

## **Township of Southgate**

### **Administration Office**

185667 Grey Road 9, RR 1

Dundalk, ON N0C 1B0

**Phone:** 519-923-2110

**Toll Free:** 1-888-560-6607

**Fax:** 519-923-9262

**Web:** [www.southgate.ca](http://www.southgate.ca)

## **Staff Report CAO2022-005**

**Title of Report:** Flato Request for Township Support and Participation in a Southgate Ministers Zoning Order and the approval of a Draft Southgate MZO Development Agreement Report

**Department:** Administration

**Council Date:** February 2, 2022

### **Council Recommendations:**

#### **COW Recommendation**

**Be it resolved that** the Committee receive staff report CAO2022-003 as information; and

**That** the Committee recommend that Council approve to proceed with a Township of Southgate support resolution for a Participating Provincial Municipal Zoning Order for Flato Lands proposed around Dundalk settlement area identified as Flato Northeast, Flato Northwest and Flato Southeast development projects; and

**That** the Committee recommend that Council approve the draft Southgate Municipal Zoning Order Development Agreement for Flato projects identified as Flato Northeast, Flato Northwest and Flato Southeast as presented and for possible further amendments; and

**That** the Committee recommend that Council consider approval of supporting the Participating Provincial Municipal Zoning Order for Flato Lands proposed around Dundalk settlement area and the Southgate Municipal Zoning Order Development Agreement by Municipal By-law 2022-020 at the February 16, 2022 Council meeting.

#### **Council Recommendation following COW Meeting**

**Be it resolved that** Council receive staff report CAO2022-003 as information; and

**That** Council approve to proceed with a Township of Southgate support resolution for a Participating Provincial Municipal Zoning Order for Flato Lands proposed around Dundalk settlement area identified as Flato Northeast, Flato Northwest and Flato Southeast development projects; and

**That** Council approve the draft Southgate Municipal Zoning Order Development Agreement for Flato projects identified as Flato Northeast, Flato Northwest and Flato Southeast as presented and for possible further amendments; and

**That** Council consider approval of supporting the Participating Provincial

Municipal Zoning Order for Flato Lands proposed around Dundalk settlement area and the Southgate Municipal Zoning Order Development Agreement by Municipal By-law 2022-020 at the February 16, 2022 Council meeting.

**Background:**

Flato Developments and their Planning Consultant MHBC presented as a delegation at the January 19, 2022, Council meeting with the proposal of seeking support for a Province of Ontario Municipal Zoning Order (MZO), the following motion was approved.

No. 2022-002

**Moved By** Deputy Mayor Milne;

**Seconded By** Councillor Rice;

**Be it resolved that** Council receive the Flato Developments Inc presentation as information. **Carried**

Council also dealt with the related staff report CAO2022-002 on the same subject matter and the following amended motion was approved:

Motion as Amended:

No. 2022-005

**Moved By** Councillor Shipston;

**Seconded By** Councillor Frew;

**Be it resolved that** Council receive staff report CAO2022-002 as information; and **That** Council direct staff to continue gathering information about Ministry Zoning Orders and provide education to Council at a future Committee of the Whole education training session as soon as possible; and **That** Council direct staff to initiate the creation of a draft development agreement with Flato Developments Inc. for discussion with Council at a future Council meeting. **Carried**

Since the Council meeting, Flato and their Consultant staff met with the Affordable/Attainable Housing Committee on January 25, 2022, and also organized and hosted a Virtual Public Meeting to discuss the MZO process and what the result would be. Township staff also met with Bluewater District School Board staff and their Planners to discuss the MZO and the new proposed growth over the next 20 to 30 year horizon. The outcome was that there would be 3 schools needed in Dundalk in total to accommodate the demand. We also discussed the present day new replacement school needs, long term needs and the use of the term Public Service Facility as Permitted Uses. We also talked about the present process to approve a new School in Dundalk and Southgate staff committed to contacting the Province to assist in advancing the approval.

**Staff Comments:**

Staff have assessed the issues related to a Ministry Zoning Order (MZO) since the last meeting and have created a Development Agreement as directed by Council resolution at the January 19, 2022, meeting with conditions and requirements of Flato Developments following the MZO approval by the Province of Ontario.

Some changes have been made to the project since the January 19, 2022 Council presentation from Flato Developments and their Planning Consultants MHBC.

1. The Flato North proposed project Concept Plan has been renamed Flato Northeast to prevent confusion from the Flato North residential development already approved off of Russell Street.
2. The Flato Northeast Concept Plan has added land space for a school location and road layout to access Hwy #10 in the future.
3. The Flato Northeast development has increased in land area to meet the needs of the transportation MTO access to Hwy #10 request and the locating of a possible new school and lands for other service amenities.
4. The Flato West proposed project Concept Plan has been renamed Flato Northwest to prevent confusion from the Flato West residential development already approved off of Elm Street.
5. The Flato Northwest Concept Plan has added land space for a school location.
6. The Flato Southeast Concept Plan has added land space for a school location and included a small sliver of lands west of the rail trail to be included in the MZO approval.

Staff have drafted a MZO Development Agreement in consultation feedback we have received through meetings and discussions with the Affordable Attainable Housing Committee, Bluewater School Board, Grey County Planning staff and Grey County Housing staff since January 19, 2022. The agreement includes standard recitals, description of Schedules attached, obligations of the developer, termination conditions, notifications, applicable laws, developer expense allocated, extensions, interpretation, invalidity, successors, fettering/discretion, solicitor responsibilities, schedule inclusion as parts to the agreement and allowing execution in counterparts.

The Development Agreement Schedules are the important parts of the document that provide the following:

- Schedule A – Legal descriptions for each property
- Schedule B – Conditions that the Township of Southgate require included in the Ministers Zoning Order
- Schedule C – Development Agreement Conditions required following the Ministers Zoning Order approval.

- Schedule D – Draft Concept Plans for each property and a Composite Site Plan of Dundalk reflecting the 3 draft concept plans

## **Financial Impact or Long Term Implications**

There is no financial impact as a result of this report as Flato will be required to complete the work to support the MZO request, the Planning work and the costs related to any Public Meeting(s).

## **Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public. Southgate CAP Goal – Trusted, Timely, Transparent, Decision Making.

### **Goal 1-Attracting New and Supporting Existing Businesses & Farms**

**Action 1:** The residents and businesses of Southgate envision a growing and diverse local economy, which respects our agricultural background while also attracting new businesses and new employment opportunities in keeping with the renewed growth of our population.

#### **Strategic Initiatives 1-A (2019-2023):**

By 2023, together with existing businesses and other partners, the Township will have identified the types of new business opportunities that are likely to have emerged when Dundalk's 10-15 year growth has taken place and the Dundalk population approaches 4500 people. This business opportunity projection should project the likely demographic make-up of that future population and its likely work, travel, and shopping patterns. It should also identify possible municipal incentives that could facilitate the emergence of these future business opportunities

#### **Strategic Initiatives 1-C (2019-2023):**

By 2023, the Township will have entered into an appropriate agreement to sell its Hwy 10 frontage for the purposes of commercial development, and development will be underway.

#### **Strategic Initiatives 1-E (2019-2023):**

By 2023, the Township will have updated the Official Plan and zoning bylaw to provide flexibility for business, help to reduce processing requirements, and help to provide more opportunity for success.

### **Action 3:**

The residents and businesses of Southgate envision a caring community which meets the needs of all ages and incomes for a healthy and comfortable life, even as our population grows and changes.

### **Strategic Initiatives 3-A (2019-2023):**

By means of appropriate policies, incentives and development partners, the Township will facilitated a significant increase in the supply and variety of both rental and purchase housing/accommodation within Southgate.

## **Concluding Comments**

1. That Council receive this report as information.

2. That Council provide a resolution of support for a Participating MZO for the 3 Flato Development properties referred to as Flato North East, Flato North West and Flato South East.
3. That Council approve the Draft Southgate Municipal Zoning Order Development Agreement as presented.
4. That Council consider approving the Flato MZO Participation Support and the Southgate Municipal Zoning Order Development Agreement by Municipal By-law 2022-020 at the February 16, 2022 Council meeting.

Respectfully Submitted,

**Planner approval:** Original Signed By Clinton Stredwick – Municipal Planner  
[cstredwick@southgate.ca](mailto:cstredwick@southgate.ca) 519-923-2110 x235

**CAO approval:** Original Signed By Dave Milliner – CAO  
[dmilliner@southgate.ca](mailto:dmilliner@southgate.ca) 519-923-2110 x210

- Attachment #1 – Draft Southgate Municipal Zoning Order Development Agreement, dated January 27, 2022