



Staff Report PL2023-018

Title of Report: PL2023-018-C24-22 Dale and Linda Watson
Department: Planning
Branch: Planning Services
Council Date: April 20, 2023

Recommendation:

Be it resolved that Council receive Staff Report PL2023-018 for information; and
That Council consider approval of By-law 2023-038.

Property Location: **144642 Southgate Rd 14**



The Subject Lands

Subject property is described as Con 13 Lot 26 Pt Lot 27, Geographic Township of Egremont. It is approximately 82.96ha (205 acres) in area and has frontage along Southgate Road 14.

The Purpose of the proposed zoning bylaw amendment application is to rezone a portion of the lands to implement a Consent (lot addition) and permit a meeting house.

The Effect of the proposed zoning by-law amendment would be to change the zone on a portion of the subject lands from Agriculture (A1), Environmental Protection EP) and Wetland(W) to Agriculture (A1), Community Facility (CF), Environmental Protection EP, and Wetland (W) to implement a consent and permit a meeting house.

Background

A Public Hearing for the consent file was held on January 25th at 9am in the Holstein Council Chambers and virtually. A link to the file and comments received is available below.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B13-22-Dale-and-Linda-Watson-Olde-Order-Mennonite-Conference-C24-22->

A Public Meeting for the zoning was held on January 25, 2023 at 1pm using a hybrid virtual and in person meeting platform.

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C24-22-Olde-Order-Mennonite-Conference-Watson-B13-22->

Agency Comments are as follows:

The County of Grey indicates that provided that the recommendations of the EIS are implemented, County Planning staff have no concerns. Of a general planning nature, the proposed meeting house will be developed adjacent to an existing cemetery. County Planning staff recommend that information on burial sites or maps should be received from the local Mennonite community to ensure that the proposed development will not negatively impact the burial sites.

The SVCA indicate that the proposed zoning by-law amendment application and proposed consent application are generally acceptable to SVCA staff provided the recommendations from the EIS are followed, and provided the Environmental Protection (EP) zone is revised to match SVCA mapping.

Public works indicates that a safe access can be provided and that a new fire number address will be required with the new entrance.

Hydro One has no comments or concerns regarding the proposed zoning by-law.

Public comments:

There were numerous 20+ comments and form letters received in opposition to the proposed lot addition. The full list of those individuals is part of the public record and may be reviewed in the consent file, however staff have attempted to summarize the comments below.

1. Confirmation of Ownership of the cemetery lot.
2. Confirming who the registered operator is.
3. Confirming the size and boundary of the cemetery
4. Maintenance and access issues
5. Archaeological assessment and location of unmarked graves

There was also a letter of support from a neighbouring resident.

Staff comments:

The Ownership of the cemetery lot has been confirmed to be owned by the old order Mennonite conference. When the cemetery is opened again they will also become the registered operator as the Township was placed as the operator by default.

The applicants have agreed to conduct an extensive archeological study to investigate both the boundaries of the cemetery and the presence and location of unmarked grave site.

The maintenance and access issues will be addressed following the completion of the Archeological study.

The revised Environmental boundaries have been incorporated in the zoning schedule.

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 rural area within the PPS with portions of Wetland and Hazard lands.

The applicants Planning Consultant Loft Planning Inc. has prepared a detailed justification report reviewing the relevant policies of the Provincial Policy Statement. This report is provided as attachment 2 to this report for reference.

Section 4.2 of the report outlines the proposals consistency with the Provincial Policy Statement. The Township concurs with the consultants opinion that the proposal is consistent with the Provincial Policy Statement.

The County Official and Township Official

Similarly, applications must be in conformity with the Official Plan of the Upper and Lower tier governments. Sections 4.3 and 4.4 of the Justification Report prepared by Loft Planning Inc. demonstrates how the proposal is in conformity with these planning documents. The Township has reviewed these sections and is in agreement with the findings that the proposal is in conformity with the County and Local Official Plan Policies.

The applicants consultant went further in Section 4.5 of the Justification Report and examined the New Township Official Plan Policies, which were not in place when the application was filed. The Township again agrees that the proposal is consistent with the policies of the new Township Official Plan.

Zoning

Section 4.6 of the justification Report reviews the existing Community Facility(CF) Zoning for the existing cemetery as well as the Agricultural (A1) zoning provisions. The proposed lot with the addition as well as the retained parcel will still meet the zoning provisions of the A1 and Cf zones. The Township agrees that the proposal meets the intent of the Comprehensive Zoning By-law.

In order to address the concerns raised by concerned citizens, at the public meeting, a Holding Symbol has been included to require Site Plan Control. It will be a requirement of the Site Plan Control Process to require an Archeological study to identify the location of any archeological remains.

Financial Implications:

There will not be any significant financial implications for this proposal.

Concluding Comments:

Based on the above, comments received it is recommended that the zoning bylaw be approved with a holding condition.

Respectfully Submitted,

Municipal Planner: Original Signed By
Clinton Stredwick, BES, MCIP, RPP



CAO Approval: Original Signed By
Dina Lundy, CAO

Attachments:

- 1. Draft Survey of consent
- 2. Loft Planning Justification Report