



Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

September 10th, 2020

Elisha Hewgill, Secretary-Treasurer
Township of Southgate
185667 Grey County Rd. 9, RR #1
Dundalk, Ontario N0C 1B0

RE: Minor Variance A02-2020
Concession 11, Part Lot 23 (146045 Southgate Road 14)
Township of Southgate (geographic Township of Proton)
Owner/Applicant: William B Martin (Wil-Mar Inc.)
Agent: Eli Sherk

Dear Ms. Hewgill,

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 of the variance is to permit the enlargement of an existing barn. The proposal requires relief from Section 6.2(e) and the Minimum Distance Separation (MDS), of the by-law which requires a setback of 9m from a side lot line. Approval of this application would provide relief from the by-law to permit the enlargement of a barn by providing for a reduction in the side yard setback from 15m to 5.2m which is the existing barn setback and waving the MDS required setback of 9m to the 5.2m to match the existing barn.

Schedule A of the County OP designates the subject property as 'rural' and 'hazard lands'. Agricultural uses are permitted on rural designated lands. County planning staff have no concerns. Section 7.2(3) states,

In the Hazard Lands land use type, buildings and structures are generally not permitted. Minor extensions or enlargements of existing buildings and structures may be permitted subject to the policies of section 7.

Appendix B of the County OP identifies 'significant woodlands' and a 'stream' on the subject property. Section 7.4(1) states,

No development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per section 7.11 of this plan, that there will be no negative impacts on the natural features or their ecological functions.

Section 7.9(2) states,

No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with section 7.11 of this plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced.

County planning staff recommend comments are received from the local conservation authority. It appears the proposed development is within the adjacent lands of the significant woodlands.

Schedule C of the County OP also identifies a 'linkage area' on the subject property. Section 7.1(3) states,

Development proposed in linkages will be required to undertake an environmental impact study (EIS), unless otherwise exempted by 7.11.3.

It would appear the proposed development is situated outside of the linkages area. County planning staff have no concerns with the subject policy.

Section 5.4.2(5) states, *The Provincial Minimum Distance Separation (MDS) formulae policies found in section 5.2.2 of this Plan shall apply to the Rural land use type.* Section 5.2.2(5)(l) 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. 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.*

Generally, staff would recommend considering reviewing the above noted criteria to ensure the proposal has enough reasoning to vary the MDS Guidelines. If there is further opportunity to resituate the proposed barn expansion such that the variance needed for setback and MDS requirements is less than what is being proposed, staff would encourage this approach.

Provided positive comments are received from the local conservation authority and further options are considered to resituate the proposed barn expansion, 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 do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Stephanie Lacey-Avon". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca