



Staff Report PL2020-049

Title of Report: PL2020-049-Report title
Department: Clerks
Branch: Planning Services
Committee Date: September 23, 2020

Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2020-049 for information; and

That the severance be approved with the following conditions:

- 1. That** a Zoning by-law is approved and in full force and effect; and
- 2. That** a survey be provided; and
- 3. That** all outstanding taxes, fees and charges are paid, if any.

Property Location: 105701 Southgate Road 10



The Proposal:

Ken and Tracey Sivill are the owners of a 40 hectare parcel of land where they have their house and accessory buildings.

They propose to sever a 1.125 hectare non-farm residential lot and convey this new

parcel to their daughter who would construct a new dwelling.

Background:

The subject property contains a detached dwelling, an accessory building and three sun shelters for horses. The owner keeps two horses on the property. Stalls have been constructed within the accessory building for the horses. Approximately six hectares of the site are actively cash-cropped. The balance of the property is heavily forested. A large portion of the forested area is considered to be a Provincially Significant Woodland. The South Saugeen River meanders through the west side of the property.

An Implementing zoning by-law amendment has been applied for and the file can be found at the following link:

[https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C8-20-Ken-Tracey-Sivill-Associated-with-application-B5-20-](https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C8-20-Ken-Tracey-Sivill-Associated-with-application-B5-20)

A virtual public meeting was held on June 12, 2020 and no negative comments were received. There were no comments from the public. The by-law will be brought forward to the next available Council meeting for consideration.

The Consent application B5-20 can be found at the following link.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#Consent-Applications>

Comments received from the commenting agencies and the public.

The County of Grey indicates that provided positive comments are received from the Conservation Authority regarding the above noted natural heritage features, County planning staff have no further concerns with the subject application.

The Building Department has no concerns and indicates that applicable permits will be required.

The Public Works department require a 3m road widening and the new lot will require an entrance permit.

The Historic Saugeen Metis have no objections

Enbridge Gas has no objections

Hydro One has no comment or concern.

No comments have been received from the public as of writing this report.

Policy Review:
Provincial Policy Statement:

The Provincial Policy Statement allows for limited development within the rural areas of the Township not involving prime agricultural land. Compliance with MDS is required. The PPS also serves to protect natural heritage features. In this regard, an EIS has been completed, demonstrating that the proposed development will not negatively impact the natural environment provided development on the property is restricted to the west side of the severed parcel.

The proposed development would appear to be consistent with the PPS.

County of Grey Official Plan:

The Comments from the County of Grey have reviewed the proposal from a County plan conformity perspective. The County has no concerns with the application.

Township Official Plan:

In a manner very similar to the Grey County Official Plan, the subject lands are designated in the Township of Southgate Official Plan as 'Rural', 'Hazard Lands' and 'Wetlands' on Schedule A.

The 'Rural' policies give consideration to lot creation up to a maximum of two lots per original 40 hectare including the retained parcel.

Lot creation must also comply with the MDS requirements. Development is also prohibited in a 'Wetland' and is only allowed within 120 metres of a wetland feature where an EIS can demonstrate that the development or site alteration would not negatively impact the wetland or its function.

The proposed lot creation would comply with each of these policies and conforms to the Township's Official Plan.

Zoning By-law:

The subject lands are zoned 'A1', 'EP and 'W'.

The 'A1' zone requires a 'minimum lot area' of 40 hectares and a 'minimum lot frontage' of 200 metres. The severed and retained parcels would not be in compliance with these provisions and therefore an amendment to the Zoning By-law is required. The requested amendment would reduce the 'minimum lot area' and 'minimum lot frontage' requirements to 1.125 hectares and 150 metres respectively for the severed parcel, and also reduce the lot area requirement for the retained parcel to 38.875 hectares.

Furthermore, the Zoning By-law Amendment would implement the Environmental Impact Study that was prepared for the subject property by rezoning the significant woodland and its recommended 30 metre buffer to an 'EP - exception' zone in order to prohibit development and site alteration on this portion of the property. The recommended mapping is provided as Figure 4 to the EIS and Figure 2 in the Consultants Planning Merit Letter.

Financial Implications:

The Township will benefit by a slight increase in assessment growth for the property.

Concluding Comments:

Based on the above, the Consultants Merit letter, the EIS prepared and the comments received, Township staff are prepared to recommend that the proposed consent be approved with conditions.

Respectfully Submitted,

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



CAO Approval: Original Signed By
Dave Milliner, CAO

Attachments:

1. Drawing 1 the severance.
2. Drawing 2 Developable area of the proposed lot.