



## **Staff Report PL2021-101**

**Title of Report:** PL2021-101-B12-21-Ian Martin  
**Department:** Clerks  
**Branch:** Planning Services  
**Committee Date:** November 24, 2021

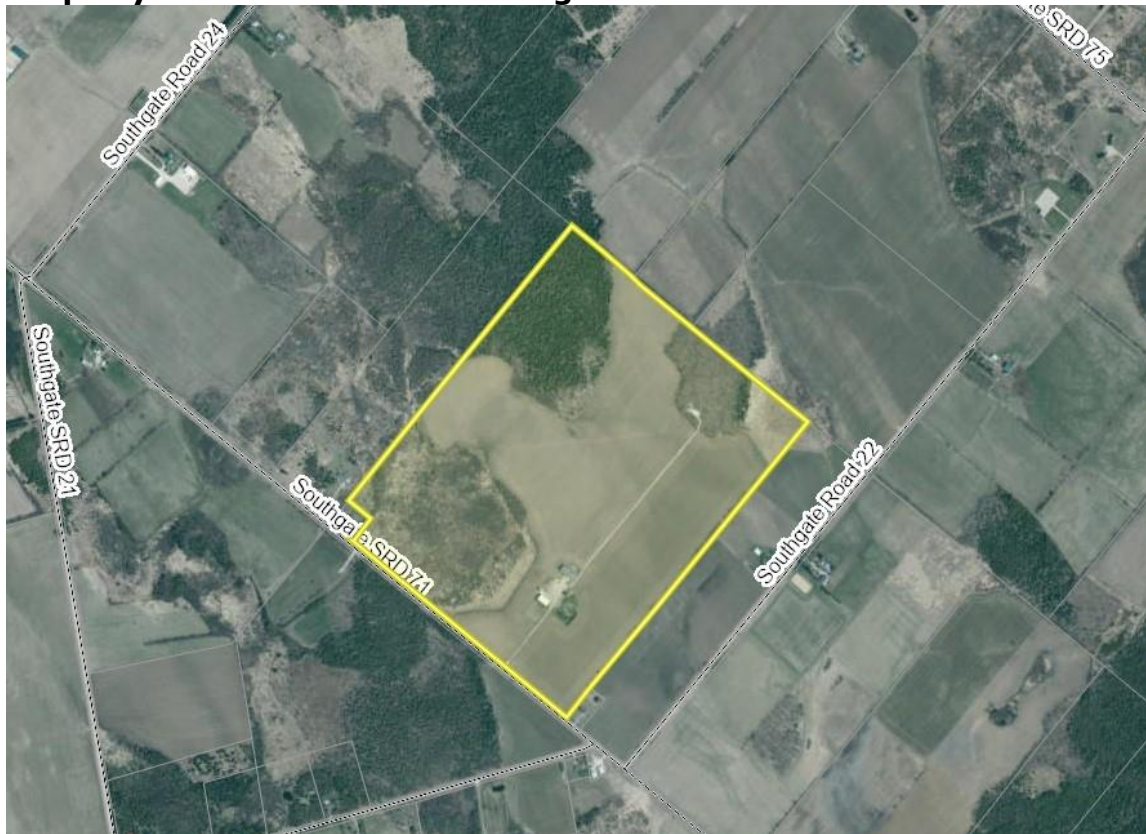
**Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2021-101 for information; and

**That** the severance be approved with the following conditions:

- 1. That** a survey is provided
- 2. That** a development agreement is entered into to ensure the implementation of the conservation authority, EIS and Flood assessment recommendations are implemented.
- 3. That** all outstanding fees, charges, and taxes are paid.

**Property Location: 712457 Southgate Side Road 71**



**SUBJECT LAND:** Con 4, SWTSR Lot 216 to 216, Geographic Township of Proton. The lands are further described as 712457 Southgate Sideroad 71.

**The Proposal:**

The proposal is to sever the large 80 ha farm parcel into two 40ha farms. The severed and retained lots will have 400m of frontage on Southgate Sideroad 71 and an area of approximately 40ha.

**The Effect** would be to create two farm parcels of approximately 40 ha in size each with 400m of frontage on Southgate Sideroad 71.

**Background:**

The consent file B12-21 can be viewed at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B12-21-Ian-and-Perseda-Martin>

The comments received to date on the consent application B7-21 are as follows:

Bell Canada has no concerns

Enbridge has service lines running within the area which may or may not be affected by the proposed severance. Should the proposed severance impact these services it may be necessary to relocate the line according to the new property boundaries at the owner's expense.

Public Works Department indicates that a 3m road widening is required and entrance permits for development will be required.

SVCA indicate that the proposed consent application is generally acceptable to SVCA staff, provided: the recommendations and mitigation measures found in the Environmental Impact Study (dated November 15, 2021) prepared by Birks Natural Heritage Consultants; and the Flood Assessment (dated November 8, 2021) prepared by Jones Consulting Group Limited, Planners and Engineers, are followed.

Hydro one has no concerns

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.

Comments have been received from members of the public.

John and Diane Bilenki- have a few concerns related to the proposal from a conservation stand point.

1- the proposed lane and its proximity to the wetland area and if this area is protected against any development as it is home to a variety of species.

2- the potential impact to our well water supply with run off from the field as it is at the back of our property next to the area they will be farming, also the impact to the wetland water with the run off.

3-the clearing of the trees on the lot for farming and the proximity to the wetland and concern for the resident species.

4-the impact to the current flow of the water run off during heavy rain and thaw with any adjustments to the terrain.

### **Staff Comments:**

Staff agree that these concerns need to be addressed. An EIS and Flood Assessment have been prepared and submitted to the Township and SVCA for review. Comments received from the SVCA indicate that they are generally supportive of the proposal provided the recommendations of the reports are implemented. In order to ensure that these recommendations are implemented it is recommended that as a condition of consent a development agreement be entered into. With respect to the impacts on the neighbouring well the addition of a lane way is not expected to have any impact on the well. The clearing of the farm land has already occurred as farming is a permitted use on the subject lands. The active farm land is approximately 250m from the boundary of the Bilenki lot line.

### **Policy Review:**

All applications must be reviewed against Provincial, County and Township policy and all applications must be consistent with those policies. The lands are considered Rural land within the PPS and the Official Plan. There is a portion of the lands that is designated Hazard lands.

Note that while all policies in the PPS and Official Plans were reviewed only the most relevant, being the consent policy, is discussed below.

The Provincial Policy Statement allows for consents on rural lands for a variety of reasons including agricultural uses. Creating farm sized parcels of 100 acres in size, where both the severed and retained lots are adequately sized is permitted within the Provincial Policy Statements.

The lands are designated as Rural, but also hazard lands in the Township and County of Grey Official Plans. County comments indicate that the proposed consent is in conformity with the County of Grey Official Plan provided a suitable building envelope can be found outside of the MDS arc and that a suitable entrance can be found. The issues of significant woodland and flood plain assessment have been

addressed by the applicant and SVCA. All of the recommendations should be implemented via a development agreement as a condition of severance.

The Township of Southgate Official Plan permits the creation of farm sized parcels provided the severed and retained parcels are 50 acres in size.

Both the severed and retained lot will generally be 40ha in size which complies with the policy.

The MDS information has been reviewed and it is not a concern in this situation as there is a building envelope that is greater than 1ha outside of any MDS ARC from neighbouring properties.

The proposed consent conforms to the County and Township Official Plans

### **Zoning**

The subject lands are currently zoned Agricultural (A1) and Environmental Protection (EP). The lands to be added to are zoned as Agricultural (A1), Environmental Protection (EP).

With the severance of both lots back into the original lot fabric, the lots will meet the zone standards for the A1 zone and will not require a zoning amendment to address any deficiencies.

### **Financial Implications:**

There are no financial implications to this proposal.

### **Concluding Comments:**

Based on the above, comments received it is recommended that the consent be approved with conditions.

Respectfully Submitted,

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



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

### **Attachments:**

1. Consent Sketch showing proposed lots.