



**Township of Southgate
Committee of Adjustment Agenda**

November 27, 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	3 - 6
Be it resolved that the Committee approve the minutes from the October 23, 2024 Committee of Adjustment meeting as presented.	
5. Hearing	
5.1 A12-24 - Peter Salinovic, Con 18 Lot 26 to 27, Geographic Township of Proton, Township of Southgate	
5.1.1 Application and Notice of Public Hearing	7 - 15
Click here for the link to the application documents on the Township website.	
5.1.2 Comments Received from Agencies and the Public	16 - 24
5.1.3 Applicant or Agent	
5.1.4 Committee Member Questions	
5.1.5 Comments and Planning Report	
5.1.5.1 PL2024-100 - A12-24 Peter Salinovic	25 - 32
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 Staff Report PL2024-100 for File A12/24 by Peter Salinovic & others for permission under Section 45(2) of the Planning Act use of an existing cabin and accessory structures on unopened section of Sideroad 19 north of Southgate Road 26 be received for information; and

That File A12-24 be approved to subject to the following conditions:

1. The existing 66 square metre cabin and shed be the only buildings permitted for outdoor recreation use including limited personal hunting, that the buildings be improved to comply with the Ontario Building Code and other applicable law, and no new buildings or structures be permitted except in accordance with applicable zoning, codes and by-laws;
2. Any existing structures not located on subject lands be removed;
3. That private water and sewage arrangements be made for the existing cabin to be used for outdoor recreation in compliance with the Building Code; and
4. Arrangements for use of the unopened Sideroad 19 road allowance as access to the existing cabin and accessory structure be made to the satisfaction of Township Public Works which may include an agreement outlining private maintenance responsibilities, liabilities and seasonal use of the unopened road allowance.

6. Adjournment

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



Township of Southgate
Minutes of Committee of Adjustment

October 23, 2024
9:00 AM
Electronic Participation

Members Present: Member Brian Milne
Member Barbara Dobreen
Member Jason Rice
Member Jim Ferguson
Member Monica Singh Soares
Member Joan John

Members Absent: Member Martin Shipston

Staff Present: Lindsey Green, Clerk
Elisha Milne, Secretary-Treasurer
Kenneth Melanson, Senior Manager, Development &
Community Services
Victoria Mance, Junior Planner

Others Present: Bill White, Senior Planning Consultant Triton Engineering
Genevieve Scott, Cuesta Planning

1. Call to Order

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

2. Confirmation of Agenda

Moved By Member Milne

Seconded By Member John

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 Rice

Seconded By Member John

Be it resolved that the Committee approve the minutes from the September 25, 2024 Committee of Adjustment meeting as presented.

Carried

5. Hearing

5.1 A9-24 - Jamie and John Allen, Plan 815 Lot 4 SUB of CON 1 EGR Lot 4, Geographic Township of Egremont, Township of Southgate

5.1.1 Application and Notice of Public Hearing

Click [here](#) for the link to the application documents on the Township website.

5.1.2 Comments Received from Agencies and the Public

Senior Planning Consultant Bill White reviewed comments received from Southgate Public Works, Saugeen Valley Conservation Authority, Ministry of Transportation, and the County of Grey. There was one comment received from a member of the public, Kelly Burton.

5.1.3 Applicant or Agent

The agent, Genevieve Scott from Cuesta Planning was in attendance, spoke to the proposal and was available for any questions.

5.1.4 Committee Member Questions

Member John thanked the Planners for the clarification on the proposal.

Member Singh Soares presented concerns regarding the road maintenance, snow removal and safety and Senior Planner Consultant Bill White provided a response.

5.1.5 Comments and Planning Report

Senior Planning Consultant Bill White reviewed the planning report and presented the intent of the proposal to the Committee Members.

5.1.6 Members of the Public to Speak

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

5.1.7 Further Questions from the Committee

There were no questions from Members of the Committee.

5.1.8 Approval or Refusal

Member Rice left the meeting at 9:33 AM and did not return.

Moved By Member Ferguson

Seconded By Member John

Be it resolved that Committee of Adjustment:

Receive as information Staff Report PL2024-093 and supplementary report regarding minor variance A9-24 by Jamie and John Allen for Cedar Lane, Plan 815 Lot 4; and **That** the Committee deny the variance on the front yard projection; and

That the Committee approve the front yard reduction from 7.5m to 2.1m and the north side yard reduction from 3m to 1.8m only subject to the following conditions:

1. That no porch projection be permitted into any part of the front yard established by the 2.1 metre setback from the front property line established by arc of the Cedar Lane road allowance

2. That the attached garage for the home is setback a minimum 0.5 metres from the front building face of the proposed home established by the 2.1 metre front yard

and that a minimum south side yard of 3.0 metres be maintained with room for one parking space beside the proposed home

3. That a permit from the Saugeen Valley Conservation Authority be obtained if needed.

Carried

6. Adjournment

Moved By Member Singh Soares

Seconded By Member Ferguson

Be it resolved that the Committee adjourn the meeting at 9:46 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- 12-24
 Pre-Consult _____ Date: _____
 Date received: Oct 31, 2024
 Accepted by: _____
 Roll #42 07 090-008-06900
 Conservation Authority Fee
 Required: Yes - SVCA
 Official Plan: _____
 Property's Zone: _____
 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.

~~\$2,440.00~~

**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) 'See schedule A'

Address _____

Postal Code _____ Telephone Number _____

2. Name of Agent Petar Salinovic

Address _____

Postal Code _____ Telephone Number _____

3. Nature and extent of relief applied for: non-conforming use into compliance

4. Why is it not possible to comply with the provisions of the by-law? long term non-conforming use

5. Legal description of subject land (registered plan number and lot number or other legal description, and, where applicable, street and street number):
Lots 26 & 27, Con. 18
Township of Southgate

6. Dimensions of land affected in metric units:
Frontage: 815.76 m Area: _____
Depth: 1.02 km 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: ground area - 11 m x 6 m
one storey, 11 m x 6 m w, 11 m - l

Proposed: keep hunting cabin, bring into compliance

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 site plan

Proposed: _____

9. Date of acquisition of subject land: Dec 17, 1996

10. Date of construction of all buildings and structures on subject land:
July, 1997

11. Existing uses of the subject property:
Family gathering

12. Existing uses of the abutting properties:
North: 815.76 m East: 1.02 km
South: 812.27 m West: 102. km

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

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) we bring our water.

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) outhouse.

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

17. Present Official Plan designation on the subject lands: Rural, Wetland, Hazard Lands

18. Present Zoning By-law provisions applying to the land: A-1, ~~EP~~ EP, W

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 See schedule A
(print name or names)

authorize Peter Salinovic
(print name of agent)

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

(Signature of Owner) (date)

(Signature of Owner) (date)

22. Owners authorization for access:

I/we See schedule A
(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) (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) Peter Salinovic
Name of Owner(s) or Authorized Agent or Applicant

of the Municipality of Greyhighlands 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 31 day of October, 2024


Signatures of Owner

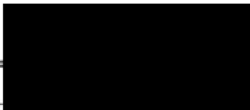
Oct 31, 2024
Date

Signatures of Owner

Date


Signature of Commissioner

Oct 31, 2024
Date


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

Please see below information which is address #1, #21 and #22 on the application form attached.

Name: Petar Salinovic
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: OCT 5, 2024

[Redacted]

Name: Grgo Filipovic
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: OCT 5, 2024

[Redacted]

Name: Boris Jurkota
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: Oct 5, 2024

Name: Boško Gvoić
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: OCT 5, 2024

[Redacted]

Name: Adam Narač
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: OCT-5-2024

[Redacted]

Name: Roza Novogradec
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: OCT, 5 2024

[Redacted]

[Redacted]

Name: Jela Cikoja
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: [Redacted]

OCT. 5 - 2024

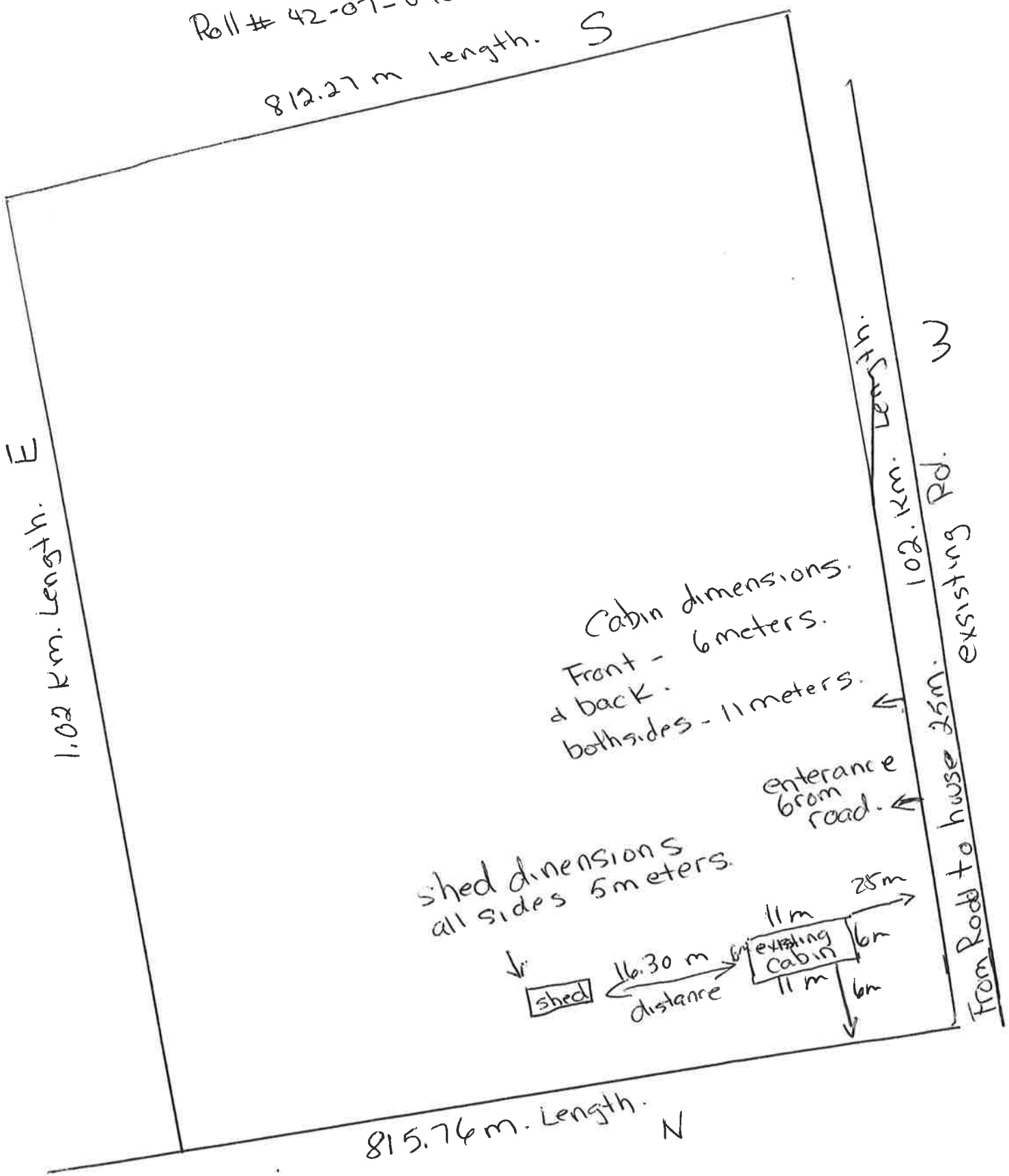
[Redacted]

[Redacted]

Name: Zora Cikoja
Address: [Redacted]
Postal Code: [Redacted]
Tel. No.: [Redacted]
Date: [Redacted]

OCT 5 - 2024

Site plan
Concession 18 Lot 26+27. Southgate
Roll # 42-07-090-008-06900





**TOWNSHIP OF SOUTHGATE COMMITTEE OF ADJUSTMENT
 NOTICE OF APPLICATION FOR MINOR VARIANCE (Permission Under
 Section 45 subsection 2) AND PUBLIC HEARING
 The Planning Act, RSO 1990, as amended**

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

Please join the Zoom 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 (Permission under Section 45(2) of the Planning Act) - FILE NO. A12-24

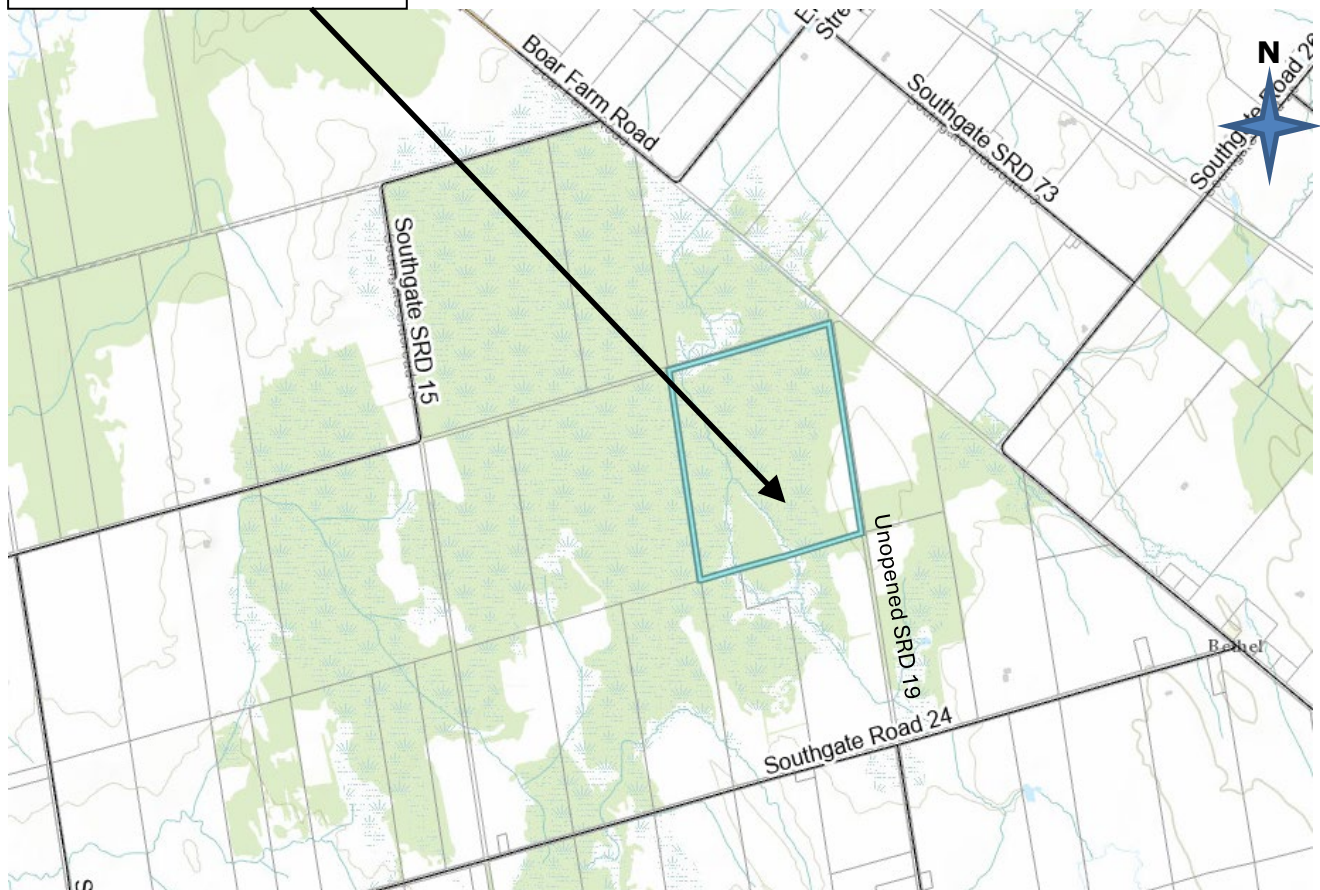
OWNERS: Peter Salinovic, Bosko Covic, Grgo Filipovic, Adam Naraj, Boris Jurkota, Roza Novogradec, Jela Cikoja, Zora Cikoja

Description and Key Map of the Subject Land

Legal Description: Con 18 Lot 26 to 27, Geographic Township of Proton, Township of Southgate

Civic Address: None Assigned.

SUBJECT LANDS



The Purpose of the application under Section 45(2) of the Ontario Planning Act is to permit the use and improvement of an existing non-conforming hunting camp building and shed established on the property before the current Zoning By-law 19-2002, as amended was adopted. The subject property has limited access to an unopened section of the Southgate Sideroad 19 road allowance north of Southgate Road 24.

The Effect of the application is to permit use and improvement of the existing non-conforming hunting camp building and shed to allow the building to be brought into compliance with the provisions of Section 5.20 of the Township Zoning By-law so legal use of the upgraded buildings and property can continue.

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

Additional information regarding this application is available on the Township of Southgate Website <https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#A12-24-Peter-Salinovic-et-al>

When requesting information please quote File No. **A12-24**

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
Phone: (519) 923-2110 ext. 232
Toll Free: 1-888-560-6607
Fax: (519) 923-9262
Email: emilne@southgate.ca

From: [REDACTED]
To: [Tracey General](#); [Elisha Milne](#)
Cc: [Brian Doolittle](#); [Todd Williams](#); [Raechelle Williams](#); [Owen Greene](#); [Environmental Dept](#); [Rae Lumsdon](#); [Emma Kameka](#)
Subject: Re: Notice of Public Hearing - Minor Variance Application A12-24
Date: November 8, 2024 11:54:46 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Good Morning.

Please be advised that we oppose the granting of the minor variance.

No map has been attached and no addresses are provided.

The application talks about a hunting camp but does not mention what is being hunted and how this may impair infringe or otherwise interfere with established harvesting rights which we hold over the subject area.

Regards,

Aaron Detlor

On Nov 8, 2024, at 11:18 AM, Tracey General <info@hdi.land> wrote:

Begin forwarded message:

From: Elisha Milne <emilne@southgate.ca>
Subject: RE: Notice of Public Hearing - Minor Variance Application A12-24
Date: November 8, 2024 at 11:09:28 AM EST
To: Bell Canada ROWCC <rowcentre@bell.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" <chad.aitken@bgcdsb.org>, Dina Lundy <dlundy@southgate.ca>, Enbridge Gas <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>, Ken Melanson <kmelanson@southgate.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"
<Newdevelopment@rci.rogers.com>, Ontario Power
Generation <Executivevp.lawanddevelopment@opg.com>,
Phil Schram <pschram@southgate.ca>, Saugeen Ojibway
Nation <associate.ri@saugeenojibwaynation.ca>, SVCA
Planning <southgate@svca.on.ca>, Victoria Mance
<vmance@southgate.ca>, WSP on behalf of Bell
<circulations@wsp.com>

Further to below, your comments on the application by **November 20, 2024** would be greatly appreciated.

Thank you,

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: Elisha Milne

Sent: Friday, November 8, 2024 11:07 AM

To: Bell Canada ROWCC <rowcentre@bell.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>; Enbridge Gas <ONTLands@enbridge.com>; Fire Chief <firechief@southgate.ca>; Group_PlanningDeptEmails <Group_PlanningDeptEmails@grey.ca>; Haudenosaunee <info@hdi.land>; Historic Saugeen Metis <hsmllrcc@bmts.com>; Hydro One <landuseplanning@hydroone.com>; Jim Ellis <jellis@southgate.ca>; Juanita Meekins <juanita.meekins@saugeenojibwaynation.ca>; Ken Melanson <kmelanson@southgate.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>; Phil Schram

<pschram@southgate.ca>; Saugeen Ojibway Nation
<associate.ri@saugeenojibwaynation.ca>; SVCA Planning
<southgate@svca.on.ca>; Victoria Mance <vmance@southgate.ca>; WSP
on behalf of Bell <circulations@wsp.com>

Subject: Notice of Public Hearing - Minor Variance Application A12-24

Good morning,

Please find the below link for the application documents including the Notice of Public Hearing for Minor Variance Application A12-24 for Peter Salinovic et al.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#A12-24-Peter-Salinovic-et-al->

The Public Hearing is scheduled **via Zoom** for **November 27, 2024, at 9:00AM.**

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





Outlook

RE: New Minor Variance Application A12-24

From Phil Schram <pschram@southgate.ca>

Date Mon 11/18/2024 9:33 AM

To Victoria Mance <vmance@southgate.ca>

Good morning,

The only issues I have is that they will require a change of use permit for this structure as the permit is for a "agricultural" building. Agricultural buildings are not designed to be occupied. If they intend to occupy this building, they will need to bring it up to OBC as a cottage or a single-family dwelling. The outhouse is allowed, they are also allowed to bring water in.

Kind Regards,

Phil Schram**Chief Building Official, By-Law Enforcement | Township of Southgate**

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

519-923-2110 ext. 241 | Mobile: | Fax 519-923-9262

pschram@southgate.ca | www.southgate.ca

TO SCHEDULE AN INSPECTION

- A permit application number must accompany all requests via telephone and/or email
- Please allow 2 business days for scheduling inspections
- Please ensure the reviewed permit package is on site for all inspections

Inspection Phone Line: 519-379-6034

Building Services: cmaltais@southgate.ca

From: Victoria Mance <vmance@southgate.ca>

Sent: November 18, 2024 8:18 AM

To: Phil Schram <pschram@southgate.ca>

Subject: Re: New Minor Variance Application A12-24

Morning Phil!

Looking for comments from Building on this file (A12-24) - since it is a longstanding compliance issue.

Thanks,

Victoria Mance, MA**Junior Planner | Township of Southgate**

From: planning@grey.ca
To: [Southgate Planning](#); [Lindsey Green](#); [Elisha Milne](#)
Subject: County comments for A12-24 Salinovic
Date: November 19, 2024 4:14:48 PM

County comments for A12-24 Salinovic

Hello Southgate,

Please note that Grey County is taking steps to streamline development review by limiting comments on new planning applications including all minor variances and site plan control applications, and within Primary Settlement Areas, zoning by-law amendments and consents. As such, a formal planning review of the subject application has not been undertaken.

Staff note that the property is designated Rural in the County Official Plan which permits resource based recreational uses. The Grey County Official Plan also has policies related to development on seasonally maintained roads (Section 8.3.4). Planning staff recommend that these policies are reviewed by way of municipal staff comments and/or recommendations.

Grey County Planning Ecology staff have reviewed the application and provided the following comment: There appears to be no additional development proposed at this time; no concerns.

Please be advised that planning decisions shall conform with the County's Official Plan and County planning staff can assist with specific questions in this respect.

Let us know if you have any questions.

Best regards,

Cassandra

County of Grey, Owen Sound, ON

Township of Southgate

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

Jim Ellis,

Public Works Manager / Risk Management Official

jellis@southgate.ca



Phone: 519-923-2110 ext. 250

Toll Free: 1-888-560-6607

Fax: 519-923-9262

Cell: 519-378-3777

Public Works Department

Date: November 20, 2024

File No.: A12-24

Can a safe access be provided? Yes No

Road Drainage Concern: No ditches constructed.

Road Standard: Field access lane, has No Winter Maintenance, not built to rural gravel standard.

Road Widening Necessary? Yes No

Entrance Requirements: Entrance required & civic numbering.

Load Restricted Road: Yes No

Comments:

This section of Southgate Sideroad 19 is not constructed to Municipal Servicing Standards and is not maintained.

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

November 8 2024

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

ATTENTION: Elisha Milne, Legislative and Planning Coordinator

Dear Ms. Milne,

RE: A12-24 (Salinovic)
Unassigned Civic Address
Lots 26-27 Concession 18
Roll No.: 420709000806900
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 Planning Statement (PPS, 2024) 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 the use and improvement of an existing non-conforming hunting camp building and shed established on the property before the current Zoning By-law 19-2002, as amended was adopted. The subject property has limited access to an unopened section of the Southgate Sideroad 19 road allowance north of Southgate Road 24.

Recommendation

The application is generally acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments -Natural Hazards

The natural hazard features affecting the property include part of the Proton Station Provincially Significant Wetland/Swamp, any watercourses, and any floodplain associated with the swamp and the watercourse. It is SVCA staff's opinion that the Hazard Lands designation as shown in Schedule A of the Grey County Official Plan (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. It is the opinion of SVCA staff that the existing buildings are not located within the EP zone.

Provincial Policy Statement – Section 5.2

Section 5.2 of the PPS, 2024 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 5.2 of the PPS, 2024.

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 property appears to SVCA staff to not be located within an area that is 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.

The majority of the property is within the Approximate Screening Area associated with the SVCA's Prohibited Activities, Exemptions and Permits Regulation (Ontario Regulation 41/24). 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 part of the Proton Station Provincially Significant Wetland/Swamp, any watercourses, any floodplain associated with the swamp and the

watercourse, 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

Based on the plans submitted with the application, the existing buildings are not within the SVCA Approximate Screening Area and so review/permit from the SVCA is not required.

Summary

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

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

- 1) Consistency with Section 5.2, Natural Hazard policies of the PPS, 2024 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.

Sincerely,
Michael Oberle
Environmental Planning Coordinator
Saugeen Conservation
MO/

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



Report To:	Committee of Adjustment
Meeting Date:	2024-11-27
Report Number:	PL2024-100
Title:	Application, A12-24 Peter Salinovic & others, Unopened Sideroad 29 North of Southgate Road 24, Concession 18 Lot 26 to 27
Open/Closed Session:	Open Session
Prepared By:	Victoria Mance, Junior Planner
Reviewed By:	Bill White, MCIP, RPP, Triton Engineering Senior Planning Consultant
Approved By:	Kenneth Melanson, MCIP, RPP, Senior Manager of Development & Community Services

Executive Summary:

The applicant seeks permission under Section 45(2) of the Planning Act to use a cabin and associated structures built 28 years ago for outdoor recreation, family gatherings and personal hunting. The permission is needed to recognize the existing use and to complete any improvements needed to comply with the Building Code and other applicable law. Under Section 45(2) of the Ontario Planning Act, the Committee of Adjustment has the authority to consider applications to change existing non-conforming uses and to interpret zoning provisions when defined in general terms.

The site has been used for outdoor recreation, and family gatherings, hunting by family and friends since the late 1990's when a cabin and accessory structures were built on-site before the current Zoning By-law 19-2002, as amended was adopted. The parcel is accessed by about one kilometre of unopened Sideroad 19 road allowance north of Southgate Road 24, and has some agricultural land, forested areas and wetlands on-site. The permission requested under the Act would allow continued use of the 66 square metre cabin and associative accessory structures despite the lack of frontage on an improved street.

Recommendation:

Be it resolved that Staff Report PL2024-100 for File A12/24 by Peter Salinovic & others for permission under Section 45(2) of the Planning Act use of an existing cabin and accessory structures on unopened section of Sideroad 19 north of Southgate Road 26 be received for information; and

That File A12-24 be approved to subject to the following conditions:

1. The existing 66 square metre cabin and shed be the only buildings permitted for outdoor recreation use including limited personal hunting, that the buildings be improved to comply with the Ontario Building Code and other applicable law, and no new buildings or structures be permitted except in accordance with applicable zoning, codes and by-laws;
2. Any existing structures not located on subject lands be removed;
3. That private water and sewage arrangements be made for the existing cabin to be used for outdoor recreation in compliance with the Building Code; and

4. Arrangements for use of the unopened Sideroad 19 road allowance as access to the existing cabin and accessory structure be made to the satisfaction of Township Public Works which may include an agreement outlining private maintenance responsibilities, liabilities and seasonal use of the unopened road allowance.

Reasons for Recommendation:

The proposal complies with policy in Section 7.4 of the Township Official Plan regarding non-conforming uses including:

- The use and improvements do not make the non-conforming nature worse.
- The use is appropriate in proportion to the size of the existing use.
- Impact on the surrounding built environment is minimal in terms of noise, vibration, fumes, smoke, dust, odours, lighting, traffic generation and parking.

Conditions are recommended to limit cabin use and accessory structure to the current building size, upgrades are made to comply with the Building Code, private sewage and water arrangements are made, and an access agreement is made acceptable to Township Public Works.

Proposal:

The applicants seek permission under Section 45(2) of the Planning Act to use a cabin and associated structures built 28 years ago for outdoor recreation, family gatherings and personal hunting (see **Attachment 1**). Permission is needed to recognize the existing non-conforming use and to complete improvements to comply with the Building Code and other applicable law. The hunting cabin and shed on-site have been in use since the late 1990's before the current Zoning By-law 19-2002, as amended was adopted. To bring the site into compliance and permit the current use on the subject lands, planning relief is required for a non-conforming use in compliance with the Planning Act and Section 7.4 of the Official Plan.

Background/Site Context:

The subject lands have an area of 82.8 hectares, are rectangular in shape, and contain wetlands, tree cover and cleared farmland (see **Attachment 2 and 3**). On the south part of the site a 66 square metre hunting cabin located +-6 metres from the northern lot line and a shed located +-16.3 metres west of the cabin. The property is fronts on the unopened Southgate Sideroad 19 road allowance which is over one kilometre of seasonal road, north of Southgate Road 24.

The Township Planning Department has been assisting the Building Department dealing with several by-law enforcement issues on site. Recently, the Planning Department facilitated a meeting with the multiple owners of the site to suggest a process to address the use on-site that has existing for at least 28 years.

Saugeen Valley Conservation Authority mapping identified that most of the property is within the Approximate Screening Area and includes part of the Proton Station Provincially Significant Wetland/Swamp.

Surrounding lands are agricultural in use and smaller in size with single detached dwelling within a farm cluster, barring a lot located directly west which is similar in size and does not have road frontage or access.

Application Review - Planning Act – Provincial Interest:

Provincial interest in of the [Ontario Planning Act](#) is promoted by:

- Section 2(h) orderly development of safe and healthy communities,
- Section 2(p) appropriate growth and development, and

- Section 2(r) promotes well-designed built form that encourages a sense of place and provides high quality, safe, accessible attractive public spaces
- [Section 45\(2\)](#) empowers the Committee to consider non-conforming uses and interpret zoning described in general terms. The application *has regard to* requirements of the Ontario Planning Act.

Application Review - Provincial Policy Statement (PPS 2024):

[Provincial Planning Statement 2024](#) provisions applicable to the application include the following:

- Section 2.5-1 (a) heathy rural areas encouraged that building upon rural character and leveraging rural amenities and assets.
- Section 2.6-1 (b) permitted uses in rural areas include resource-based recreational uses.
- Section 2.6-2 development that can be sustained by rural service levels should be promoted.

The application is *consistent with* the [PPS 2024](#).

Application Review - County of Grey Official Plan:

The site is designated Rural, Hazard Lands, and Provincially Significant Wetland in Schedule A Map 2 of the Grey County Official Plan. The following sections were considered:

- 5.4.1 (2) for the Rural designation permits Resource based recreational uses.
- 7.2 Hazard Lands prohibit development except for conservation and preservation
- 7.3.1 Provincially Significant Wetlands prohibit site alteration unless identified in an Environmental Impact Study

Comments from the Saugeen Valley Conservation Authority confirmed that the existing structures on-site are not within the Approximate Screening Area and do not require review or permit. No comments were received from Grey County at the time of writing this report. Existing structures on the subject lands are located outside of the land designated Hazard Lands and Provincially Significant Wetlands on-site and *maintains the intent and purpose of* the County Official Plan.

Application Review - Southgate Township Official Plan:

[Schedule A](#) in the [Township Official Plan](#) designates the applicant's lands Rural, Hazard Lands, and Wetland. The Rural designation allows uses in the Agricultural designation and limited non-farm residential uses. The existing structures are not located within land designated Hazard Land or Wetland. Section 7.4(3) of the Official Plan the Committee of Adjustment shall consider the following when considering a proposed expansion or change in on-conforming use:

- shall not make the non-conforming nature worse.
- is proportionate to the size of the existing use.
- has minimal impact on the surrounding built environment in terms of projected levels of noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation.
- protect surrounding uses through landscaping, buffering or screening, appropriate setbacks for buildings and structures, or other measures to land use improve compatibility
- traffic and parking conditions shall not be adversely affected.

The Committee may place conditions on the approval of the continued use of the subject lands (as per Section 7.4(4)). The application *maintains the intent and purpose of* the [Township Official Plan](#).

[Schedule 6](#) of the [Township Zoning By-law](#) places the subject lands in Agricultural-1 (A1), Environmental Protection (EP), and Wetland (W) Zones. The A-1 zone permits agricultural uses, a single detached dwelling, a vacation farm and other uses. The existing non-conforming buildings are within the A-1 area and do not encroach in the EP or Wetland Zones.

Section 5.4(b) states “no person shall erect any building or structure, or use any lot in a Zone, unless the lot upon which building or structure is to be erected, fronts upon or has direct access to an improved public street”. Access is provided to the subject lands over one kilometre of unopened Sideroad 10 south to the nearest improved Street Southgate Road 16.

Section 5.20 contains provisions regarding non-conforming use including allowing restoration to a safe condition, interior alteration, and reconstruction of damaged buildings. A change in use or expansion is not permitted under Section 5.20(g) without permission under Section 45(3) of the Planning Act.

The Saugeen Valley Conservation Authority indicated that the existing structures are not located within the Approximate Screen Area and do not require review or permit. The existing structures are currently located outside of the Environmental Protection and Wetland areas. The building are non-conforming relative to the setback from the Wetland Zone required under 5.25 of the Zoning By-law.

Conditions are proposed to prevent expansion of the non-conforming use on-site and require their upgrade to a safe condition.

Application Circulation and Public Comments:

The following comments were received after circulating the notice of hearing for the application:

Comments from:	Comments received:
Saugeen Valley Conservation Authority (November 8, 2024)	Most of the site is within the Approximate Screening Area associated with the SVCA’s Prohibited Activities, Exemptions and Permits Regulation. The Approximate Screening Area includes part of the Proton Station Provincially Significant Wetland/Swamp. The existing buildings are not within the SVCA Approximate Screening Area so review/permit from the SVCA is not required.
Aaron Detlor (November 8, 2024)	Reached out to Staff and advised that they were opposed to the application and stated concerns with lack of information provided regarding the location and use of the site. Staff followed up with clarification regarding the location and purpose of the application.
Township Building Department (November 18, 2024)	Requires a change of use permit. Current buildings are agricultural, if intended to occupy they will need to be brought up to Ontario Building Code as a cottage or a single-family dwelling.
Township Public Works Department, Township Fire Department, Grey County, Historic Saugeen Metis, and General Public Comments	No comments were received at the time of report writing.

Conclusion:

As the use on-site was established before the current Zoning By-law 19-2002, as amended was adopted, permission under Section 45(2) of the Planning Act is required to allow the non-conforming hunting camp building and shed to be brought into compliance with the Township Zoning By-law. Legal use of the upgraded buildings and property can continue, but conditions are recommended to address access to the subject lands on the unopened road allowance, and proper private water and sanitary facilities. Existing structures will be upgraded to meet the Ontario Building Code.

Section 5.4(b) requires frontage “or direct access to” an improved public street. To legalize the use the Township could require over one kilometre of Sideroad 19 to be opened to a municipal standard and maintenance assumed by the municipality. The cost of the upgrade would be assessed against all the landowners that may use the upgraded roadway.

Sideroad 19 is a seasonal farm access that provides limited access to the subject lands. If the non-conforming use on the subject lands was expanded to include a full-time residence, rather than a seasonal recreational cabin, concern would arise with the standard of the sideroad and emergency access to the site. In the case of an isolated seasonal recreational use, an agreement could be considered to restrict activity within the existing buildings on the subject lands and specify private maintenance and liability for the unopened road allowance.

Link to Township of Southgate Strategic Plan:

12.G Provide efficient and effective building and by-law services by enhancing the reporting and follow-up system for by-infractions

Attachment(s):

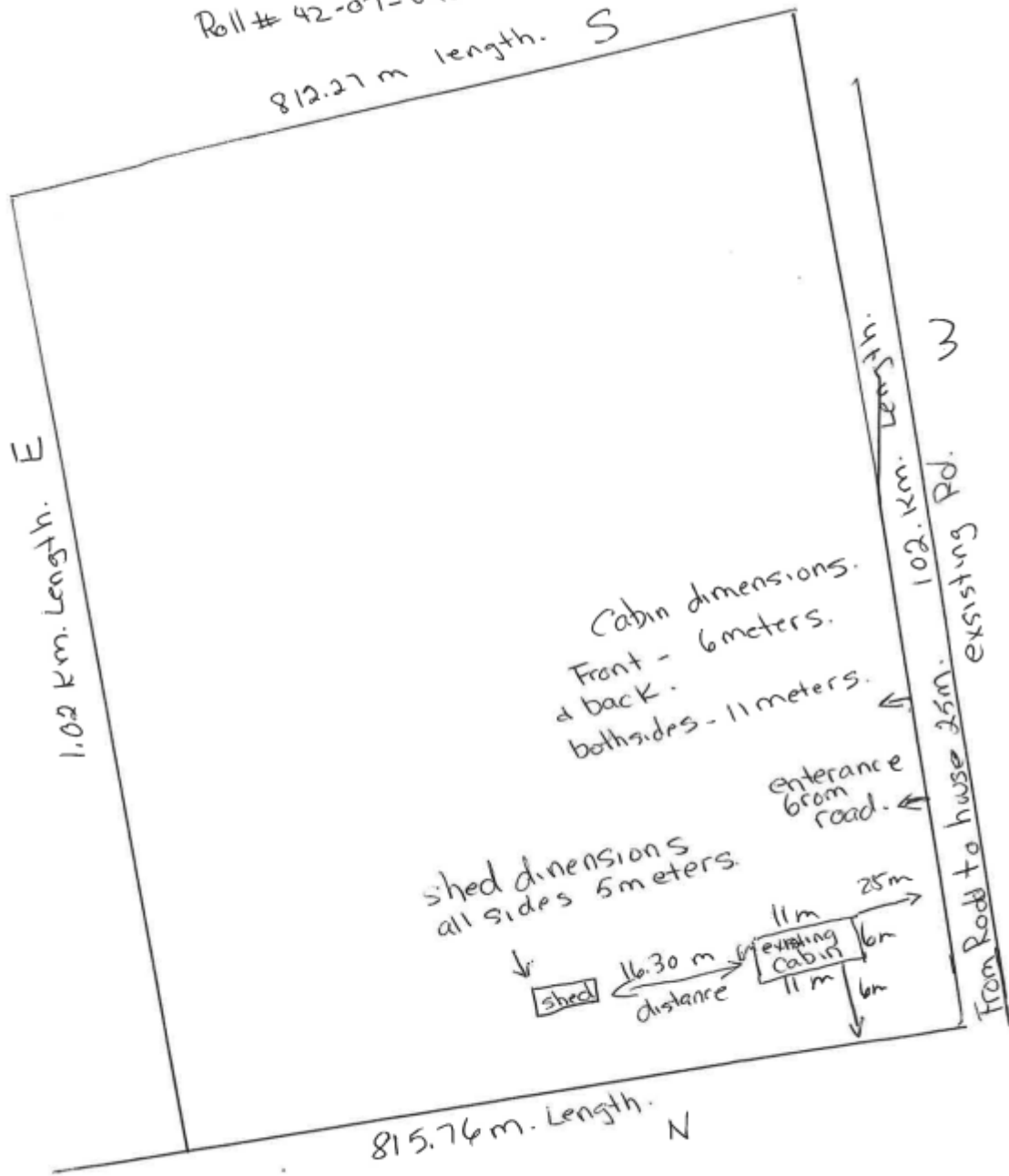
Attachment 1 – Site Plan

Attachment 2 – Aerial Photo of Subject Lands

Attachment 3 – Detail Aerial Photo of Subject Lands and Street View

Attachment 1 - Site Plan

Site plan
Concession 18 Lot 26+27, Southgate
Roll # 42-07-090-008-06900



Attachment 2 Aerial Photos of Subject Lands



Attachment 3 – Detail Aerial Photo of Subject Lands and Street View



Google Street View Unopened Road Allowance Sideroad 19 - Shown From Southgate Road 24

