



Staff Report PL2021-095

Title of Report: PL2021-095 ZBA C22-21 Sharon and Timothy Roberts
Department: Clerks
Branch: Planning Services
Council Date: December 15, 2021

Recommendation:

Be it resolved that Council receive Staff Report PL2021-095 for information; and
That Council consider approval of By-law 2021-187.

Property Location: 263071 Wilder Lake Road



Subject Lands: The subject lands are known as Con. 1, DIV 3 Lot 3, Geographic Township of Egremont, Township of Southgate. Known municipally as 263071 Wilder Lake Road. They are approx. 23 acres in size.

The Purpose of the proposed zoning bylaw amendment application is to implement three new lots by zoning them as Residential type 5 and amending the zoning standards for the retained lot to recognize a reduced lot area.

The Effect of the proposed zoning by-law amendment would be to change the zoning symbol on the property for the severed parcels from Restricted Agricultural (A2) to Residential Type 5 (R5). The Retained parcel will be zoned from Restricted

Agricultural (A2) to Restricted Agricultural Exception (A2-504) to recognize a reduced lot area. The Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

Background

A consent applications B8-21, B9-21 & B10-21 were approved September 22 of this year and as a condition of consent a Zoning Bylaw amendment is required to recognize a reduced lot area on the retained lands. The zoning amendment is also required to rezone the three severed residential parcels as Residential Type 5 (R5). The consent files B8 to B10 2021 are available at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B8-21-B9-21-B10-21-Sharon-and-Timothy-Roberts-Associated-with-C22-21>

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#C22-21-Sharon-and-Timothy-Roberts-Associated-with-B8-21-B9-21-B10-21>

The Comments received to date on the consent applications are as follows:

Public Works Department indicates that the lots are on a rural asphalt road. The lot entrances will have to cut into the hill and may require more sloping or retainment of banks. Wilder Lake Road is a 50km/hr road at this section.

SVCA finds the consents acceptable to SVCA staff.

The County recommends that detailed comments be received from the SVCA and that a decision be deferred until such time that an Environmental Impact Study could be completed.

The County requests notice of any decision rendered with respect to this application.

Comments have been received from members of the public.

Aly Livingstone has the following questions/ concerns. The properties are located up hill - how will excavation of new lots affect the erosion and run off onto our property?

What will be the effects to the water table? We are on a private well and have concerns in that regard.

We have noticed some markings on the road and flagging inside the forest that we both share. We have concerns that some of the red tags are on trees that grow on our property. Can you provide an image of your proposed lots that includes our lots as well?

James Martin also has concerns regarding drainage and runoff as well as the safety of the road access onto Wilder Lake Road. There is also concern that additional

consents will be applied for in the future to avoid the comprehensive plan of subdivision approach.

John Woon has concerns that the property owner will come back and ask for three more consents and skirt around the plan of subdivision process.

Staff Comments:

Staff agree with the concerns regarding safe ingress and egress as well as stormwater management and drainage concerns expressed by neighbours. As a result, a condition has been included to require a detailed grading and drainage plan that addresses these issues. Further severances will not be supported without a plan of subdivision process being undertaken.

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)

All applications must be reviewed against Provincial, County and Township policy and all applications must be consistent with those policies. The lands are considered to be within a rural settlement area within the PPS and the Official Plan.

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

Section 1.1.3 addresses policies toward settlement area, both urban and rural. The first policy indicates that *Settlement areas* shall be the focus of growth and development. This policy clearly directs growth of this nature away from the rural areas toward settlement areas such as Varney.

The PPS also encourages growth that is appropriate for the servicing level and that is adjacent to existing development. The proposal would meet this test as it is directly across from existing strip development that is within the settlement area. The one acre lot sizes also help support the long term provision of private waste water and well water for the three lots.

An EIS was prepared for the proposal and has been reviewed by the Conservation Authority and has been found to be acceptable.

The proposed consents conforms to the Provincial Policy Statements.

The County of Grey has already commented on conformity with the County official Plan and with the provision of a satisfactory EIS, it would appear that the proposal conforms to the County Official Plan.

The Township Official Plan designates the subject lands as Village Community within the Township Official Plan. The Township anticipates limited growth in these areas during the life of the Official Plan.

The proposed residential lots are a permitted use. Section 5.3.2 requires that the maximum density within the settlement area shall be 1 unit per acre. The proposed consents are each one acre in size and would meet this policy.

An EIS has been prepared and reviewed by the SVCA. The EIS has determined that the proposal can be accommodated in the location proposed

The proposal is consistent with the Township Official Plan.

Zoning

The subject lands are currently zoned Restricted Agricultural (A2) and Environmental Protection (EP). The lands to be severed will be rezoned to a Residential type 5 (R5) which is our rural community zone. The Environmental Protection Lands will remain the same unless altered by the Conservation Authority. The retained parcel will be rezoned to recognise a reduced lot area of approximately 19 acres.

The Township has no issues with the requested zoning amendments to implement the consents. The lots sizes meet the intent of the zoning by-law provisions and the retained lot is sufficiently sized to meet its servicing needs.

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:

- 1. Attachment 1 - PL2021-080
- 2. Attachment 2 - Consent Sketch for B8 to B10-21