



Staff Report PL2021-047

Title of Report: PL2021-047-C9-21 Pallister Farms Livestock Limited
Department: Clerks
Branch: Planning Services
Council Date: June 2, 2021

Recommendation:

Be it resolved that Council receive Staff Report PL2021-047 for information; and
That Council consider approval of By-law 2021-081.

Property Location: 146398 Southgate Road 14



Subject Lands: The subject lands are known as Con. 10, lot 32, Geographic Township of Proton, Township of Southgate. Known municipally as 146398 Southgate Road 14. They are approx. 100 acres in size.

The Purpose of the proposed zoning bylaw amendment application is to implement a condition of consent for a proposed new lot by amending the zoning standards for the severed parcel to recognize a reduce lot frontage. The retained lot will prohibit future residential development.

The Effect of the zoning by-law amendment is to change the zoning symbol on a portion of the property for the severed parcel from Agricultural (A1) to Residential Type 6 exception(R6-485), recognizing the reduced lot frontage. The Retained parcel will be zoned from Agricultural (A1) to Agricultural Exception (A1-484) to prohibit residential development. The Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

Background

A consent application B3-21 was approved April 28 of this year and as a condition of consent a Zoning Bylaw amendment is required to prohibit further residential development on the subject lands and to rezone the residential parcel as Residential Type 6 exception (R6) to recognize any lot size deficiencies. The B3-21 file is available at the following link: <https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B3-21-Pallister-Farms-Livestock-Ltd-Associated-with-application-C9-21->

A Public meeting was held virtually on May 26, 2021. Supporting documents and comments posted on the website are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C9-21-Pallister-Farms-Livestock-Ltd-Associated-with-application-B3-21->

The comments received include:

The Building Department has no concerns.

The Historic Saugeen Metis have no concerns.

The Public Works Department indicate that it will require a road widening.

The County of Grey indicate that they have no further concerns.

The SVCA indicate the proposal is acceptable to SVCA staff.

No comments were received from members of the public.

Financial Implications:

Staff Review

Staff reviewed this application based on the Planning Act, the Provincial Policy Statement (PPS), Southgate Official Plan and the Zoning By-law.

The Provincial Policy Statement 2020 (PPS)

The PPS has been reviewed in its entirety however only the most relevant policies have been identified below. The subject land would constitute a "Rural Area" under the definition of Rural Area in the PPS. The lands are considered to be prime

agricultural lands. The PPS allows for a variety of uses in the prime agricultural areas which are supported by the following policies:

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

a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;

b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;

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

d) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way."

One of the reasons that a zoning by-law amendment was required as a condition of consent is to address this policy and prohibit residential uses on the retained farm parcel.

With the passage of the proposed zoning by-law the proposal will be consistent with the Provincial Policy Statement.

Township Official Plan

The Township of Southgate Official Plan (OP) designates the subject lands "Agricultural" and "Hazard lands". The OP provides for lot creation policies in section 5.1.2.

"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."

This policy clearly allows lots for surplus farm severances provided that they remain small and the by-law is passed restricting residential development on the retained parcel.

The Hazard lands policies are not applicable as the severed parcel is not within or near the hazard lands.

The proposal conforms to the Official Plan Policies.

Zoning By-law

The subject property is currently zoned Agricultural (A1) and Environmental Protection (EP). The proposed amendment would rezone the remnant parcel to A1-484 which will prohibit further residential development. It will also rezone the newly created lot to Residential Type 6 exception 485(R6-485) to recognize the reduced lot frontage. The proposed bylaw implements the policies of the Official Plan and generally meets the intent of keeping as much agricultural land in production as possible. The proposal meets the intent of the Comprehensive Zoning Bylaw and is considered good planning.

Site Inspection A site visit was not conducted for this application.

Conclusions The application is consistent with the Provincial Policy Statement, County of Grey Official Plan and Township official Plan. Staff are supportive of the proposal and recommend the application be approved.

Respectfully Submitted,

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



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

Attachments: