



Planning and Development

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November 16, 2021

Lindsey Green, Clerk
Township of Southgate
185667 Grey Road 9
Dundalk, ON N0C 1B0

RE: Application for Consent / B12.2021 – Ian and Perseda Martin
Legal Description: Con 4, SWTSR Lot 216 to 216,
Geographic Township of Proton
Address: 712457 Southgate Sideroad 71
Roll: 420709000508700

Dear Ms. Green,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The Purpose is to sever the large 80 ha farm parcel into two 40 ha farms. The severed and retained lots will have 400 m of frontage on Southgate Sideroad 71 and an area of approximately 40 ha. The Effect would be to create two farm parcels of approximately 40 ha in size each with 400 m of frontage on Southgate Sideroad 71.

Schedule A of the County OP designates the subject lands as “Rural,” with large sections of “Hazard Lands.” A significant portion of the subject lands fall within the Saugeen Valley Conservation Authority Screening area.

Section 7.2 of the County’s OP notes that new development shall generally be directed away from ‘Hazard Lands,’ due to constraints such as floodplains, steep slopes, erosion, etc. that pose a significant risk to new development. In this case, the proposed retained lot has an existing residential dwelling and barn, while the proposed severed parcel is vacant. It is noted that approximately 80% of the proposed severed portion falls within the Hazard Lands, including a large area of land adjacent to Southgate SRD 71, where a new driveway access would be required. County Staff are concerned that a viable building envelope may not be available on the proposed severed portion of the lands and/or that safe access to the site may not be feasible.

Section 7.2 (9) of the County’s OP states:

In the Hazard Lands land use type development and site alterations will only be considered if all of the following can be satisfied:

- a) The hazards can be safely addressed and new hazards are not created or existing ones aggravated;
- b) No adverse environmental impacts will result. The County, in consultation with the conservation authority, may require an environmental impact study to be prepared at the proponent's expense, in accordance with this Plan;
- c) Vehicles and people have a way of safely entering and exiting at all times;
- d) The development does not include;
 - i) Institutional uses including hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works, or erosion; or
 - ii) Emergency services such as that provided by fire, police, and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion; or
 - iii) Involve hazardous substances, and their disposal, manufacture, treatment or storage of.
- e) The advice or approval where required, of the appropriate conservation authority shall be obtained. The County and the conservation authority will consider the mitigation of effects on vegetation, wildlife and fishery resources, and the natural features of the site.
- f) There is no feasible location for the development outside of the Hazard Lands land use type.

It should be noted that County GIS mapping does not indicate the existence of wetlands, streams or significant woodlands overlapping with the mapped Hazard Lands on the south-western portion of the property. An EIS has been undertaken on the subject lands as a result of a preliminary conversation with SVCA staff. The circulated EIS concludes by stating:

“Assuming the mitigation measures recommended in this report are implemented, there is no expectation that natural heritage features or functions associated with the study area defined herein would be negatively impacted.

The County would recommend that SVCA provide comments on the prepared EIS to determine if sufficient study has been undertaken to warrant consideration of a long driveway through a Hazard Lands area. It is further recommended that a Floodplain Analysis be undertaken, to determine any technical features that would need to be considered in creating a driveway through this area.

In regards to the Rural land use designation, Section 5.4.3 of the County's OP states:

All consents for new lot development shall be no smaller than 0.8 hectares in area, and the maximum lot density shall not be exceeded as outlined in Table 9 below.

The subject lands are currently 81.7 ha in size. A review of historic lot fabric shows that the current parcel is composed of four 20-hectare original lots. One additional lot has already been severed on the original “Lot 216” portion of the property. Per Table 9, one additional lot would be permitted on Lot 216, and the County therefore has no concerns from a lot density perspective.

Appendix B of the County OP identifies ‘significant woodlands’, towards the north-west corner of the subject property. Section 7.4(1) states,

No development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

It is recommended that further comments be received from the Conservation Authority regarding the mapped Significant Woodlands.

Section 5.2.3 (1) (7) states that within the Rural land use designation:

Both the severed and retained lots shall comply with Provincial *MDS Formulae*.

County staff recommend that any identified building envelope be able to meet MDS requirements on the severed lot.

Finally, County staff note that comments were received by abutting neighbours of the subject lands. The submitted comments expressed concerns regarding the proposed severance application, particularly in relation to any new development within the wetlands area due to general concern for species habitat, contamination of well water supplies, and any impact to current water flows during storm events. The species habitat component has been explored through the circulated EIS, and it is recommended that comments be received from the Conservation Authority. It is recommended that concerns around potential contamination of well water supplies and/or water flow variation during storm events be explored through a Flood Plain Analysis and be addressed through development mitigation consent conditions.

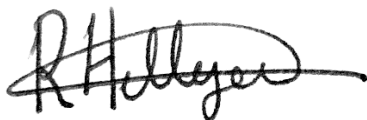
The County would recommend that:

- a decision be deferred until such time that the Conservation Authority is able to provide comments with respect to the Hazard Lands feature on the subject lands and the prepared EIS. The County seeks confirmation on whether access to the property could be achieved without detrimental implications for the surrounding natural heritage features, including a viable building envelope and access route; and
- a Floodplain Analysis be undertaken to ensure that any proposed development throughout the Hazard Lands feature would be resilient to potential flooding
- When identifying a building envelope, it should be further ensured that sufficient opportunity is available for the provision of services for any new use on the lands; and
- MDS be achieved for any identified building envelope.

The County requests notice of any decision rendered with respect to these files.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'R. Hillyer' or 'Becky Hillyer', with a stylized flourish at the end.

Becky Hillyer
Planner

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