



## Staff Report PL2020-041

**Title of Report:** PL2020-041-C8-20 Ken and Tracey Sivill  
**Department:** Clerks  
**Branch:** Planning Services  
**Council Date:** October 21, 2020

**Recommendation:**

**Be it resolved that** Council receive Staff Report PL2020-041 for information; and  
**That** Council consider approval of by-law 2020-116.

**Property Location: 105701 Southgate Road 10**



**Subject Lands:**

The subject lands are described as Lot 19 Con. 7 and are approximately 40 ha in size. The lands have approximately 400m of frontage on Southgate Road 10. The road is a rural asphalt standard.

**The Proposal:** The proposal would implement a consent to create one residential lot that would be approximately 1.125 ha in size and have 150m of frontage along Southgate Road 10. The retained lot would be 38.8ha and have approximately 250m of frontage on Southgate Road 10.

**Background:**

The application for zoning was received in in March and received a file number C8-20. The link to the online file can be found here:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C8-20-Ken-Tracey-Sivill-Associated-with-application-B5-20->

A public meeting was held on June 12<sup>th</sup>, 2020 and the following comment were received:

The Historic Saugeen Metis had no concerns.

The Public Works department indicate that the road is a rural asphalt standard. A road widening is required, and a new entrance permit will be required for the new lot.

The SVCA is supportive of the Zoning amendment subject to the zoning implementing the conditions of the EIS. These conditions include a 30m setback from the forest and installing silt fencing during construction on the site.

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

No comments were received from the Public.

In addition, a consent application was received and assigned file number B5-20. The Consent file is available at the following link :

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B5-20-Ken-Tracey-Sivill-Associated-with-application-C8-20->

The consent application was heard by the committee of Adjustment on September 23<sup>rd</sup> and was conditionally approved subject to a road widening and a rezoning of the severed and retained lands.

**Financial Considerations:**

The Township will benefit with the increased assessment of a new residential lot.

**Staff 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 also required.

The PPS serves to protect natural heritage features. In this regard, an EIS has been completed, demonstrating that the proposed development would 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:**

Both the County and the Planning Consultant have reviewed the policies of the County of Grey Official plan and found that the proposed zoning by-law amendment is consistent with the County of Grey Official Plan. The Township concurs with this recommendation.

**Township 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 one lot per 40 ha. Lot creation must also comply with the MDS requirements.

The Official Plan also prohibits development 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 these policies.

It is evident that the proposed lot creation 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. With the conditional approval of the consent, the severed and retained parcels would not comply with these provisions and therefore an amendment to the Zoning By-law is required.

The amendment will reduce the 'minimum lot area' for the retained portion to 38.8ha and rezone the severed portion to a Rural Residential zone 6 (R6) residential which would conform to the new lot sizes. The consultant recommends that an exception to the EP zone be amended to implement the Environmental Impact Study that was prepared for the subject property. The recommendations of the EIS can largely be implemented through the SVCA permitting process with the exception of setbacks from the wetland area and timing of building. The setback is

covered with the Environmental protection zone that is in place which mirrors the 30m setback requirement. No development is permitted within the EP zone so this would address the setback concern. With respect to the bird and nesting habitat and timing. The consultant informed staff that the area is currently planted with corn and therefore not suitable habitat for bobolink or meadowlark. As a result the time issue in of no concern as there are no nests to worry about disrupting. Based on this additional information the Township is of the opinion that additional measures or agreements to implement the EIS are not required. It is therefore, recommended that the zoning be approved.

**Concluding Comments:**

Based on the above and the planning report, prepared by the Consultant and comments received, it is recommended that the zoning be approved.

Respectfully Submitted,

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



**CAO Approval:** Original Signed By  
Dave Milliner, CAO

**Attachments:**

- 1. PL2020-049