



Staff Report PL2022-012

Title of Report: PL2022-012-B15-21-Murray Calder
Department: Clerks
Branch: Planning Services
Committee Date: February 23, 2022

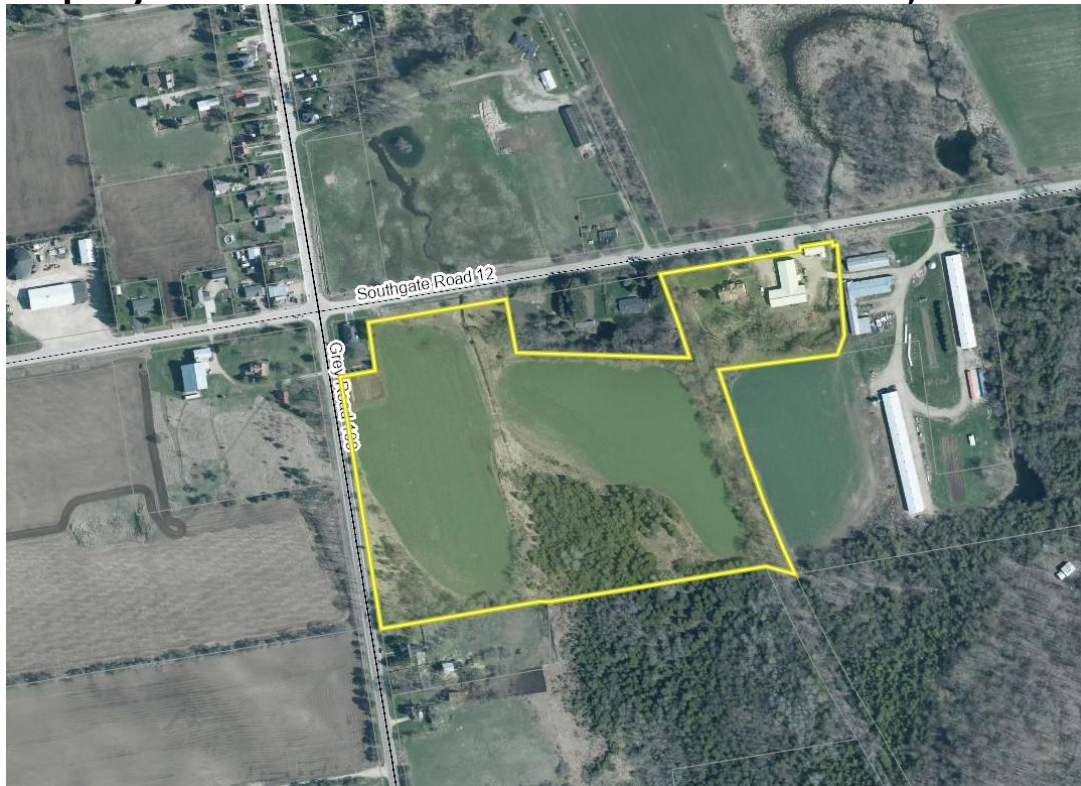
Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2022-012 for information; and

That the severance be approved with the following conditions:

- 1. That** the application is deferred pending comments from the conservation Authority, and confirmation that with the requested road widening and 75ft setback from the centerline of the road that the applicant will still have enough land to build the barn and meet the required setbacks.

Property Location: EGREMONT CON 3 PT LOT 43 RP;16R11535 PART 1



The Proposal:

The proposal is to sever a small 0.65acre lot and add it to the abutting corner lot that is only 0.35acres. The addition will allow for the construction of a small barn for maximum of 2 horses for transportation purposes. The severed lot will have frontage on Grey Road 109 and will require access for the proposed barn. The retained lot will have frontage on Grey Road 109 and Southgate Road 12 and still be approximately 20 acres in size.

The effect is to enlarge the small corner lot to 1 acre in size to allow for the small horse barn to be constructed. The retained lot will continue to be used for agriculture.

Background:

The consent file B15-21 can be viewed at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B15-21-Murray-Calder>

The Comments received to date on the consent application B5-21 are as follows:

Bell Canada has no concerns

Saugeen Valley Conservation Authority Comments: None received as of the writing of this report.

The Historic Saugeen Metis have no objection or opposition to the proposal.

Public Works Department indicates that it is Grey County jurisdiction as there is frontage on Grey Road 109. Township Road 12 is a load restricted road.

SVCA finds the Consent acceptable to SVCA staff.

County of Grey- Provided that zoning limitations are in place to ensure the proposed barn would accommodate a maximum of (2) horses for transportation purposes; positive comments are received from the SVCA, and that Grey county transportation comments are applied and the road widening allocated to the county. County Transportation comments are listed below.

- Widening of 5.182m (17ft) is required along the County Road along the proposed retained and severed portion of the lands.
- A proposed secondary access is not shown. The County's policy would not recommend a second entrance onto the County Road. Access to the new barn shall be through the existing access to the property.
- The new structure must adhere to the County's Setback Policy of 75 feet from the existing centreline of the County Road.

Staff Comment

The proposed location of the barn is within an area zoned as Environmental Protection (EP) so it is essential that we have confirmation from the Conservation Authority before proceeding with the severance that the lands can be build on.

The comments from the County of Grey, particularly the setback requirements and the road widening make it difficult to determine if the barn can be accommodated on the current proposed lot. Additional lands may be required as a result. Based on these comments it is recommended that the application be deferred until additional information is provided from the SVCA and confirmation from the applicant that the size of barn that they want can be placed on the subject lands.

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 to be within a settlement area within the Provincial Policy Statement.

The Provincial Policy Statement allows for consents within settlement areas however both the severed and retained lots should be developable. The amount of land to be added to the residential lot is a minimal amount to accommodate the construction of a barn for two horses.

The Hazard lands identified on the severed parcel must be verified to be developable before the severance can proceed.

MDS is not applicable within settlement areas nor when the use is for horses for transportation purposes.

The Township of Southgate Official Plan permits lot additions within the Village community designation. Provided both the severed and retained lots can be developed. The permitted uses and special policy for the Holstein village community are quoted below.

"5.3.1 Permitted Uses

Permitted Uses shall include:

i. Residential uses, bed and breakfast establishments, home/rural occupations, commercial and dry industrial uses, public recreational and institutional uses intended to support the surrounding agricultural community.

5.3.2 Development Policies

1. Village Communities are intended to provide a limited opportunity for growth and to provide a range of living styles and employment opportunities.

2. No residential development in excess of 5 units nor new commercial or industrial uses will be considered in the Village Community designation unless it can be shown that the proposed uses can be accommodated by private service; that site conditions are suitable for the long term provision of these services.

Where private communal sewage and water services are proposed, it must be shown that the systems are provided in a manner that:

- a. can be sustained by the water resources upon which such services rely;*
- b. is financially viable and complies with all regulatory requirements; and*
- c. protects human health and the natural environment.*

3. Expansion of the Village Community boundaries is not anticipated during the planning period.

4. The maximum density permitted within the Village Community designations shall be 2.5 units per hectare (1 unit per acre). The density may be increased pursuant to the Ministry of the Environment Reasonable Use Guidelines. Should municipal water and sewer and treatment facilities be provided within any Village Community designation, the maximum density requirement of this policy shall not apply.

5. That adequate drainage and outlets are available for storm water runoff. Approval of drainage provisions may be required from the Municipality and subject to the Ontario Water Resources Act.

Staff Comment: The proposed lot addition for the residential use is consistent with the Official Plan as it enlarges an extremely undersized lot and does not create a new development lot.

5.3.3 Village Community of Holstein

With a population of approximately 180 persons, the Village Community of Holstein represents the second most populated settlement area within the Municipality. The Village of Holstein is located in the valley of the Norman Reeves Tributary of the Beatty Saugeen River. Portions of the growth and development in the community have been located within the natural floodplain area. Development in the community is limited based on the lack of municipal water and sanitary sewers and the extensive floodplain area.

The floodplain mapping depicted as Hazard Lands on Schedule A-2 is the approved Regional Storm Floodplain mapping for Norman Reeves Creek and its tributary system. (Approved by the Conservation Authority)

Until such time as municipal water and sanitary sewer and treatment system to serve development becomes available, major new development is not anticipated. Specific policies include:

- a. New development considered infilling or on lands already appropriately zoned and on private services must be based on:*

i. evidence of the site's suitability to provide an adequate quality and quantity of water supply; and
ii. evidence of the site's suitability in terms of lot size, to accommodate an approved sanitary sewerage disposal system.

b. Development may occur at a greater density than identified above should the provision of municipal water and municipal sanitary sewer and treatment services be provided.

c. All new development must be located outside of the established flood control area.

The "Floodplain Control Study – Village of Holstein" provides for possible recommendations of future flood control work, including the,

i. raising of the existing bridge structure by 300 mm; and,
ii. construction of a flood wall on the upstream embankment in order to prevent the possibility of downstream flooding.

Once the above flood control works are designed, approved and implemented, and the floodplain mapping is remodelled, the floodplain mapping will then be incorporated into this Plan as an amendment. Until such time as the flood plain mapping is revised, no new development is permitted within the existing floodplain area."

Staff Comment: Based on this section of the Official Plan comments are critical to ensure that the severed lot can be built on without causing any issues with the Flood plan of Holstein.

The proposed consent conforms to the County and Township Official Plans

Zoning

The subject lands are currently zoned Restricted Agriculture exception (A2-40) and Environmental Protection (EP). The lands to be added to are zoned as Environmental Protection (EP). Comments must be received from the SVCA to verify if the lands can be built upon without affecting the flood plane our Environmental Protection Area.

The A2-40 zone will need to be amendment to recognize a slightly reduced lot area. The severed lot will be rezoned to the R5 zone. It is difficult to tell if the proposed severed lot will be of sufficient size to accommodate the barn once the road widening and centerline setback are taken into consideration. Enlargement of the severed parcel may be required. If the applicant choses to not enlarge the lot further but amend the zone standards,(which is not recommended) then an exception to the R5 zone would be required to accommodate the barn.

Based on this lack of information it is recommended that the application be deferred.

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 deferred.

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.