

Township of Southgate
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Staff Report PL2021-036

Title of Report: PL2021-036 - B2-21- Gerry and Anne McNalty
Department: Clerks
Committee Date: 28/04/2021

Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2021-036 for information; and

That the severance be approved with the following conditions:

1. That a survey is provided.
2. That a 3m road widening be provided from the severed and retained lots along Southgate Road 14 and Southgate Side Road 21, if one has not been provided for in the past.
3. That any outstanding taxes, fees and charges are paid.
4. That a zoning by-law amendment is applied for to recognize the reduced lot frontage of the severed parcel and lot area of the retained parcel. The retained lot must also be rezoned to prohibit residential development.

Property Location: The property is described as Con 11, Lot 36 & Pt lot 37, Geographic Township of Proton. The lands are further described as 146573 Southgate Road 14.

Key MAP



The Proposal:

The proposal is to sever 1.86ha of land with 91.5m of Frontage on Southgate Road 14, from the existing 78.52ha lot as the residence is surplus to the farming operations' needs. The retained parcel will be 77.52ha and have 775.2m of frontage on Southgate Road 14.

The Effect would be to create a surplus farm dwelling lot. The retained lot would remain as agricultural and be zoned to prohibit residential uses.

Background:

The link to the online consent file is below:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B2-21-Gerry-and-Anne-McNalty-Associated-with-application-C6-21->

A zoning by-law amendment application C6-21 has also been received however a public meeting has not yet been scheduled for that file at this time.

Comments received at the time of writing this report for this public hearing of consent application B2-21 include the following:

Township public works indicates that a 3m road widening is required for the severed and retained lots.

County of Grey indicate that provided that the owner meets the definition of bona fide farmer, the house is surplus to the needs, and the retained parcel is zoned to prohibit residential development, County planning staff have no further concerns with the subject application.

Enbridge Gas indicate that they have gas lines in the area and if the gas lines are affected by the severance, it will be the owner's responsibility to relocate them at the owners expense.

Hydro one has no concerns.

Historic Saugeen Metis - No objection to the proposed development.

Township Building Department has no concerns.

SVCA- Find the proposed consent acceptable.

Bell Canada- have no Concerns

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

Policy Review:

Provincial Policy Statement

The provincial policy statement provides general guidance for growth and development. The lands are considered to be Agricultural within the Provincial Policy Statement and the relevant section involving consents is shown below.

"2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

c) a *residence surplus to a farming operation* as a result of farm consolidation, provided that:

1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and"

The PPS provides direction that the consent shall be as small as possible in order to accommodate the use and sewer and water services. It also requires that the retained lands be rezoned to prohibit residential development.

MDS is not applicable to surplus farm lots where the lot being created already has a dwelling on it as the impact is already present.

Provided there are no negative comments received from the public or agencies, the proposal is consistent with the PPS.

Official Plan:

The Township Official Plan designates the subject lands as Agricultural and Hazard Lands. The consent policies of section 5.1.2 within the Rural designation permit:

"4. New lots created for a *residence surplus to a farming operation* as a result of a farm consolidation is permitted, provided an implementing zoning by-law is passed which ensures that new residential dwellings are prohibited on any vacant remnant parcel."

The consent meets the above noted consent policies.

Provided no negative comments are received from the SVCA regarding natural hazards or natural heritage the proposal is consistent with the Township Official Plan.

Comprehensive Zoning Bylaw:

The lands are currently zoned as Agriculture (A1), and Environmental Protection (EP). An implementing zoning by-law will be required to recognize a reduce lot frontage and zone the severed lot to the R6 Rural residential zone. The Retained lot will require an exception to prohibit residential uses on the property.

All other provisions of the bylaw will be complied with.

Financial Implications:

None.

Concluding Comments:

Based on the above, provided no negative comments are received by the public or commenting agencies, it is my professional opinion, the proposal is consistent with policy and it is recommended that the Council receive this staff report and consider approval of the proposed consent with the conditions noted.

Respectfully Submitted,

Municipal Planner: _____

Original Signed By

Clinton Stredwick, BES, MCIP, RPP



CAO Approval: _____

Original Signed By

Dave Milliner, CAO

Attachment(s):

1. Consent Sketch