



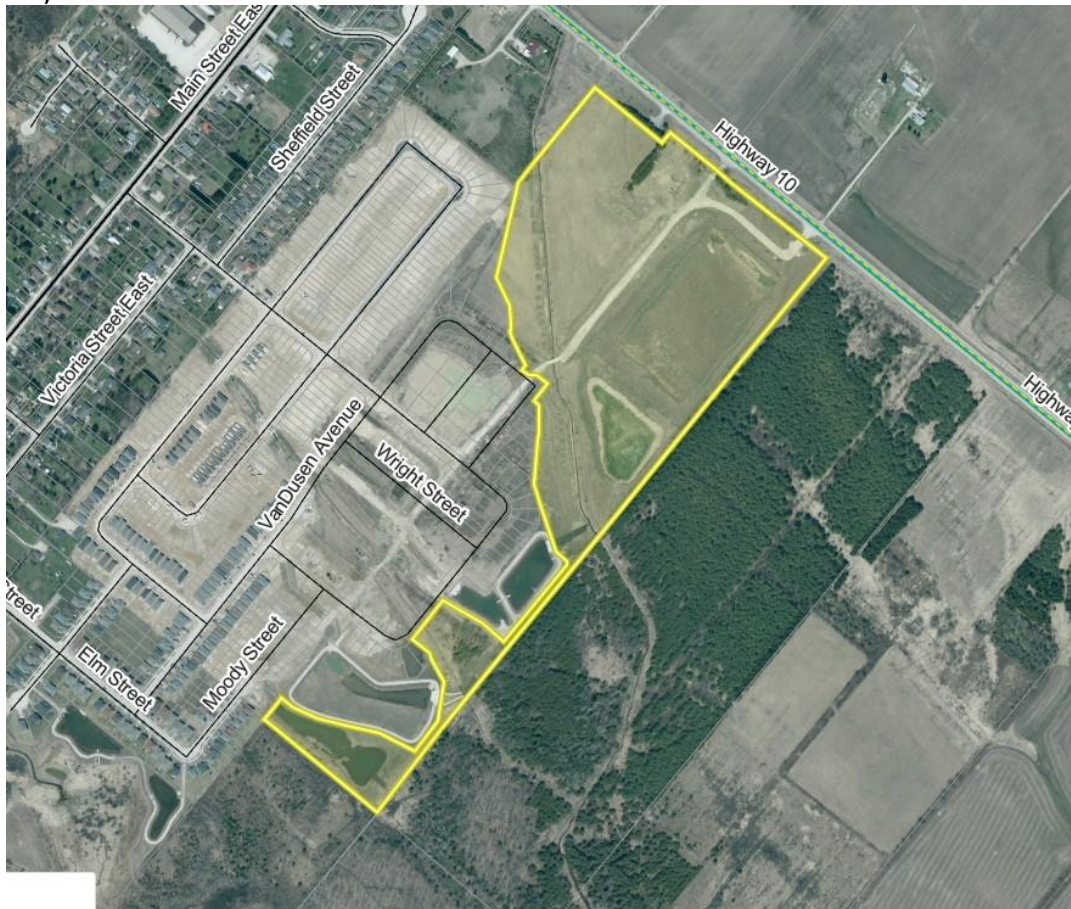
Staff Report PL2023-028

Title of Report: PL2023-028-C25-22 Flato Phase 11 Redline and rezoning
Department: Planning
Council Date: June 7, 2023

Recommendation:

Be it resolved that Council receive Staff Report PL2023-028 for information; and
That Council consider endorsing the Draft plan Redline Revisions; and
That Council direct staff to forward this report and the resolution on to the County of Grey, and
That Council consider approval of Zoning By-law 2023-054.

Property Location: PROTON CON 1 SWTSR PT LOTS;233 AND 234 RP 16R10668 PT;PART 1 RP 16R11251 PT PART 4



Subject Lands

The property is legally described as PROTON CON 1 SWTSR PT LOTS;233 AND 234 RP 16R10668 PT;PART 1 RP 16R11251 PT PART 4 Geographic Township of Proton. There is no civic address assigned but are know as phase 11 of the Flato East Subdivision. The parcel is approximately 19.02 ha (47 acres) with frontage on Highway 10.

The proposal

The proposal is to redline the approved draft plan of subdivision to accommodate the following modifications (see attachment #1):

The addition of Block 372 a 1 ft Reserve

The addition of residential Lots 375, 376 and 377

The addition of Block 378 for a walkway and access to Block 360 (a park)

The addition of Block 379 for a Hydro sub station

The addition of Blocks 380 and 381 for daylighting triangles

The zoning amendment will rezone a portion of Commercial Block 344 from Commercial Exception -465 (C1-465) to Residential Type 1 Exception -378 (R1-378-H). It will also rezone a portion of park Block 360 from Open Space (OS) to Open Space Exception – (OS-542) (See attachment #2)

Background

The application was received in December of 2022 and circulated for comments in January. As a result of the initial circulation additional modifications to the zoning and draft plan were required.

A revised submission was received in April of 2023.

A Public meeting was held in the Holstein Council Chambers on May 24, 2023 at 1pm.

Supporting documents and comments posted on the website are available at:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#C25-22-Resubmission-April-25-2023>

The comments received include:

The Building Department indicates that it has no concerns with the proposed rezoning.

The public works department indicates that a safe access can be provided and that the road is MTO jurisdiction and will require MTO permits. The property is also within a well head protection area D.

The County of Grey staff indicate that they have no concerns with the proposed zoning and they are currently processing the redline revision application concurrently.

The GRCA indicates it has no objection to the proposed zoning application.

MTO

The Ministry of Transportation (MTO) have completed a review of the proposed zoning by-law amendment to rezone a portion of the lands to implement a hydro substation block and three (3) single detached dwelling lots associated with a proposed Redline Draft Plan application (County File No. 42T-2015-05).

The proposal has been considered in accordance with the requirements of *the Public Transportation and Highway Improvement Act*, MTO's Highway Access Management Policy and all related policies. The following outlines MTO's comments.

The subject property is located adjacent to Highway 10, is within MTO's Permit Control Area (PCA), and as such, MTO permits are required before any demolition, grading, construction or alteration to the site commences.

Highway 10 at this location is classified as a 2B Arterial in MTO's Access Management Classification System. As such, all requirements, guidelines and best practices in accordance with this classification shall apply.

MTO looks forward to the advancement of this development, and we anticipate receiving additional details for review and comment as the project progresses.

There was one comment received from a member of the public.

Mr. Ron Davidson a land use planner represented an abutting property owner, Mr. Lisanti, regarding concerns with the proposed hydro substation block. The primary concerns raised included the following:

1. impact on the ability to develop the property as a result of setbacks
2. Noise generated by the substation from a constant humming noise.
3. Wondering if a noise study or impact assessment is necessary

Staff Comments:

Staff received a response from Flato regarding the substation which was forwarded on to Mr. Davidson. After consulting with his client he indicated, in writing, that the concern regarding the hydro substation had been addressed.

The Comments from MTO are supportive however they are looking for more detailed information for their permitting process. The applicant is aware that they will require permits from the MTO, for the work listed, prior to work commencing.

Financial Considerations

The endorsement of the redline revisions and the approval of the proposed zoning by-law amendment will allow for the development of phase 11 which includes a commercial block for a McDonalds.

Policy Review

The Provincial Policy Statement

The applicant's consultants, MHBC Planning have prepared a justification brief which is included as attachment #3 to this report.

On pages 3 to 5 of this planning brief various sections of the Planning Act and PPS are reviewed. The consultant indicates that settlement areas are to be the focus of growth and that appropriate development standard should be promoted. This development will facilitate an urban standard of development.

Township staff concur with the Provincial Policy Review by MHBC and it is the opinion of Township staff, that the proposed development is consistent with the policies of the PPS.

Township of Southgate Official Plan

The Flato East Subdivision lands are designated "Neighbourhood Area" within the Township of Southgate Official Plan. On page 6 and 7 of the planning brief the consultant outlines the history of how and when the lands were designated through various site-specific Official Plan Amendments. These amendments were initiated by Flato to specifically permit the draft plan of subdivision that is approved on the subject lands.

The proposed redline revisions and Zoning Amendment to not conflict with the Official Plan designations.

Based on Township staff's review of the Official Plan and the Planning brief provided it is the opinion of Township staff that the Proposed Development conforms to the policies of the Township of Southgate Official Plan.

Zoning

The Commercial Block 344 is currently zoned Local Commercial Exception 465 (C1-465) Zone under the Township's Zoning By-law. Residential development, except for a dwelling unit accessory to a commercial use, is not permitted within this zone.

A portion of the Commercial Block 344 is to be rezoned to the Residential Type 1 Exception Zone with a holding provision (R1-378-H) to allow for the proposed residential use. The R1-378-H Zone is the same zone standard used elsewhere within the Flato East development.

The area of Park Block 360 that is to be utilized for the proposed Hydro Block is currently zoned the Open Space (OS). Hydro utility uses are not permitted within this zone so it must be rezoned to accommodate the hydro substation. The new zone will be a site specific zone Open Space exception (OS-542) Zone to facilitate the required hydro utility infrastructure for Phase 11.

Based on the review of the proposal and the Planning Brief provided, it is the opinion of Township staff that the proposed redline revisions and zoning bylaw amendment are in keeping with the general intent and purpose of the Town's Zoning By-law.

Conclusions

Based on the above policy review and the information provided and comments received, the proposal is consistent with the Policies of the Provincial Policy Statement, The County of Grey Official Plan, The Township of Southgate Official Plan. The proposed redline revisions and zoning by-law amendment should therefore be approved and are considered appropriate for the area and good land use planning.

Respectfully Submitted,

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



CAO Approval: Original Signed By
Dina Lundy, CAO

Attachments:

1. Proposed Redline Revisions (MHBC drawing)
2. Proposed Zoning By-law Changes. (MHBC drawing)
3. Planning justification Brief
4. Response memo to Hydro substation concern.