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August 19, 2021

Township of Southgate
185667 Grey County Rd 9
RR 1
Dundalk, ON
N0C 1B0

Attention: Mayor John Woodbury and Members of Council

Dear Sirs and Madame:

Re: New Township of Southgate Official Plan

The following is an update on the work completed to date and an overview of some of the issues that require attention from Council at this time. Please consider the following:

County Involvement:

Clinton and I have met with the County's Planning Director and Senior Planner regarding the new Official Plan (OP). Our intention is to maintain a close working relationship with County staff throughout the process because ultimately the County (i.e. County Council) is the approval authority for the new OP. County Planning Staff are also a valuable resource.

Also, the County's Information Technology Department will be assisting in preparing the new mapping. On that note, the Saugeen Valley Conservation Authority (SVCA) and the Grand River Conservation Authority (GRCA) have been asked for up-to-date hazard mapping. SVCA has provided their latest mapping, but we're waiting to hear back from GRCA.

Consolidating the Current Official Plan:

At the present time, we are consolidating the current Official Plan with the 27 amendments that have been approved since its adoption in 2006. These amendments need to be carried over into the new Official Plan.

Avoiding Duplication in the Mapping and Text:

The level of detail that goes into OP schedules has changed substantially over the years, mostly due to requirements of the Provincial Policy Statement (PPS) to protect an increasing list of features. The current Southgate OP includes the following:

- Schedule A: Land Use
- Schedule B: Transportation
- Schedule C: Environmental Constraints (landfill sites; Areas of Natural and Scientific Interest; primary aggregate resource areas and deer wintering yards).

Compare this to the new County OP which now contains eight maps, as follows:

- Schedule A: Land Use
- Schedule B: Mineral Extraction Areas and Aggregate Resource Area
- Schedule C: Natural Heritage Core and Natural Heritage Linkage
- Appendix A: Wildfires, Karst Topography, Landfills, Wellhead Protection Areas, Petroleum Wells and Intake Protection Zones.
- Appendix B: ANSIs, Other Wetlands, Significant Valleylands, Significant Woodlands
- Appendix C: Treaty and Traditional Territories
- Appendix D: Roads Classifications
- Appendix E: Shale Drift

Our new OP is required to address these same issues; however, to avoid major redundancy, it is recommended that the text of the new OP make reference to the County mapping and not actually include all the same schedules and appendices listed

above. The mapping for the new OP can likely be limited to a Land Use schedule and a Transportation schedule if this approach is taken. A third schedule providing better mapping for the Wellhead Protect Areas may be also necessary if recommended by the Source Water Protection officials.

In a similar manner, there is a considerable amount of text in the County OP that accompanies the mapping; and, that text needs to be carried forward into the new Southgate OP. Conversely, the Township OP can make reference to the County Official Plan without actually stating the policy verbatim. This approach would work where there isn't the opportunity for the Southgate OP to be more restrictive, such as with the policies pertaining to natural heritage, wildfire, treaty and traditional territories, etc. This approach would reduce the amount of redundancy between the two plans considerably. The County Official Plan is 244 page in length. The hope is to come up with a clearer and more concise local OP. It would also mean that the Township would not need to update its OP every time the Province introduces a new policy on any of these issues. If the County changes its OP, then essentially Southgate's OP would be automatically changed without a local OPA. **Council's position on this matter is required.**

'Agricultural' Designation:

The 'Agricultural' designation applies to areas that are considered to be prime agricultural land. The 'Agricultural' areas shown on Schedule A of the current OP will not change.

The severance policies in the new OP will continue to be fairly restrictive. The minimum lot area requirement will be 40 hectares, with the exception that a surplus farmhouse on a small lot can be severed by a bona fide farmer. The current OP allows for this. In the new County OP, however, there is a policy that also allows for a severance involving an agricultural-related use, e.g. apple storage and distribution; flour or grain mill; produce or auction yard; abattoir; stockyard; etc. **Council needs to decide if the new Township OP should also allow for this severance opportunity.**

The terms "small-scale commercial" and "small-scale industrial uses" are currently used in the Southgate OP but will be replaced with "agricultural uses", "agricultural-related uses" and "on-farm diversified". These new terms come from the Provincially Policy Statement and are now contained in the new County OP. There are no restrictions in the PPS with regard to size of operations that qualify as "agricultural uses" or "agricultural-related uses", whereas "on-farm diversified uses" – which are permitted only on lots of at least 20 hectares in size - are limited in floor area and lot coverage based on the site of the property. The largest on-farm diversified use would involve 8000 square metres of land and contain a 1600 square metre building. Under the

current Township OP policies, small-scale commercial and industrial uses are limited to a building size of 750 square metres and 500 square metres of outdoor storage areas on lots exceeding 20 hectares in size, or 250 square metres of floor area and 750 square metres of outdoor storage area for lots under 20 hectares. **Council needs to decide if they want the new OP to reflect the PPS and the County OP or only allow for smaller operations.** To be clear, an amendment to the Comprehensive Zoning By-law will be required for any commercial or industrial use that exceeds the definition of “home industry” or “home occupation” found in the Zoning By-law.

‘Rural’ Designation:

The PPS isn’t overly concerned about the size of on-farm diversified uses on non-prime agricultural land. Such lands are designated ‘Rural’ in the Official Plan. As such, the PPS doesn’t require limitations on the size of the operation, although the County OP has placed restrictions on such uses. On lots over 20 hectares in size, the same policies that are found in the ‘Agricultural’ designation apply. Whereas the ‘Agricultural’ policies don’t allow for on-farm diversified uses on lots under 20 hectares, the ‘Rural’ policies of the County OP do allow for such uses on smaller lots. The size of the operation depends on the size of the property. A building up to 400 square metres in size could be located on a ‘Rural’ designated property that is just under 20 hectares in size. **Council needs to decide if the policies of the new County OP are to be carried forward into the new Township OP or if the new OP is to be more restrictive.** Again, a Zoning By-law Amendment will be required where the use exceeds the size restrictions of a “home industry” or “home occupation” as stipulated in the Comprehensive Zoning By-law.

With regard to the severances into the ‘Rural’ designation, the new County OP allow for the following:

- 2 lots (including the retained parcel) per 20 hectare original Township lot;
- 4 lots (including the retained parcel) per 40 hectare original Township lot;
- 5 lots (including the retained parcel) per 60 hectare original Township lot;
- 6 lots (including the retained parcel) per 80 hectare original Township lot;

The number of lots is prorated to fit an original lot of a different size.

At the present time, the Southgate OP allows for one lot to be severed for every 40 hectares of land in the ‘Rural’ designation, which is quite restrictive compared to the new County OP. **Council needs to decide if the new OP policies are to be as permissive as the County OP with regard to lot creation in the ‘Rural’ designation.**

Dundalk:

Over the last several years, approximately 90% of the building activity in the entire Township has occurred in Dundalk; and, there's no doubt this trend will continue. This will be recognized in the new OP. The new OP should provide policies that strive toward making Dundalk a complete community and not just a bedroom community. It would appear that sufficient land will be available to meet the long-term residential needs, at least for now, but additional employment lands beyond the current urban boundaries may be necessary. The first draft of the new OP will identify that expansion area. This would require an amendment to the County of Grey Official Plan. No direction from Council is required at this time.

Future expansion areas for residential development beyond the current limits of Dundalk could also be recognized. An Official Plan Amendment will still be required when there's a demonstrated need to expand the boundaries, but choosing that preferred expansion area now does have merit. This was suggested by the County Planning Department. The future expansion area will be shown in the first draft of the OP and discussed by Council.

Other Settlement Areas:

Schedule A identifies the boundaries of the other settlement areas within the Township. There will be some minor tweaking on these boundaries to reflect the Grey County mapping. The mapping for both Official Plans must be identical in this regard.

Conn is no longer recognized as a settlement area in the County OP and therefore it will lose its 'Village Community' designation in the new Southgate OP.

The policies for these settlement areas will be updated but significant changes are not required.

Second Dwelling Units:

The Planning Act requires municipalities to include policies and provisions in their Official Plans and Zoning By-laws allowing for second dwellings. Such units are to be allowed

- in a detached, semi-detached and townhouses; or
- in a separate accessory building.

Municipalities are required to develop policies and zoning regulations that establish appropriate standards which protect neighbourhood character, public health and safety, and enjoyment of abutting properties without unduly restricting the creation of such dwelling units.

The finer details pertaining to second dwellings are best provided in the Comprehensive Zoning By-law; however, some general policies that give direction on this matter should be contained in the new OP. In this regard, please consider the following:

Second dwellings within detached dwellings (i.e. as an apartment) would seem appropriate in every zone where a detached dwelling is permitted provided full municipal services are available or where communal services can accommodate the extra unit.

Second dwellings within semi-detached dwellings and townhouses can lead to congestion in a neighbourhood with regard to parking. There may be more pavement and very little lawn in front of each unit. Nevertheless, the Planning Act requires us to allow for this, at least in certain designated areas. It may be appropriate for the Official Plan to include a policy that states that the Comprehensive Zoning By-law will identify areas of Dundalk (the only fully-serviced urban area in Southgate) where a second dwelling within a semi or townhouse may be permitted. **Council should discuss this matter.**

Second dwellings within an accessory building (i.e. as a separate house or within a garage or other type of accessory building) should be limited to larger lots in the countryside, given the space requirements; however, allowing for them in Dundalk where land isn't taken up by septic systems could also be given consideration. Allowing for the latter would certainly be supported by the Province, although there may be issues regarding land use compatibility. **Council should provide their thoughts on this matter.**

Where second units within an accessory building are permitted in the countryside, provisions in the Zoning By-law will be necessary to make sure that the two dwellings are clustered so as to limit the impact on the neighbouring farming operations and to avoid future problems regarding severing the second dwelling on a separate lot. The Zoning By-law should also include provisions regulating the maximum size of the secondary dwelling units, as the second unit is supposed to be an ancillary use.

Affordable Housing:

Affordability of housing is a major issue in Canada, and this problem has worsened in the last 18 months.

The new OP will encourage affordable housing and provide targets for new home construction in this regard.

The PPS defines “affordable” as the least expensive of the following:

- 1) housing where the purchase price is at least 10 percent below the average purchase price of a resale unit; or
- 2) annual housing expenses do not exceed 30% of gross household income (i.e. before tax household income).

The new County OP supports, but does require, lower tier municipalities adopting inclusionary zoning practices which require a certain percentage of new homes to be sold in the “affordable” range. Inclusionary zoning is a complicated matter as it requires the price of the house to remain affordable as the house is sold from owner to owner to owner. It is recommended that inclusionary zoning not be applied but that other policies be included in the OP that give support and provide strong encouragement to the construction of affordable housing. **Council needs to discuss this matter.**

Minimum Dwelling Size:

Most municipal Zoning By-laws in Grey County, including Southgate’s Zoning By-law, require a minimum floor area of at least 105 square metres (1,130 square feet). With the increasing price of land and home construction, considerable interest has been expressed recently in reducing this minimum floor area requirement, or even eliminating it completely as encouraged by the County OP. By eliminating the floor area requirement, the minimum standard would be set by the Ontario Building Code.

The current floor area provisions, which have generally been consistent in most municipalities throughout Grey and Bruce Counties over the last 30 years, were likely seen at one point in time as a reasonable house size. Times have changed and there’s no doubt that the minimum standards need to be reduced.

Regulations of this nature are typically found in the Comprehensive Zoning By-law and not in an Official Plan. The new OP, however, should include a general policy that provides direction to the Zoning By-law. **Council should provide their thoughts on this matter.**

“Tiny homes” is a loosely-worded term that can be used to describe homes of various sizes. I would suggest that the Township not allow for a house that is smaller than what the Ontario Building Code allows, which is about 28 square metres (300 square feet).

Short-Term Accommodation

Some municipalities in Grey and Bruce Counties are now licensing places offering short-term accommodation (STA). Licensing helps to minimize land use conflicts with neighbouring land owners. A 4% tax can be collected; however, having a licensing system in effect can substantially increase the workload of the By-law Enforcement Officer.

If Southgate Council wishes to establish a licensing system for STA's, the Comprehensive Zoning By-law needs to be amended to provide a definition of this term and possibly identify areas of the Township where such uses are permitted, along with other provisions. The Official Plan doesn't need to contain any specific policies in this regard, but rather just a clause stating that Council wishes for such uses to be licensed, if in fact this is Council's desire. **Council should comment on this matter.**

Cannabis Production Facilities:

The growing of cannabis is considered an agricultural use; however, the other uses associated with production such as laboratories, processing, shipping, etc. goes beyond an agricultural use. The County OP is suggesting that such a facility be treated as an on-farm diversified use and that the local municipalities include criteria in their Official Plans and Zoning By-laws for establishing this type of operation.

Some municipalities in Grey County have identified the processing component as an industrial use and therefore allow for this activity on lands zoned industrial, which are usually found within an urban area. It should be noted that the processing of cannabis emits a very strong odour and can cause complaints from the neighbouring property owners. In some municipalities, a cannabis processing facility isn't permitted within 150 metres of any sensitive receptor (e.g. dwellings, schools, etc.) due to odour issues. Some people, however, argue that a proper exhaust system would eliminate odours. **Council should discuss this matter and decide if a cannabis production facility would simply be best suited only in the countryside, away from the populated areas.**

Source Water Protection

The new County OP contains policies for wellhead protection areas and intake protection zones. If the Source Water Protection officials suggest that more detailed policies be provided at the local level, such policies will be included in the new OP; otherwise, the new OP will simply make reference to the source water protection policies currently found in the local Official Plan.

Climate Change:

The new OP will include policies regarding climate change. These policies will be fairly general and similar to those contained in the new Official Plan.

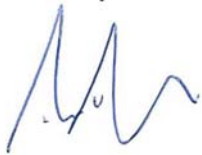
Next Steps:

The County will begin preparing the new OP schedules.

The writing of the OP text will now begin, and will take into account Council's comments on the issues mentioned in this report.

Once the first draft of the OP has been completed, it will be discussed with Council. Changes stemming from Council's review will then be made to the draft document, following which the first Open House will be held with the general public.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized, flowing script.

Ron Davidson, BES, RPP, MCIP