2 and 5.4.2.4 respectively. One lot may be created per original 40-hectare farm parcel and new farm lots are to be approximately 20 hectares or larger.

The retained lot meets minimum 40-hectare lot area and 200-meter frontage requirements in the Agricultural-1 zone, while the proposed severed lot will be deficient in lot area only at just over 20 hectares. Lot area will be addressed in a future Planning Act application, although the area is sufficient for a minimum farm size in the Rural designation.

The proposed lot complies with section 7.2 as it has frontage on an open public street, safe vehicular access, with an appropriate lot configuration to suit the farm setup. Drainage courses run to the rear of the proposed severed lot across the retained parcel. The proposed severance represents an orderly and efficient use of the lands.

Provincial Policy Statement: 1.1.4.1 Healthy, integrated viable rural communities encouraged including conservation and development of rural housing stock.

1.1.5.2 d) permits agricultural uses and on farm diversified uses; c) residential lot creation that is locally appropriate.

1.1.5.4 compatible development that sustain rural service levels and landscapes.

Township Official Plan: Rural and Hazard Land

Zoning By-law: Agricultural-1, A1-480 (retained lot), Environmental Protection

Concluding Comments: The proposed severance would create two farm parcels consistent with Provincial Policy Statement 2020, and in compliance with the County and Township Official Plans for a rural designation. The proposed severed lot would be deficient in lot area under the Agricultural-1 zone applicable to the site but complies with the minimum size of a viable farm of 20 hectares in the official plan. The Environmental Protection zones applicable to parts of the site recognize existing tiled and surface farm drainage. The configuration of the severed lot is appropriate considering the apparent grading and drainage of the subject lands.

Respectfully Submitted,

Municipal Planner: *Original Signed By*
Bill White Senior Planner Triton Engineering]

CAO Approval: *Original Signed By*
Dina Lundy, CAO

Attachments: None.



The Corporation of The Township of Southgate

Consent Application Form Effective January 1, 2024

Instructions:

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

For office use only

File No: B1-24

Pre-Consult Date: _____

Date received: Jan 23 / 24

Date accepted: _____

Accepted by: _____

Roll # 42 07 090 002 03200

Conservation Authority Fee

Required: SVCA

Other information: _____

ZBA C4-24

It is a requirement that any potential applicant pre-consult with the Planning Department prior to submitting any planning application, for the initial pre consultation meeting, please provide a drawing or sketch of your proposal accompanied by a written description.

The Approval Authority is the Township of Southgate Committee of Adjustment

Required Fees:

| | |
|-----------------------------|--|
| Pre-Consultation Review Fee | \$ 500.00 due prior to the application being submitted |
| Application Fees | \$ 1,600.00 due with submitted application |
| | \$ 300.00 due on completion (if approved) |
| Public Notice Sign Fee | \$ 145.00 |
| Parkland Dedication Fee | \$ 3,500.00 (all new residential lots) |
| Deed Stamping | \$ 380.00 due before finalization of approved consent |
| Conservation Authority Fee | SVCA \$ 260.00 (per each net lot created) GRCA – Call directly for details |



Note on fees:

The application fees were adopted and approved under the Township of Southgate's Fee's and Charges By-law and will only be accepted once the application is deemed complete by the Township of Southgate Planning Department.

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

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

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

Part One

Owner/Agent/Application Information

*To be completed by the applicant

1. Name of registered owner: Paul H Sherk

Mailing address: [REDACTED]

Phone#: (H) [REDACTED] (B) [REDACTED]

Email Address: [REDACTED]

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

Mailing address: _____

Phone#: _____ Email: _____

Applicant's Relationship to Subject Lands:

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

3. Name of agent: Eli Sherk

Mailing address: [REDACTED]

Phone#: [REDACTED] Email: [REDACTED]

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

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

Part Two

The Subject Lands

6. Subject Land: (Legal Description)

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

Former Municipality Proton

Road Name Grey Road 14 Civic Address (911) No. 112017

Lot No. 13 Plan/Concession 9

Part _____ Reference Plan No. _____

7. Description of Subject Land: The subject land consists of mainly workable land with a small portion of mixed bush

a) Existing use of the subject land:

- ☒ Agricultural ☒ Rural ☐ Commercial/Industrial ☐ Residential

☐ Other(explain) _____

b) Existing buildings Residence , accessory outbuildings

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

- ☐ Easement ☐ Restrictive Covenants ☐ Right of Way

Describe: N/A

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

Part Three
The Proposal

8. Proposal

Dimensions of land intended
to be SEVERED

Frontage 484.62 metres

Depth 382 metres

Area 18.5 hectares

Dimensions of land intended
to be RETAINED

Frontage 523.56 metres

Depth 382 metres

Area 20 hectares

**These dimensions must be accurate*

9. Reason for severance

(a) Reason for severance To create another Farm Homestead

i) New Lot ☒

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

iii) Lease/Charge ☐

iv) Easement/Right of Way ☐

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

v) Correction of Title ☐

vi) Other ☐ Specify _____

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

Address: 4475 Weimar Line Wellesley Ont. N0B 2T0

10. Proposed use of land to be severed

Existing buildings None

Proposed buildings Residence , Shed / Barn and On-farm Diversified Use

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

11. Proposed use of land to be retained

Existing buildings Residence , Various Accessory Buildings

Proposed buildings Barn , Shed ,On-Farm Diversified Use

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

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

Existing buildings/structures: _____

Use: _____

Access: _____

Servicing: _____

13. Road Access:

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

14. Servicing:

a) What type of water supply is proposed?

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

b) What type of sewage disposal is proposed?

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

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

Electricity ☒ School Bus ☒ Telephone ☒ Garbage Collection ☒

15. Agricultural property history

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

Part Four
Statement of Compliance

16. Applicable legislation and policies

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

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

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

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

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

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

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

e) Does the application conform to the Southgate Official Plan? ☒ Yes ☐ No

f) Has any land been previously severed from the original parcel of land? ☐ Yes ☒ No If yes, how many severances? _____

Indicate year, file #'s, if known _____

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

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

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

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

i) If yes, please provide some additional information:

File # _____ Submitted _____ Approved _____

File # _____ Submitted _____ Approved _____


Part Five
Authorization and affidavit

18. Owner’s Consent (Freedom of Information):

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


I(we), Paul Sherk 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.

| | |
|---|---------------------|
|  | <u>Jan. 22 2024</u> |
| Signature of Owner | date |
| _____ | _____ |
| Signature of Owner | date |

19. Owner authorization for agent

I/we Paul Sherk
authorize Eli Sherk
to act as our agent(s)for the purpose of this application.


| | |
|---|----------------------|
|  | _____ |
| Signature of Owner | Signature of Witness |

Dated at the Township of Wellesley,
this 22nd day of Januaury, 20 24.

20. Owners authorization for access

I/we Paul Sherk

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

| | |
|---|---------------------|
|  | <u>Jan. 22 2024</u> |
| Signature of Owner | date |
| _____ | _____ |
| Signature of Owner | date |

21. Affidavit or sworn declaration

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

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


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

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

Declared before me at the:

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

This 23 day of January, 20 24


Signature of Owner or Authorized Agent

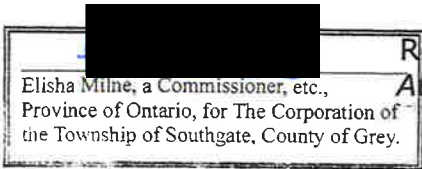
Jan 23 2024
Date

Signature of Owner

Date


Signature of Commissioner

Jan 23, 2024
Date



Return this completed form and payment to:
Attention: Committee of Adjustment
Township of Southgate
185667 Grey Road 9, RR 1
Dundalk Ontario
N0C 1B0



Project Title ;
Proposed Severance

Property Owner;
Paul H Sherk
Phone;

Property Address;
112017 Grey Rd 14
Hopeville Ont.
Con.9 Lot 13 Proton.

Drawing Title;
Site Plan

Drawing Scale;
1:6500
Drawn By; E.M.S

Page;



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

TAKE NOTICE that the Township of Southgate Committee of Adjustment has appointed March 27, 2024, at 9:00 am for the purpose of a public hearing to be held **electronically** at the following credentials:

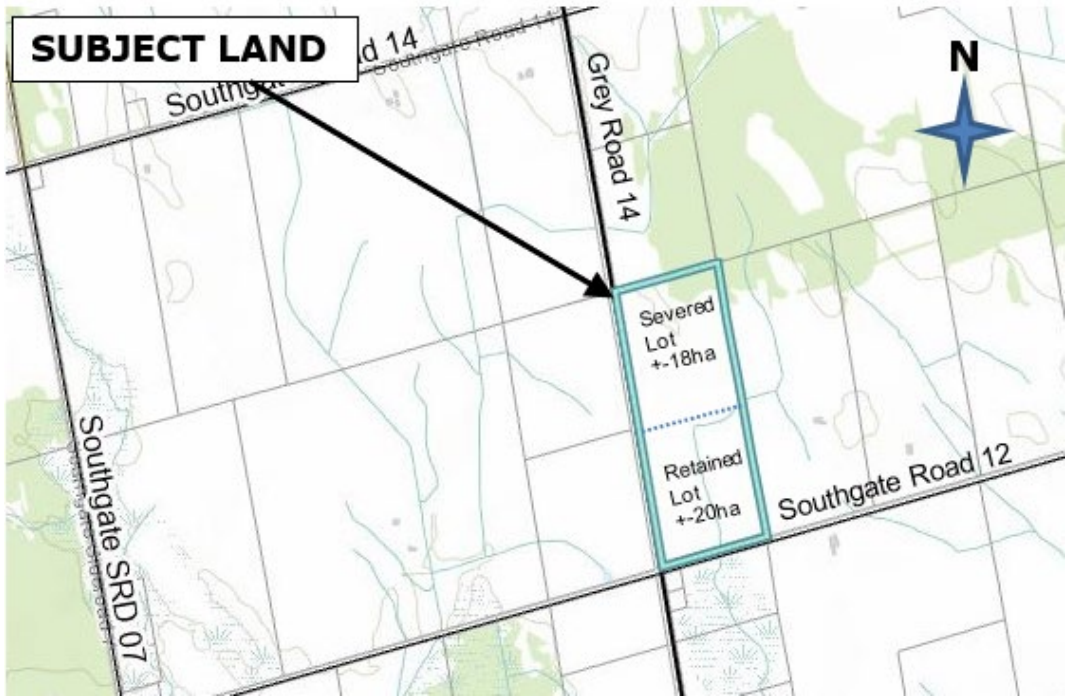
Please join the meeting from your computer, tablet, or smartphone
<https://zoom.us/j/99695951220?pwd=aERScXJtQ2Qzb1Y5TS9aOURvOW90dz09>
You can also dial in using your phone. Phone: +1 647 374 4685 Meeting ID: 996 9595 1220 Passcode: 349215

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

The meeting will be live streamed and uploaded to the Township YouTube Channel:
<https://www.youtube.com/user/SouthgateTownship>

APPLICATION FOR CONSENT - FILE NO. B1-24

OWNERS: Paul H Sherk
Description and Key Map of the Subject Land
Legal Description: Concession 9 Lot 13, Geographic Township of Proton, Township of Southgate
Civic Address: 112017 Grey Road 14



The Purpose of application B1-24 is to sever the subject lands into two proposed farm lots as follows:

- 1) Severed lot +-484 meters frontage on Grey Road 14, +-385 meters depth and +- 18.5 hectares lot area
- 2) Retained lot +-385 meters frontage on Southgate Road 12, +-523 meters depth along Grey Road 14 and +- 20 hectares lot area.

The Effect of proposed consent application B1-24 is to split the subject lands into two farm parcels with less than the minimum lot area required in the Agricultural-1 zone. Notice of rezoning application C4-24 issued separately for a pending public meeting to address minimum lot area required in the zoning bylaw.

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

If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make **written submission** to: Committee of Adjustment, Township of Southgate office before it gives a provisional consent, the Tribunal (OLT) may dismiss.

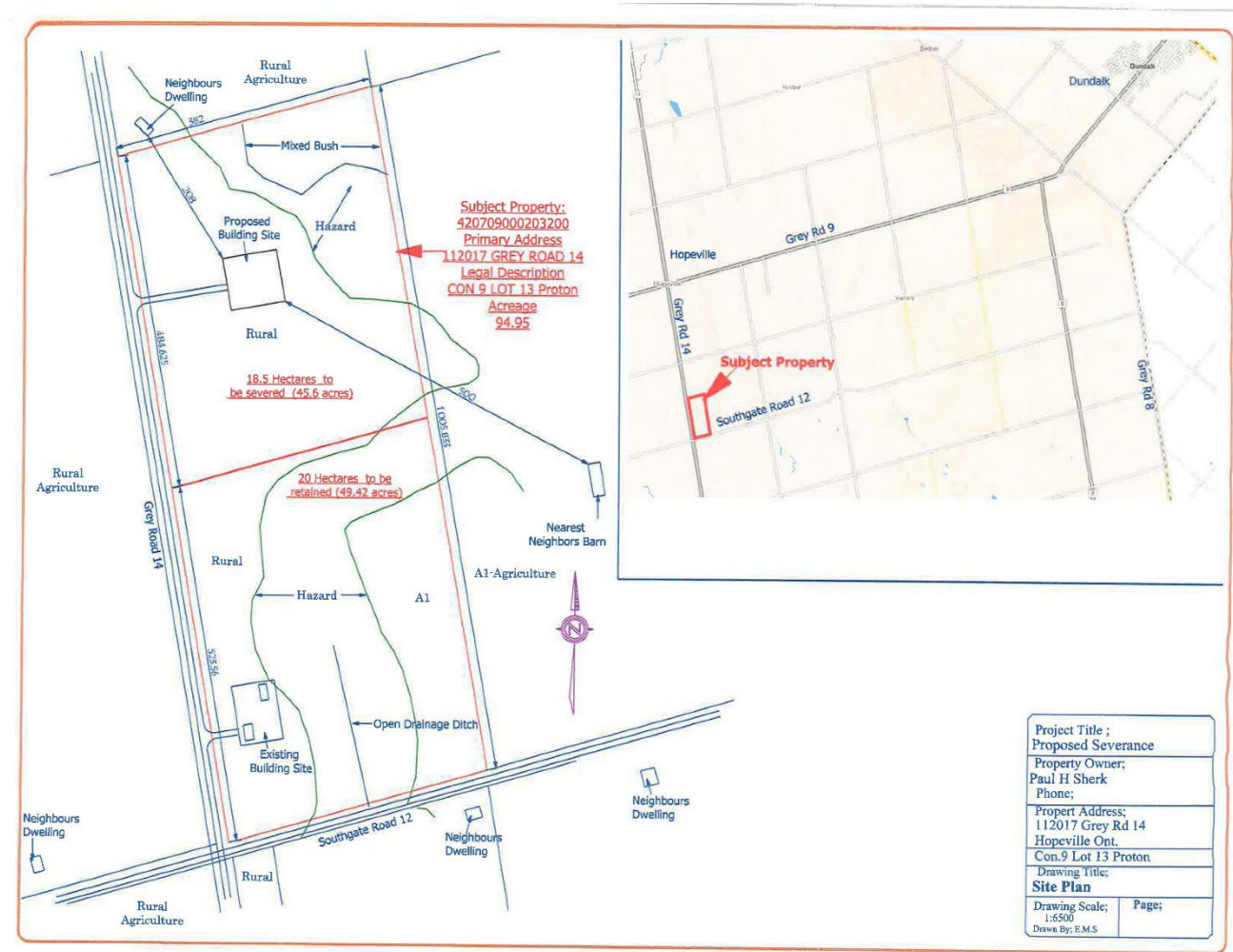
If you wish to be notified of the decision of the Committee of Adjustment in respect of

the proposed consent, you must make a written request to the undersigned.

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

Additional information regarding this application is available at
<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B1-24-Paul-H-Sherk-C4-24->

When requesting information please quote File No. **B1-24**. The sketch below is preliminary provided as additional information only



March 14th, 2024

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

**RE: Consent Application B1-24 and Zoning By-law Amendment C4-24
Concession 9, Lot 13 (112017 Grey Road 14)
Township of Southgate (geographic Township of Proton)
Roll: 420709000203200
Owner: Paul Sherk
Applicant: Eli Sherk**

Dear Ms. Milne,

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

The purpose and effect of the subject application is to sever the subject lands into two proposed farm lots and to amend the zoning bylaw to address minimum lot area for the newly created lots, as follows:

- 1) Severed lot +-484 meters frontage on Grey Road 14, +-385 meters depth and +-18.5 hectares lot area
- 2) Retained lot +-385 meters frontage on Southgate Road 12, +-523 meters depth along Grey Road 14 and +- 20 hectares lot area.

Schedule A of the County OP designates the subject lands as 'Rural' and 'Agricultural'. Section 5.2.3(5) states,

Where a non-farm sized consent is being proposed to create a new lot on a split land use type property (e.g. a split Agricultural and Rural land use type), the consent may only be supported if;

- a) The entirety of the Agricultural land use type lands remain intact;*

- b) *All other options for consent have been deemed unviable (i.e. the more restrictive consent policies shall be initially considered and assessed), and*
- c) *The lands outside of the Agricultural land use type meet the policies and criteria for a severance in the other land use type. In the Rural land use type, the lot would need to meet the Rural lot density and frontage provisions.*

Further, Section 5.4.3(1) of the County OP states,

All consents for new lot development shall be no smaller than 0.8 hectares in area, and the maximum lot density shall not be exceeded as outlined in Table 9 below. The lot density is determined based on the original Township lot fabric (i.e. as determined by the original crown survey) and shall be pro-rated up or down based on the size of the original Township lot. Any proposed increase to this maximum lot density will require an amendment to this Plan, and will require justification as to the need for additional Rural lot creation.

Table 9: Permitted Rural Severances based on Original Township Lot Size

| Original Township Lot Size (in hectares) | Number of Severances Permitted | Total Lots Permitted including the Severed and the Retained |
|---|---------------------------------------|--|
| 20 | 1 | 2 |
| 40 | 3 | 4 |
| 60 | 4 | 5 |
| 80 | 5 | 6 |

In order to avoid narrow linear parcels of land, the frontage-to-depth ratio for non-farm sized lots (see Diagram 1 below) shall be a maximum of 1:3 and the lot must conform to the appropriate zoning by-law in reference to minimum lot frontage and other applicable provisions. Justification to go beyond the 1:3 frontage-to-depth ratio shall be justified in a development application, but will not require an amendment to this Plan. In considering whether to pro-rate up or down, the land area must be within 15% of the required maximum to be pro-rated up, otherwise it will be pro-rated down.

The severed lot would only be located within the Rural designation and all of the Agricultural designation would remain intact, as it would be located on the retained parcel. The severed lot would not be considered farm sized as it is just under 20 hectares and the retained lot would be considered farm sized under the Rural designation. Due to the above, County Planning staff are of the opinion that another option for consent would not be viable for the property.

The subject property is located on an approximately 40 hectare original township lot and currently contains one lot. The creation of an additional lot would meet County OP lot density policies. Further, the severed lot would have a lot area greater than 0.8

hectares. The frontage-to-depth ratio for the severed lot is less than 1:3. Therefore, County Planning staff have no concerns.

Section 5.2.2(5) of the County OP states,

New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the Provincial MDS formulae. Municipal comprehensive zoning by-laws shall incorporate Provincial MDS formulae.

MDS Calculations were not submitted with the application. Provided MDS calculations are done and setbacks can be obtained; County Planning staff have no concerns.

Section 8.9.1(4) of the County OP states,

The following hierarchy of water or sanitary servicing options will be used to evaluate any development applications within the County, except where specific exclusions are made through this Plan or where more detailed policies have been developed in a local official plan or secondary plan. The feasibility of the options will be considered in the following order of priority which will be assessed through a Servicing Options Study in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-5-3 Series Guidelines, or any subsequent update to these Guidelines:

d) Individual on-site sewage services and individual on-site water services in accordance with the policies contained in Section 8.9.1.

From a general planning perspective, it should be ensured that the subject property can safely provide on-site water and sewage servicing for both the severed and retained lots.

Schedule A of the County OP indicates the subject lands contain 'Hazard Lands'. The proposed severance would be located within the Hazard Lands. County Planning staff recommend receiving comments from the Conservation Authority.

Schedule A of the County OP indicates the subject lands are within the adjacent lands of 'Provincially Significant Wetlands'. Further, Appendix B of the County OP indicates the subject lands contains and/or is adjacent to potential 'Habitat of Threatened or Endangered Species', 'Other Identified Wetlands', 'Significant Woodlands', 'Significant Wildlife Habitat', potential 'Fish Habitat', and a 'Stream'. County Planning Ecology staff have reviewed the subject application and have a comment stating,

Based on the site plan, the proposed development will be within adjacent lands to the identified natural heritage features and within a previously disturbed area. As such, it is

County staff's opinion that the potential impact to this feature would be negligible, and the requirement for an EIS can be waived.

County staff's role is to identify habitat through a screening process in consideration of the PPS and local policies; however, it is the applicant's responsibility to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed – “development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements”. Due to the sensitive nature of this information, staff are not permitted to disclose the potential endangered and threatened species type on the subject lands. But can offer the following mitigation measures to best address the potential endangered and threatened species habitat on the subject property:

- Site alteration required for the development should be limited to outside of the bird active nesting season (April 1 to August 31, annually).

County staff advise the applicant of the above to support compliance with external legislation (Endangered Species Act (ESA), 2007, subsections 9(1) and 10(1)(a)). County staff are not the regulating authority under the ESA. The applicant is advised to contact the Ministry of Environment, Conservation and Parks (MECP) at SAROntario@ontario.ca for further information on how to address this policy.

County ecology staff have no concerns with the application. If you have any questions or concerns regarding the above, please reach out to ecology@grey.ca.

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

County Transportation Services has reviewed the subject application and have a comment stating,

As a condition of approval, a daylight triangle, measuring 15.24m shall be conveyed to the County of Grey at the intersection of Grey Road 14 and Southgate Road 12. This shall be legally conveyed at the expense of the applicant. Further, an Entrance Permit must be applied for future entrances and all proposed future buildings must maintain a 75ft setback from the centreline of the County RoW.

Provided MDS calculations are completed and setbacks can be obtained, positive comments are received from the Conservation Authority regarding the Hazard Lands, and County Transportation Services comments are addressed; County Planning staff have no concerns.

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

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

Yours truly,

A handwritten signature in black ink that reads "Derek McMurdie". The signature is written in a cursive, flowing style.

Derek McMurdie
Planner
(548) 877 0857
Derek.McMurdie@grey.ca
www.grey.ca

From: [Municipal Planning](#)
To: [Elisha Milne](#)
Subject: RE: Notice of Public Hearing - B1-24 Paul H Sherk
Date: March 5, 2024 3:58:02 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please always call before you dig, see web link for additional details:
<https://www.enbridgegas.com/safety/digging-safety-for-contractors>

It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. For more details contact ONTLands@enbridge.com.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio CET (he/him)

Sr Analyst, Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: Elisha Milne <emilne@southgate.ca>
Sent: Monday, March 4, 2024 2:41 PM
To: Bell Canada ROWCC <rowcentre@bell.ca>; Bev Fisher <bfisher@southgate.ca>; Bluewater District School Board <shelley_crummer@bwdsb.on.ca>; Bluewater District School Board <jayme_bastarache@bwdsb.on.ca>; Brenna Carroll <bcarroll@southgate.ca>; chad.aitken@bgcdsb.org; Dina Lundy <dlundy@southgate.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Ontario Lands <ONTLands@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group_PlanningDeptEmails <Group_PlanningDeptEmails@grey.ca>; Haudenosaunee <info@hdi.land>; Historic Saugeen Metis <hsmlrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jellis@southgate.ca>; Juanita Meekins <juanita.meekins@saugeenojibwaynation.ca>; Kevin Green <kgreen@southgate.ca>; Lacy Russell <lrussell@southgate.ca>; Lindsey Green <lgreen@southgate.ca>; Meagan Bruce <M.Bruce@publichealthgreybruce.on.ca>; Metis Nation of Ontario

<consultations@metisnation.org>; MMAH <Tyler.Shantz@ontario.ca>;
Newdevelopment@rci.rogers.com; Ontario Power Generation
<Executivevp.lawanddevelopment@opg.com>; Pegelo, Jessica - MTO <jessica.pegelo@ontario.ca>;
Saugeen Ojibway Nation <associate.ri@saugeenojibwaynation.ca>; SVCA Planning
<southgate@svca.on.ca>; Taylor McMann <tmcmann@southgate.ca>; ONTUGLLandsINQ
<ONTUGLLandsINQ@enbridge.com>; WSP on behalf of Bell <circulations@wsp.com>
Cc: Victoria Mance <vmance@southgate.ca>; Bill White <bwhite@tritoneng.on.ca>
Subject: [External] Notice of Public Hearing - B1-24 Paul H Sherk

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Good afternoon,

Please find the below link for the application documents including the Notice of Public Hearing for Consent Application B1-24 Paul H Sherk.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B1-24-Paul-H-Sherk-C4-24->

The Public Hearing is scheduled **via Zoom** for **March 27, 2024, at 9:00AM**. Please supply all comments on the above notification by **March 20, 2024**, so they may be included in the public agenda.

Comments can be received by:

Email: emilne@southgate.ca
Fax: 519-923-9262 Attn: Elisha Milne
Mail: Elisha Milne, Legislative and Planning Coordinator
185667 Grey County Road 9
Dundalk, ON N0C 1B0

Thank you for your attention to this matter.

Elisha Milne

Legislative & Planning Coordinator

Township of Southgate

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

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

emilne@southgate.ca | www.southgate.ca



From: hsmrcc@bmts.com
To: [Elisha Milne](#)
Subject: Request for Comments - Township of Southgate (Sherk) Proposed Consent Application and Zoning By-Law Amendment
Date: March 14, 2024 11:59:20 AM

Township of Southgate

RE: C4-24 and B1-24

The Historic Saugeen Métis (HSM) Lands, Waters and Consultation Department has reviewed the relevant documents and has no objection or opposition to the proposed Land Severance and Zoning By-Law Amendment as presented.

Thank you for the opportunity to review this matter.

Regards,

Georgia McLay

Coordinator, Lands, Waters & Consultation
Historic Saugeen Métis
204 High Street
Southampton, ON
saugeenmetis.com
519.483.4000



This message is intended for the addressees only. It may contain confidential or privileged information. No rights to privilege have been waived. Any copying, retransmittal, taking of action in reliance on, or other use of the information in this communication by persons other than the intended recipients(s) is prohibited. If you have received this message in error, please reply to the sender by e-mail and delete or destroy all copies of this message.

From: AMIN Pranav
To: Elisa Milne
Subject: Southgate - 185667 Grey County Road 9 - B1-24
Date: April 1, 2024 10:09:12 PM
Attachments: [image001.png](#)

Hello,

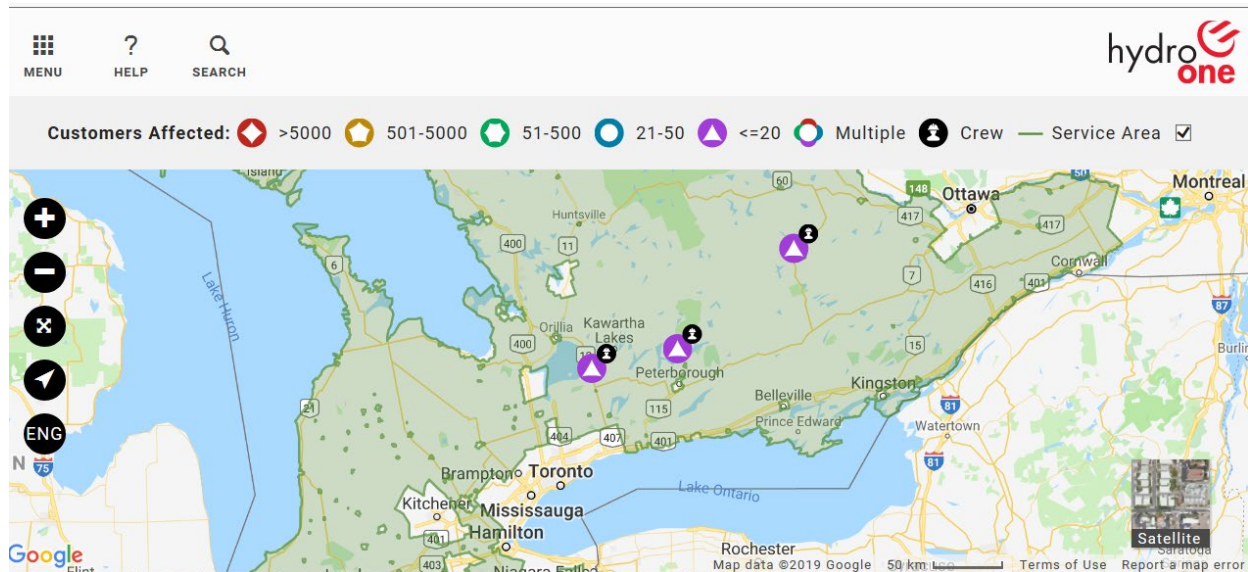
We are in receipt of your Application for Consent, B1-24 dated March 4th, 2024. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

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

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

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

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



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

Please let me know if you have any questions or concerns.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

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: March 11, 2024

File No.: B1-24 & C4-24

Can a safe access be provided? Yes ☒ No ☐

Road Drainage Concern: None

Road Standard: Grey County jurisdiction

Road Widening Necessary? Yes ☒ No ☐ 3m Frontage widening along SGT Road 12

Entrance Requirements: Grey County jurisdiction

Load Restricted Road: No ☒ Grey County Road 14,

Yes ☒ SGT Road 12

Comments: _____

Risk Management Office

Property is located in a Well Head Protection Area:

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

Comments: _____

Signed: _____

Jim Ellis, Public Works Manager / Risk Management Official



Staff Report PL2024-031

Title of Report: PL2024-031 – B1-24 Paul H Sherk - Procedure
Department: Clerks
Branch: Planning Services
Council Date: April 24, 2024

Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2024-031 for information; and

That the application for Consent file B1-24 be refused for the following reasons:

- 1. That** the application failed to comply with applicable requirements of the Planning Act (Section 51(24)) related to the giving of a provisional consent; and
- 2. That** the application failed to consider applicable policies related to land development and granting of consents under the Township Official Plan.

or

That the application for Consent file B1-24 be approved subject to the following conditions:

- 1. That** the existing zoning of the severed and retained parcel be addressed through an application for relief on lot area and any other site and building regulations.
- 2. That** the standard conditions regarding parkland dedication, driveway access and similar apply as recommended by other agencies and Township Departments including that all requirements of the Township, financial or otherwise, be addressed to the satisfaction of the Township Staff prior to issuance of a certificate of consent.

Background:

Application B1-24 for Consent was before the Committee March 27, 2024, at which time a motion to approve failed due to a tie vote. Following such, the Committee did not pass a motion to deny the application. For the applicant to have the opportunity to make an appeal submission to the Ontario Land Tribunal (OLT) there needs to be a decision, regardless of the outcome, made from the Committee.

Staff Comments:

Following the March 27, 2024, Committee of Adjustment meeting, staff obtained legal advice on the appropriate way to move the application to decision. Legal advice was that the application be brought back to the Committee so that a decision could be made. In the recommendation, staff included a motion for the Committee to refuse the application, along with reasons for denying the consent. If that motion fails, staff also included a recommendation to approve the application with the conditions recommended in the previous staff report.

If the Committee is not able to reach a decision on either motion (refuse or approve) the applicant could then take the position that the Committee failed to make a decision within the 90-day timeframe required by regulation under the Planning Act and appeal to the OLT on that basis.

Concluding Comments:

In the notice of decision to deny a provisional consent it is recommended the Committee provide reasons for that decision. In this case the reasons suggested are the following:

1. The application failed to comply with applicable requirements of the Planning Act (Section 51(24)) related to the giving of a provisional consent; and
2. The application failed to consider applicable policies related to land development and granting of consents under the Township Official Plan.

The order the staff placed the proposed decisions in the recommendation does not impact on which resolution the Committee through the Chair may make. Also, the Committee could also consider a motion to table if additional information is needed from the applicant or staff to facilitate a decision.

Respectfully Submitted,

Planning Coordinator: *Original Signed By*
Elisha Milne, Secretary Treasurer

Supported by: *Original Signed By*
Bill White MCIP RPP, Senior Planner Triton Engineering

CAO Approval: *Original Signed By*
Dina Lundy, CAO

Attachments:

1. Staff Report PL2024-023
2. March 27, 2024 Committee of Adjustment Meeting Minutes
3. Letter of support from applicant



Staff Report PL2024-023

Title of Report: Application for Consent, Paul H. Sherk, 112017 Grey Rd 14
Department: Clerks
Branch: Planning Services
Committee Date: March 27, 2024

Recommendation:

Be it resolved that Committee of Adjustment receive Staff Report PL2024-023 for information; and

That the application for consent be approved subject to the following conditions:

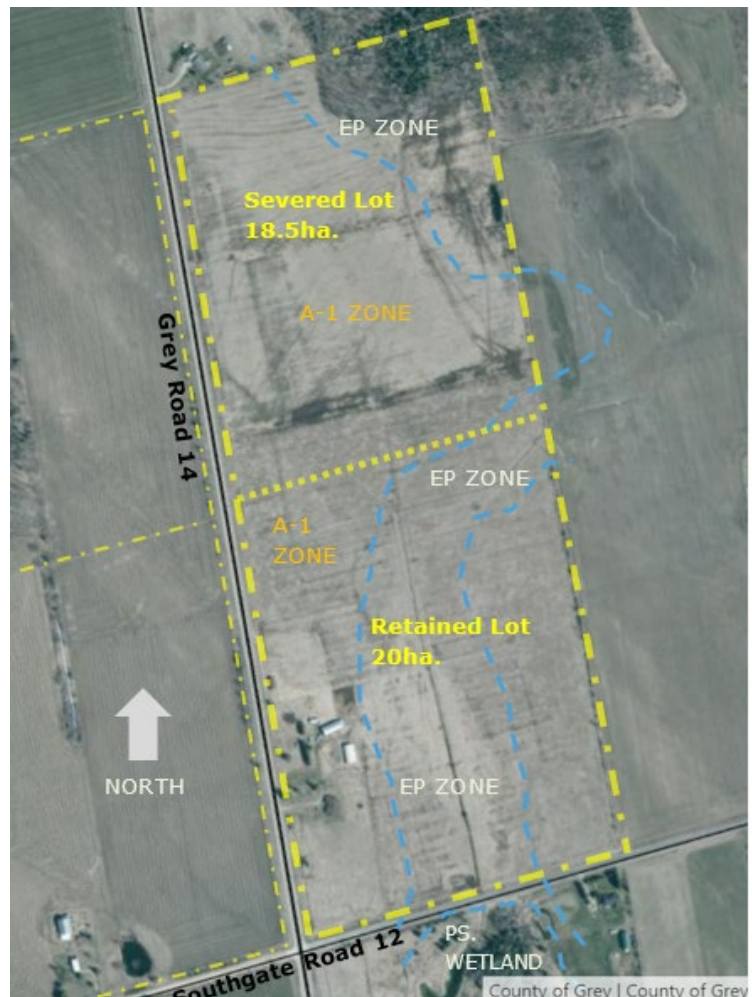
1. That the existing zoning of the severed and retained parcel be addressed through an application for relief on lot area and any other site and building regulations.
2. The standard conditions regarding parkland dedication, driveway access and similar apply as recommended by other agencies and Township Departments including that all requirements of the Township, financial or otherwise, be addressed to the satisfaction of the Township Staff prior to issuance of a certificate of consent.

Property Location: 112017 Grey Road 14, Con 9, Lot 13 former Township of Proton.

Subject Lands: See sketch.

The Proposal: The applicants wish to split the subject lands into one 18.5 hectare severed farm lot and one 20 hectare retained farm lot. The severed lot will have +-484.6 meters frontage on Grey Road 14 and lot depth of +-382 meters. The retained lot containing the existing farmhouse would have +- 382 meters frontage on Southgate Road 12 and +-523 depth along Grey Road 14.

Background: The subject parcel is located on the northeast corner of the intersection of Southgate Road 12 and Grey Road 14 both paved and fully maintained public roadways



The driveway to the farmhouse on the retained parcel is off Grey Road 14. Access to the severed lot will also be off the County Road as shown in the adjacent site plan. The lot is generally flat to gently sloping to flat lands primarily farmed for cash crops (corn). The EP zone for the site mainly reflects farm drainage across the retained parcel with a mixed woodlot in the northeast corner of the severed lot. South of Southgate Road 12 is a small Provincially Significant Wetland more than 540 meters away from the proposed severed lot.

Staff Review: The severed lot will be created in a Rural and Hazard designation in the Official Plan, while the retained lot includes a small Agricultural designation on the southeast corner of the parcel.

A Provincially Significant Wetland south of the Township Road does not require an Environmental Impact Study because the 120-meter setback required in Section in 6.1.4 Table 2 in the Official Plan is met.

Lot creation policies in the Southgate Official Plan for Rural Lands allow one severance per original 40-hectare lot on the Crown Survey. New lots are to be at least 0.8 hectares in area and new farm lots at least 20 hectares. The site plan indicates rural farm use of the severed lot. Since the severed lot is not within the small section of Agricultural designation, more stringent consent policies would not apply in this case.

The Agricultural-1 zoning permits farm uses subject to applicable site and building regulations. The proposed severed and retained lots meet minimum frontage requirement of 200 meters but do not meet the minimum lot area requirement of 40 hectares. The new farmhouse on the severed lot would have to meet remaining building regulations in the A-1 zone. Rezoning to address the reduced lot area is a recommended condition of severance.

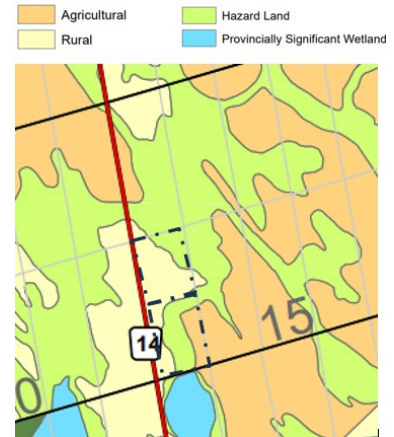
Provincial Policy Statement: 1.1.5.2 d) agricultural and agricultural related uses permitted in rural areas, and 2.1.1 natural areas should be preserved.



Township Official Plan: Rural, Agriculture & Hazard Land
(see adjacent map)

Zoning By-law: Agriculture-1 & Environmental Protection

Concluding Comments: Township staff recommend the Committee consider approval of the proposed severance subject to the applicant's addressing the minimum lot area requirement in the A-1 zone. Other standard conditions regarding access to the highway, parkland dedication (if applicable) and meeting the financial conditions of the Township at the time of conveyances are recommended.



Respectfully submitted,

**Triton Engineering
Senior Planner:**

Original Signed By

[Bill White, MCIP RPP]

CAO Approval:

Original Signed By

Dina Lundy, CAO

Attachments: None



Township of Southgate
Minutes of Committee of Adjustment

March 27, 2024
9:00 AM
Electronic Participation

Members Present: Member Barbara Dobreen
Member Martin Shipston
Member Jim Ferguson
Member Monica Singh Soares

Members Absent: Member Brian Milne
Member Jason Rice
Member Joan John

Staff Present: Lindsey Green, Clerk
Elisha Milne, Secretary-Treasurer
Dina Lundy, CAO
Victoria Mance, Junior Planner

Others Present: Kristine Loft, Loft Planning

1. Call to Order

Chair Dobreen called the meeting to order at 9:01 AM.

2. Confirmation of Agenda

Moved By Member Ferguson

Seconded By Member Shipston

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

Carried

3. Declaration of Pecuniary Interest

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

4. Adoption of Minutes

Moved By Member Singh Soares

Seconded By Member Shipston

Be it resolved that the Committee approve the minutes from the February 28, 2024, Committee of Adjustment meeting as presented.

Carried

5. Reports of Municipal Officers

5.1 Secretary Treasurer Elisha Milne

5.1.1 PL2024-019 - Standard Conditions Wording for Consent Applications

Moved By Member Ferguson

Seconded By Member Shipston

Be it resolved that the Committee of Adjustment receive Staff Report PL2024-019 for information; and

That the Committee approve the implementation of the Standard Conditions Wording for Consent applications.

Carried

6. Hearing

6.1 B1-24 - Paul H Sherk, Con 9 Lot 13 Geographic Township of Proton

6.1.1 Application and Notice of Public Hearing

The Purpose of application B1-24 is to sever the subject lands into two proposed farm lots as follows:

- 1) Severed lot +-484 meters frontage on Grey Road 14, +-385 meters depth and +-18.5 hectares lot area
- 2) Retained lot +-385 meters frontage on Southgate Road

12, +-523 meters depth along Grey Road 14 and +- 20 hectares lot area.

The Effect of proposed consent application B1-24 is to split the subject lands into two farm parcels with less than the minimum lot area required in the Agricultural-1 zone. Notice of rezoning application C4-24 issued separately for a pending public meeting to address minimum lot area required in the zoning bylaw.

6.1.2 Comments Received from Agencies and the Public

Junior Planner Victoria Mance reviewed comments received from the County of Grey, Enbridge Gas, the Historic Saugeen Metis, and the Southgate Public Works Department. There were no comments received from members of the public.

6.1.3 Applicant or Agent

The applicant or agent were not in attendance.

6.1.4 Committee Member Questions

Member Shipston inquired about the Zoning and Official Plan land designation of the parcel and Junior Planner Victoria Mance provided clarification.

Member Singh Soares had questions regarding the entrance requirements and Junior Planner Victoria Mance provided a response.

Chair Dobreen expressed her concerns regarding the proposal and had questions about the provisions of the original approved On Farm Diversified Use Shop and Junior Planner Victoria Mance provided a response.

6.1.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.1.6 Members of the Public to Speak

There were no members of the public in attendance to speak in support of or in opposition to the application.

6.1.7 Further Questions from the Committee

There were no further comments from Members of the Committee.

6.1.8 Approval or Refusal

Chair Dobreen called for a recorded vote on the main motion.

Moved By Member Ferguson

Seconded By Member Singh Soares

Be it resolved that Committee of Adjustment receive Staff Report PL2024-023 for information; and

That the application for consent be approved subject to the following conditions:

1. That the existing zoning of the severed and retained parcel be addressed through an application for relief on lot area and any other site and building regulations.
2. The standard conditions regarding parkland dedication, driveway access and similar apply as recommended by other agencies and Township Departments including that all requirements of the Township, financial or otherwise, be addressed to the satisfaction of the Township Staff prior to issuance of a certificate of consent.

Failed (2 to 2)

Yay (2): Member Ferguson, Member Singh Soares

Nay (2): Chair Dobreen, Member Shipston

6.2 A1-24 - Solomon and Salinda Martin, Con 2 SWTSR Pt Lots 198 to 200 RP 16R9480 Part 2, Geographic Township of Proton

6.2.1 Application and Notice of Public Hearing

The Purpose of the proposed Minor Variance is to decrease the amount of outdoor storage and increase the maximum combined size of structures associated with the On Farm Diversified Use approved in Bylaw 2014-064 for the subject lands. The Agricultural-1 Exception 333 Zone permits a 676.3 square meter Workshop, 35.6 square meter office (711.9 square meters total), and a maximum 500 square meters outdoor storage.

The applicant proposes to increase the maximum combined size of structures from 711.9 to 904 square meters and decreasing permitted outdoor storage from 500 to 310 square meters.

The Effect of the Minor Variance would be to increase the maximum combined size of structures to 904 square meters and decrease outdoor storage to 310 square meters for the On Farm Diversified Use on the subject lands.

6.2.2 Comments Received from Agencies and the Public

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

6.2.3 Applicant or Agent

The applicants Agent, Kristine Loft of Loft Planning, was in attendance, presented the proposal and was available for any questions from the Committee.

6.2.4 Committee Member Questions

Member Singh Soares had questions regarding the proposal being compliant with the current zoning and any potential negative impacts the proposal will have, and Kristine Loft provided clarification.

Member Shipston questioned the use of the shop, and Chair Dobreen requested clarification on the proposal, and Kristine Loft provided a response.

6.2.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.2.6 Members of the Public to Speak

There were no members of the public in attendance to speak in support of or in opposition to the application.

6.2.7 Further Questions from the Committee

There were no further comments from Members of the Committee.

6.2.8 Approval or Refusal

Moved By Member Shipston

Seconded By Member Singh Soares

Be it resolved that Committee of Adjustment receive Staff Report PL2024-020 for information; and

That the application for minor variance be approved subject to the following conditions:

1. That 191.6 square meters covered storage proposed in the sap and shanty shed not be used as part of the On Farm Diversified Use (workshop, office, power room etc.) and that outdoor storage correspondingly be reduced to 310 square meters.
2. That covered or outdoor storage be further reduced by 44.6 square meters to recognize the power room.

Carried

6.3 A2-24 - Cutway Inc., Con 2 SWTSR Pt Lot 221 Pt Lot 222, Geographic Township of Proton

6.3.1 Application and Notice of Public Hearing

The Purpose of the proposed Minor Variance is to decrease the amount of outdoor storage and increase the amount of indoor storage associated with the On Farm Diversified Use approved in Bylaw 2012-049 for the subject lands. The Agricultural-1 Exception 289 Zone permits a Metal Fabrication and Welding Workshop with outdoor storage of 500 square meters and maximum combined size of structures of 750 square meters. The applicant proposes to increase the maximum combined size of structures from 750 to 940 square meters by adding 190 square meters of inside storage and decreasing permitted outdoor storage from 500 to 310 square meters.

The Effect of the Minor Variance would be to increase the maximum combined size of structures to 940 square meters and decrease outdoor storage to 310 square meters for the On Farm Diversified Use on the subject lands.

6.3.2 Comments Received from Agencies and the Public

Junior Planner Victoria Mance reviewed comments received from the County of Grey, the Historic Saugeen Metis, Southgate Public Works, and the Saugeen Valley Conservation Authority. There were no comments received from members of the public.

6.3.3 Applicant or Agent

The applicants Agent, Kristine Loft of Loft Planning, was in attendance, presented the proposal and was available for any questions from the Committee.

6.3.4 Committee Member Questions

Member Singh Soares had questions regarding communication to the Ministry of the Environment, Conservation and Parks and Member Shipston presented his concerns regarding safety and Kristine Loft provided clarification.

6.3.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.3.6 Members of the Public to Speak

There were no further comments from Members of the Committee.

6.3.7 Further Questions from the Committee

Member Singh Soares asked for clarification on compliance and zoning requirements on and Kristine Loft provided a response.

6.3.8 Approval or Refusal

Moved By Member Shipston

Seconded By Member Ferguson

Be it resolved that Committee of Adjustment receive Staff Report PL2024-021 for information; and

That the application for minor variance be approved subject to the following condition:

1. That 189.12 square meters of covered storage proposed in the accessory building not be used as part of the On Farm Diversified Use (workshop, office) and that the maximum outdoor storage be reduced to 310 square meters instead of the maximum 500 square meters allowed in the previous rezoning.

Carried

6.4 A3-24 - RS MAR INC., Con 3 SWTSR Pt Lots 201 and 202 RP 16R8397 Part 2, Geographic Township of Proton

6.4.1 Application and Notice of Public Hearing

The Purpose of the proposed Minor Variance is to decrease the amount of outdoor storage and increase the

total floor area of the On Farm Diversified Use approved in Bylaw 2010-030 for the subject lands. The Agricultural-1 Exception 244 Zone permits a Metal Fabrication Workshop of 750 square meters, outdoor storage of 500 square meters, and a combined maximum workshop and storage area of 1250 square meters.

The applicant proposes an 895 square meter metal fabrication workshop, 355 square meters outside storage and to maintain a combined maximum workshop and storage area of 1250 square meters.

The Effect of the Minor Variance would be to increase the metal fabrication workshop from 750 square meters to 895 square meters and decrease outdoor storage from 500 square meters to 355 square meters on the subject lands.

6.4.2 Comments Received from Agencies and the Public

Junior Planner Victoria Mance reviewed comments received from the County of Grey, Historic Saugeen Metis, Southgate Public Works, and the Saugeen Valley Conservation Authority. There were no comments received from members of the public.

6.4.3 Applicant or Agent

The applicants Agent, Kristine Loft of Loft Planning, was in attendance, presented the proposal and was available for any questions from the Committee.

6.4.4 Committee Member Questions

Member Shipston requested confirmation that proposed change will not be used for manufacturing and only used for office space and Member Singh Soares questioned if the proposed expansion is for current and future staff members and what measures are in place to keep the proposed space as office space only and Kristine Loft provides clarification.

6.4.5 Comments and Planning Report

Junior Planner Victoria Mance reviewed the planning report and presented the intent of the proposal to the Committee Members.

6.4.6 Members of the Public to Speak

There were no members of the public in attendance to speak in support of or in opposition to the application.

6.4.7 Further Questions from the Committee

There were no further comments from Members of the Committee.

6.4.8 Approval or Refusal

Moved By Member Ferguson

Seconded By Member Shipston

Be it resolved that Committee of Adjustment receive Staff Report PL2024-022 for information; and

That the application for minor variance be approved subject to the following condition:

1. That the additional office floor space be approved at 186.7 square meters (to a total of 222 square meters) and that office space never be converted to workshop.
2. That outdoor storage be 355 square meters maximum (reduced from 500 square meters) so that the combined On Farm Diversified Use floor space and outdoor storage be maintained at 1250 square meters as per the existing A1-244 zone.

Carried

7. Adjournment

Moved By Member Singh Soares

Seconded By Member Ferguson

Be it resolved that the Committee adjourn the meeting at 10:19 AM.

Carried

Chair Barbara Dobreen

Secretary-Treasurer Elisha Milne

This is a letter of support for.

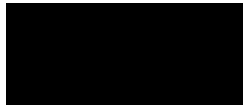
Consent application B1-24 to sever a current farm into 2 viable Farm homesteads,
and a rezoning application C4-24 to address minimum lot area
for Paul & Minerva Sherk.

The intent is to create homesteads for their children. I feel this proposal meets the
overall intent of the grey county and The Township of Southgate planning policies.
And it will blend in with the surrounding area quite well and will have no negative
impact on the surrounding neighbors and land uses.


We visited the neighbors within 120m to inform them of this proposal, and they all seemed
supportive and we hope to stay in good terms with them.


This proposal will also create extra tax income for the township.

Applicant; Eli Sherk



I want to let you know what we have in mind for our Farms. Farm (125517 souhgate road 12) we are planning to build buildings this year and move there next year 2025. We also own the Farm beside it (112017 Grey Road 14) We recently found out this farm is rural zoned which made us excited to try to spilt it and make 2 Farms from this property. We have 5 boys ~~her~~ which will probably want properties in years to come so this would be an excellent opportunity for us. Our boys are still young (15 year old to 6 years old) so as far as we now no buildings will be made on this property in the near future. Thanks for your understanding!

 Minerva Sherk

 Paul Sherk