



Staff Report PL2022-068

Title of Report: PL2022-068-C14-22 Rosalyn Centre
Department: Clerks
Branch: Planning Services
Council Date: September 21, 2022

Recommendation:

Be it resolved that Council receive Staff Report PL2022-068 for information; and
That Council consider approval of By-law 2022-138; and
That Council waive the site plan control process for this application.

Property Location: 105261 Southgate Road 10



The Subject Lands

Subject property is described as Con 7, Lot 8 Geographic Township of Proton. It is approximately 39ha (95 acres) in area and has frontage along Southgate Road 10.

The Purpose of the zoning bylaw amendment is to add a Group Home to the list of permitted uses. The group home will be limited to 10 residents and is a conversion of an existing building.

The Effect of the zoning by-law amendment would be to change the zone on a portion of the subject lands to permit the Group home use within the existing C5-211 exception zone (C5-211). Any Environmental Protection Zone Boundary may be adjusted based on Conservation Authority comments.

Background

A Public Meeting was held on August 24 at 1pm using a virtual meeting platform.

Agency Comments are as follows:

County of Grey staff would support the completion of a floodplain study in order to ensure that safe, all-season access can be achieved to the subject property. If a previous study has been undertaken, or additional technical information can be provided by the Conservation Authority to address this consideration, this requirement may be waived. Staff would defer to SVCA staff to determine if an Environmental Impact Study would be warranted for the proposed use.

Public Works indicate that the road is a rural gravel standard.

The Saugeen Valley Conservation Authority indicate that the application is acceptable to SVCA staff. They note the entire property is within a regulated area and a permit is required from their office. They acknowledge a flood plan study was prepared in 2008 when the property was first developed as a camp for kids. They also acknowledge that an EIS was prepared when the site was first developed and do not believe that an updated study is required. The renovated existing building will not negatively affect the wetland area.

A question was raised by a member of the public calling into the Township. The question was asked if the 10 individuals would be housed year round in the Group home. Staff replied that yes it would be on a year round basis. The individual also indicated that there was a considerable amount of traffic on Southgate Road 10 and worried for the safety of the residents. Staff explained that any residents would be supervised when going on the road.

Staff comments:

The County of Grey concern regarding the flood plan analysis and EIS has been addressed in the Conservation Authority comments.

The Comment and concern from the member of the public has also been considered and addressed in this report.

Staff Review

Staff reviewed this application based on the Planning Act, the Provincial Policy Statement (PPS), County of Grey Official Plan and Southgate Official Plan and the Zoning By-law.

The Provincial Policy Statement 2020 (PPS)

The PPS has been reviewed in its entirety however only the most relevant policies have been identified below. The subject land would constitute "rural" lands under the definition of the PPS. The PPS allows for a variety of uses in the rural areas which can be broadly defined to include a small parochial school in the rural area.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature; and
- i) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 2.3.

Comment: The provision of a rural group home is in staff's opinion an essential part of maintaining an appropriate range and mix of housing in rural areas. The proposal utilizes an existing camp use and will added to the permitted uses of the camp to allow for the group home.

1.1.4.2 In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural *settlement areas* in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

Comment: While the PPS suggests that settlement areas shall be the focus of growth it does allow for opportunities for limited development in Rural areas.

"1.1.5.2 On *rural lands* located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) **resource-based recreational uses (including recreational dwellings);**
- c) **residential development, including lot creation, that is locally appropriate;**
- d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses. "

Comment: The addition of a group home in this particular setting can be seen as a resource based recreation use as it utilizes the beautiful wetland surroundings for the development. Limited residential is also permitted on rural lands.

"1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*."

Comments: A rural group home as more of an institutional use, can be considered as be considered "other rural land uses" under the PPS and is therefore a permitted use.

With respect to MDS, it has been reviewed and is not a concern. The secluded outdoor resource that this location provides is ideally suited for this type of use to help engage residents. The size of the development is appropriate for the existing infrastructure and will not require any expansion of that infrastructure. The site is still limited based on the previous restrictions placed in the Zoning Bylaw.

Based on the above it is my opinion that the proposal is consistent with the Provincial Policy Statement.

Official Plan

The Township of Southgate Official Plan (OP) designates the subject lands "Rural, Wetlands and Hazard lands".

5.2.1 Permitted Uses

5.2.1(vii) limited non-farm land uses (including social, recreational and institutional uses such as churches, schools, cemeteries, community halls, public uses, airports, receiving and transmission towers and historic sites). It should be noted that limited residential development is also permitted within the Rural designation.

Based on the above the proposed Group home is a permitted use within the rural designation subject to meeting the development criteria.

Section 5.1.3 Development Policies (6)(7)(8)(9) and (14) require that MDS be addressed. Based on a staff review of the area there are no barns within the immediate area that would be impacted by this development. The proposal meets the requirements of MDS.

Section 5.1.3 (7) requires that the site can be adequately services with private services. The site is large enough that a well and septic system can be accommodated on site. There is potable water in the area based on existing wells. The proposal is to utilize the existing septic system.

Section 5.1.3 (8) requires that the site have sufficient drainage. The site is large enough that drainage can be accommodated on site.

5.1.3(9) requires that the proposal have year round access to a public highway. The proposal fronts on to Southgate Road 10 which is an open and maintained road. 5.1.3(14) requires the preparation of and EIS when lands are adjacent to natural heritage features such as Wetlands. Given the proximity of the development to the wetland on the subject site and the comments from the SVCA, the requirement for an EIS has been waived by the SVCA.

The proposal is consistent with the Township Official Plan. Site Plan Control is required unless waved by Council. I am not certain that there would be much benefit to entering into an agreement with the land owner for the group home so I am seeking Council's direction in this regard and recommending that the requirement for site plan control be waived.

Zoning By-law

The subject property is currently zoned Agricultural (C5-211 and Environmental Protection (EP) and Wetland (w). The proposed amendment would added the Group home use to the list of permitted uses within the C5-211 zone. The proposed rezoning would continue to have the property zoned C5-211 Commercial with the added group home use added in as a permitted use. It is normally my recommendation that Site Plan control be required in order to address issues such site layout, fencing, parking and buffer/screen from the road. The proposal is for the conversion of an existing structure on site and would not benefit from a site plan process. If it is Council's wish a resolution to wave Site Plan control can be brought forward.

Conclusions

Based on the above, the concerns of the agencies have been satisfactorily addressed in my professional opinion. It is therefore, my professional opinion that 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. Revised Site Plan drawing