

**Township of Southgate**  
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## **Staff Report PL2021-093**

**Title of Report:** PL2021-093-C24-21 Flato East redline zoning  
**Department:** Clerks  
**Branch:** Planning Services  
**Council Date:** December 1, 2021

**Recommendation:**

**Be it resolved that** Council receive Staff Report PL2021-093 for information; and  
**That** Council consider approval of By-law 2021-176.

**Property Location:** Flato East Subdivision- 772146 Highway 10



**Subject Lands:**

The subject lands are described legally described as CON 1 SWTSR PT LOTS;233 AND 234 RP 16R10668 PT;PART 1 RP 16R11089 PARTS 1;TO 3 5 PT PART 4 RP 16R10924;PART 2 RP 16R11251 PART 4 RP Geographic Township of Proton and are approximately 86 acres in area. The lands have access to Moody Street, VanDusen Avenue, Russell Street and Highway 10.

**The Purpose** of the zoning by-law amendment is to shift a servicing corridor which is currently zoned OS to another location on the approved draft plan, to rezone servicing/walkway blocks to a residential zone to provide flexibility in detailed design, and to recognize rezone the portion of the enlarged pumping station to the OS zone. All other provisions of the by-law shall apply.

**The Effect** of the proposed zoning by-law amendment would be to change the zone on a portion of the subject lands from Open Space (OS), Environmental Protection (EP), and Local Commercial Exception 465 (C1-465) Zones to the Residential Type 1 Exception-378 (R1-378-H), Residential Type 3 Exception-379 (R3-379-H), and Open Space (OS) Zones.

**Background**

A Public meeting was held virtually on September 22, 2021. Supporting documents and comments posted on the website are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C24-21-Flato-Dundalk-Meadows-and-Redline-Revision>

The comments received include:

Bell Canada Comments:

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

"The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost."

The Owner is advised to contact Bell Canada at [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to

service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

Public Works Entrance requirements onto Highway 10 is MTO jurisdiction.  
Risk Management Official - Well Head Protection Area "D" - Applicable to Dense Non- Aqueous Phase Liquid (DNAPL's) products managed by education and outreach programs.

MTO inquired as to the purpose of the water main easement.

#### Public Comments

April Emms Has concerns about the loss of the small community feel and perceived increases in the crime levels. She is also concerned about the lack of full time policing within the Village of Dundalk.

#### Staff Response

Bell Canada's comments have been noted and will be reflected in the subdivision agreement and Draft plan conditions as necessary by the County of Grey.

The comments from the MTO have been addressed and responded to by the Township and applicant.

The Comment from the public regarding policies concerns was forwarded to the Police Services Board and the situation will be monitored.

#### 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)

Section 4.2 of the Justification Report submitted by MHBC planning, provides a detailed review of the Provincial Policy Statement as it relates to the zoning by-law amendment. (Attachment #1)

The Township agrees with this consultants determination that the proposed amendment is consistent with the PPS.

#### County and Township Official Plans

Staff have reviewed the proposal with respect to conformity with both County and Township Official Plans. MHBC have also provided a review of both plans in their planning justification report, sections 4.3 and 4.4, dated July 2021. The Township concurs with the conclusions that the proposed amendments are consistent with the County and Township Official Plans. (Attachment #1)

#### Township Zoning By-law-

There are numerous small sections of the subject lands that will be rezoned to permit the servicing changes required. These section of land are zoned as follows:

"Residential Type 1 exception 378 (R1-378-H)," "Residential Type 3 Exception-379 (R3-379-H)," "Local Commercial Exception 465 (C1-465)," "Open Space (OS)" and "Environmental Protection (EP)."

Section 5.19 of the Zoning By-law allows a range of uses that are permitted in all zones. Section 5.19(c) permits:

*"any building, structure, use, service, or utility of any department of the Corporation of the Township of Southgate, the Corporation of the County of Grey, or the Federal or Provincial Government, Ontario Hydro, or any telephone, telegraph, or gas company shall be permitted in any zone provided that such use, building or structure shall comply with the regulations with regard to the height, yard, and lot coverage prescribed for the Zone in which it is located."*

The proposed public walkways and servicing requirements would be permitted in the proposed Residential and Open Space zones. It should also be noted that the Holding Symbol will remain in place and will not be removed.

Based on this and the review provided by the Consultant from MHBC the proposal is consistent with the Zoning Bylaw.

### **Financial Implications:**

There are no financial Implications associated with the Official Plan Amendment redesignating the subject lands to neighbourhood area.

### **Conclusions**

Based on the above, the information provided, and comments received, the proposal is consistent with the Policies of the Provincial Policy Statement, The County Official Plan and The Township of Southgate Official Plan. The proposed Zoning By-law amendment should therefore be approved and is considered appropriate for the area and good land use planning.

Respectfully Submitted,

**Municipal Planner:**

***Original Signed By***

Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:**

***Original Signed By***

Dave Milliner, CAO

### **Attachments:**

1. MHBC Planning Justification Report
2. MHBC Power Point Presentation