



Staff Report PL2020-050

Title of Report: PL2020-050-B6-20 Lawrence Martin
Department: Clerks
Branch: Planning Services
Committee Date: September 23, 2020

Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2020-050 for information; and

That the severance be approved with the following conditions:

- 1. That** the Township Official Plan Amendment and Zoning By-law Amendment Be Approved and in full force and Effect.
- 2. That** the retained lot is consolidated with the lot to the north.
- 3. That** a survey be provided; and
- 4. That** a development agreement is registered on the severed lot to insure that the noise mitigation measures are addressed.
- 5. That** all outstanding taxes, fees and charges are paid, if any.

Property Location: 551003 Southgate Sideroad 55



The Proposal:

The applicant owns a 24.7 hectare parcel of land located at the northeast corner of the Provincial Highway No. 86 / Southgate Sideroad 55 intersection, and shown above. The site is located approximately seven kilometres east of Mount Forest. The property contains the applicants custom grain-drying business - operating as Southgate Grains - which involves a series of grain bins, a dryer, parking and loading areas for farm trucks and trailers, two weigh scales, a small office building, a building used for office and storage, and a parking area for the storage of grain trailers. A portion of the property was rezoned to in 2013 to allow for this business; and, in 2020, an Official Plan Amendment and Zoning By-law Amendment were approved to allow for an expansion.

The purpose of the application is to sever the grain business of approximately 2ha. from the larger agricultural parcel and merge the retained lot with the 6 ha lot to the north.

The effect is to sever a 2ha parcel of land, with 183m of frontage on Southgate Sideroad 55. The retained parcel shall be 22.72ha in size with frontage on Highway 89 as well as Sideroad 55. The retained lot will be merged with the neighboring 6 ha lot to the north being Con 4 N Pt lot 16 RP 17R1261 Pt 1.

Background:

A Township Official Plan Amendment and Zoning by-law amendment are associated with this file and can be found at the following link.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C11-20-OPA2-20-Lawrence-Martin-Associated-with-application-B6-20->

A virtual public meeting was recently held on August 26th at 1pm. The application has not yet come to Council for a decision.

Application B6-20 can be found at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B6-20-Lawrence-Martin-Associated-with-application-C11-20OPA2-20>

Public and Agency comments received.

Public Works indicated that paving of the road has been completed, staff will be bringing a report to Council to lift restricted road access for fall of 2020.

County of Grey generally recommend an update to the Acoustic Assessment Report to determine whether additional noise mitigation measures will be required given there is further clarity on the proposed agricultural-related use expansion. Staff also recommend comments are received from the local conservation authority, specifically for the identified stream on the subject property. The County requests notice of any decision rendered with respect to this file.

Building Department indicate a Barrier free washroom will be required with Septic system.

Hydro One has no objection.

Historic Saugeen Metis has no objection.

Enbridge case has no concerns.

At the time of writing this report there are no comments from the SVCA.

There are no comments received from the public.

Policy Review:

Provincial Policy Statement 2020:

Section 4.1 of the Consultants planning report has reviewed the application with respect to the PPS. The Township agrees with the findings of the report that the proposal is consistent with the Provincial Policy Statement.

County of Grey Official Plan:

The County of Grey has reviewed the proposal in relation to the Official Plan as well as the applicants Planning Consultant and found the proposal to be in conformity with the County of Grey Official Plan.

Township Official Plan:

5.1.3 states:

5. Commercial and industrial development must be supportive and related to the agricultural operation and located in close proximity to the farm operations in the area. In addition, buildings used for small scale commercial and industrial uses shall be located in close proximity (cluster) to the existing farm buildings on the property.

Staff Comments: Southgate Grains provides a service for farmers and it is important that this business be located in close proximity to other farming operations and customers. The buildings and structures on the site are clustered together.

6. The maximum structure size for new or expanding small scale commercial and industrial uses shall be 750 square metres, with a maximum outdoor storage size of 500 square meters. Where the maximum structure size is less than 750 square metres, more outdoor storage space will be permitted up to a combined maximum of 1250 square metres. Such uses will only be permitted on farm parcels greater than 20 hectares, all subject to satisfying the Development Policies as outlined in this Section. Council may, in the future, limit the commercial or industrial use through the implementing Zoning Bylaw Amendment.

It is important to note that this policy was recently amended through Official Plan Amendment No. 24 to facilitate an expansion of the operation. The new site-specific policy for this property now reads:

Notwithstanding the provisions of subsection 5.1.3 (6) for the lands described as S Pt Lot 16, Concession 4, Geographic Township of Egremont, in the Township of Southgate, and indicated on the attached Schedule "A", the following shall apply:

- i. A custom grain drying operation shall be permitted subject to the following:
 - a. The area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 0.94 hectares of land;
 - b. The combined floor area of all buildings shall not exceed 1000 m².

The applicants proposal does not conform to the Township Official Plan provisions above because of the size restrictions which are no longer a part of the County Official Plan. The applicant must therefore, apply for another site-specific Official Plan Amendment for the site.

The Official Plan Consent policies of Section 5.1.2 also do not permit more than one severance per 40ha. The property to the north, also owned by the applicant has made it so that an official plan amendment is required based on lot density. The proposal also hopes to alleviate the need for this amendment by merging the northern lot with the retained lands. This would result in the overall lot density remaining the same.

Zoning By-law:

The portion of the applicants property that contains the grain drying operation is approximately 0.93 hectares and is currently zoned 'A1-306' (Agricultural Exception) in the Township's Zoning By-law. The wording of this exception is as follows:

"Notwithstanding the provisions of Section 6, or any other provisions to the contrary, the lands zoned A1-306 shall be subject to the following regulations in relation to an additional permitted use being a custom grain-drying and similar uses provided:

- a) The area involving the operation, which shall include the buildings, grain bins, dryers, weight scales, loading areas and parking shall not exceed 0.94 ha of land;
- b) The combined floor area of all buildings shall not exceed 1000 m²;
- c) Noise related to the operation shall remain with the acceptable limits as set out by the Ministry of the Environment, Conservation and Parks.

These provisions would need to be amended in order to implement the Official Plan Amendment and recognize the increased area of the expanding grain elevator.

Financial Implications:

There are no significant financial implications for this proposal.

Concluding Comments:

The review above, the submission of comments and the consultants planning report indicate that provided an Official Plan Amendment and Zoning by-law amendment are approved, the proposal is consistent with Policy and should be approved. It is therefore staff's recommendation that the application be conditionally approved.

Respectfully Submitted,

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



CAO Approval: Original Signed By
Dave Milliner, CAO

Attachments:

1. Consultants planning report
2. Proposed Consent