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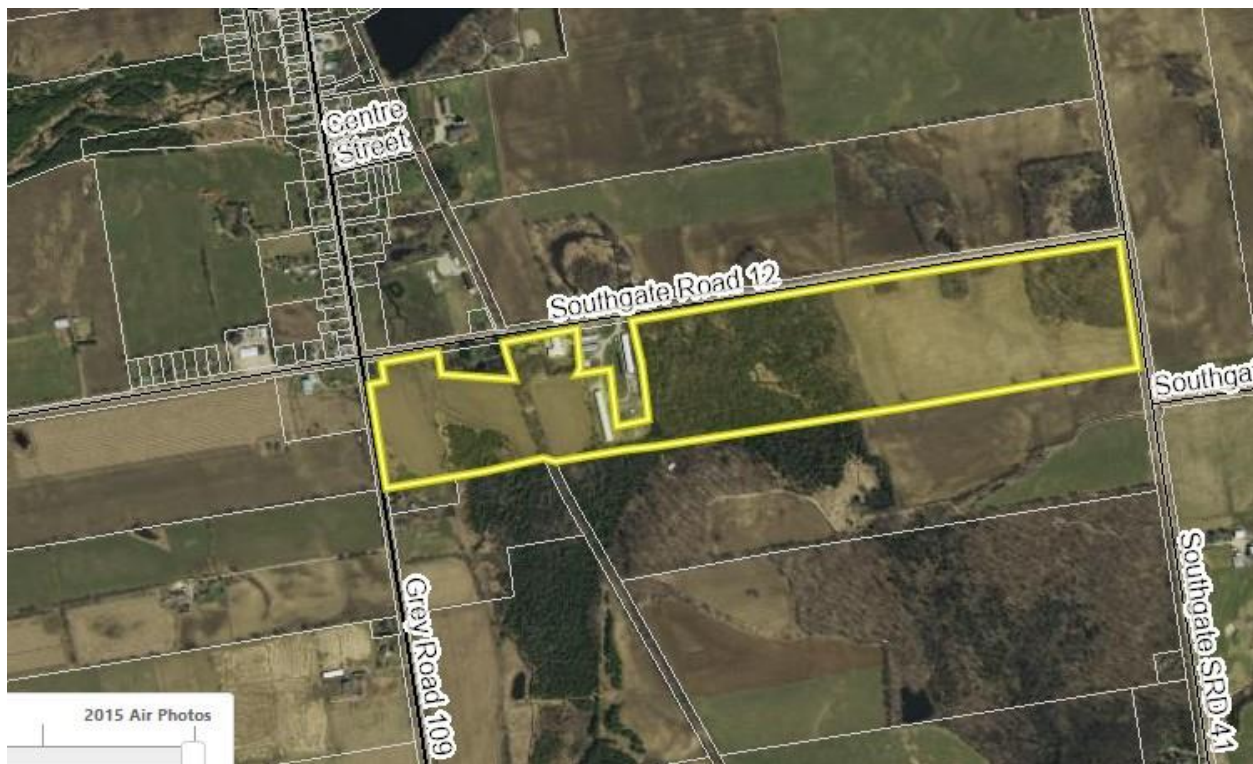
Staff Report PL2020-045

Title of Report: PL2020-045-C12-20 Murray and Brenda Calder
Department: Clerks
Branch: Planning Services
Council Date: October 21, 2020

Recommendation:

Be it resolved that Council receive Staff Report PL2020-045 for information; and
That Council consider approval of By-law 2020-101

Property Location: 123330 and 123342 Southgate Road 12.



Subject Lands:

The subject lands are legally described at Con 3 EGR, Pt Lot 43 in the Geographic Township of Egremont. They are further described as 123330 and 123342 Southgate Road 12. It is located to the south of the village of Holstein and the lands are partially in the Settlement Area of Holstein.

The Proposal: See attachment #1

The purpose of the proposal is to implement a consent to sever 8.29 hectares of land containing the house, repair shop and accessory building from the larger farm holding. The retained parcel, comprising 28.62 hectares and containing one poultry barn, would be merged on title with the adjacent 1.89 hectare lot containing the other two poultry barns and accessory building, thereby forming a 31.52 hectare parcel. No new lot would be created as a result of this lot line adjustment. It is intended that a new poultry barn will be constructed in the EP area close to the other barns and the oldest barn will be decommissioned. The proposed zoning will recognize this and implement the proposed consent.

The effect of the proposal would be to reorganize the lot lines to have one parcel form 31.52 ha that contains all of the barns and a separate 8.29 ha parcel that would contain the house, repair shop and accessory building. No new lots would be created.

Background:

The proposed zoning would implement consent application B8-20 that was conditionally approved on September 23rd, 2020. The staff report is attached as attachment #2 to this report and the online link to the file is as follows:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B8-20-Murray-Brenda-Calder-Associated-with-application-C12-20->

The zoning file C12-20 was received and a virtual public meeting was held on August 26, 2020 at 1pm. The online link to the file is below:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C12-20-Murray-Brenda-Calder-Calweb-Holdings-Ltd-Associated-with-application-B8-20->

The comments from the public meeting are as follows:

The SVCA indicate that the proposal is acceptable provide the zoning is amended to reflect the hazard mapping provided.

Public Works indicate that the road is a rural asphalt standard and is a load restricted road. A road widening has already been taken with a previous severance.

Bluewater District School Board has no concerns

Historic Saugeen Metis has no objection

County of Grey recommends deferral of the application until such time as further assessment can be completed for -the potential location of the poultry barn (i.e. is there an opportunity to have this situated entirely in the Agricultural designated lands?), potential impacts to the neighboring residential units of the proposed development, and County OP conformity.

Building Department, no concern or objections

There were no comments received from members of the public concerning the file.

Staff have considered all the comments and specifically the comments from the County of Grey. Staff have evaluated and suggested other locations for the poultry barn closer to sideroad 41. The applicant contends that it would be increasing difficult to build a poultry barn that far away from the other barns and still maintain bio security for the barn. It would also take viable agricultural land out of production rather than the questionable EP lands that are not currently being farmed. As noted, by the consultant, the manure is not stored nearby but trucked to a different location. The venting for the new barn will also be on the east side of the barn away from the settlement area. It is also noted, that the barn that is closest to the settlement area, is to be removed. The applicant believes that these mitigation measures and circumstances justify the location of the barn. The Township is inclined to agree.

Staff would also add this with respect to County OP conformity. The barn is 5m inside the settlement area technically, and in practical terms the difference of 5m makes little difference to the use of the property which is agriculture, the barn is still on a farm property and the barn is now further away than the existing older barn which is to be decommissioned. This would be a benefit to existing residences. With the proposed consent it would be appropriate at the time of an official plan update to consider amending the boundary of Holstein to redraw the boundary of that portion of Holstein. The residents closest to the proposal have not objected and even offered a letter of support for the proposal. As for conformity, agriculture is a permitted use on the property and has been far longer than the OP has been approved. Agriculture is a permitted use within the EP zone and it is the structure itself within the EP zone is the concern with respect to flooding. The SVCA has granted approval for this structure to be build within the EP zone.

Financial Considerations:

There are no financial considerations for this proposal.

Staff Review:**Provincial Policy Statement:**

Township staff have reviewed the relevant PPS policies and the consultants planning merit letter and concur with the consultants' review and assessment of conformity with the Provincial Policy Statement.

Township Official Plan:

Township staff have reviewed the relevant sections of the Township Official Plan and the consultants planning merit letter and agree with the consultants' assessment that the proposal conforms with the Township Official Plan and County of Grey Official plan.

The Township is satisfied that the overall benefit of replacing an aging barn with a new barn is preferable and complies with the intent of the Official Plan. The new barn is farther away from the core of the village of Holstein, and along with the mitigation measures proposed and the letters of support and lack of negative comments received the proposal is acceptable and meets the intent of policy.

Zoning By-law:

The zoning bylaw requires an amendment to the zoning standards to implement the consent and to erect a structure within the EP zone. The Conservation Authority has conditionally approved the construction within the EP area and has made adjustments to the EP zone accordingly. The amendments required to the by-law are as follows.

1. A reduction in the 'minimum lot area' requirement of the 'A2' zone from 40 hectares to 8.29 hectares and 31.52 hectares respectively, which would reflect the size of the two reconfigured parcels following the lot line adjustment;
2. Permission to erect the above-noted poultry barn in the 'EP' zone, as conditionally-approved by the Saugeen Valley Conservation Authority;
3. A correction to the current zoning to acknowledge the existing farm equipment repair shop on the severed parcel. Whereas the current zoning of the existing 1.89 hectare parcel allows for a "welding and hydraulic repair shop"; the hydraulic repair shop is actually located in a separate building on the 37.91 hectare property.

The intent of the EP zone is to flag potential areas of flooding or natural heritage for further scrutiny. The Conservation Authority has provided this second look and have okayed the construction conditionally for a barn on the subject lands within the EP area.

The proposal meets the intent of the Zoning bylaw to implement the consent and safeguard development in or close to the Environmental Protection Area.

Concluding Comments:

Based on the preceding comments and review the proposal is acceptable to Township staff and the by-law 2020-101 is recommended to be APPROVED.

Respectfully Submitted,

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



CAO Approval: Original Signed By
Dave Milliner, CAO

Attachments:

1. Drawing of proposed consent
2. PL2020-052