



## **Staff Report PL2023-043**

**Title of Report:** PL2023-043-B7-23 Solomon Martin (Tubegate Inc.)  
**Department:** Planning and Economic Development  
**Branch:** Planning Services  
**Committee Date:** September 27, 2023

**Recommendation:**

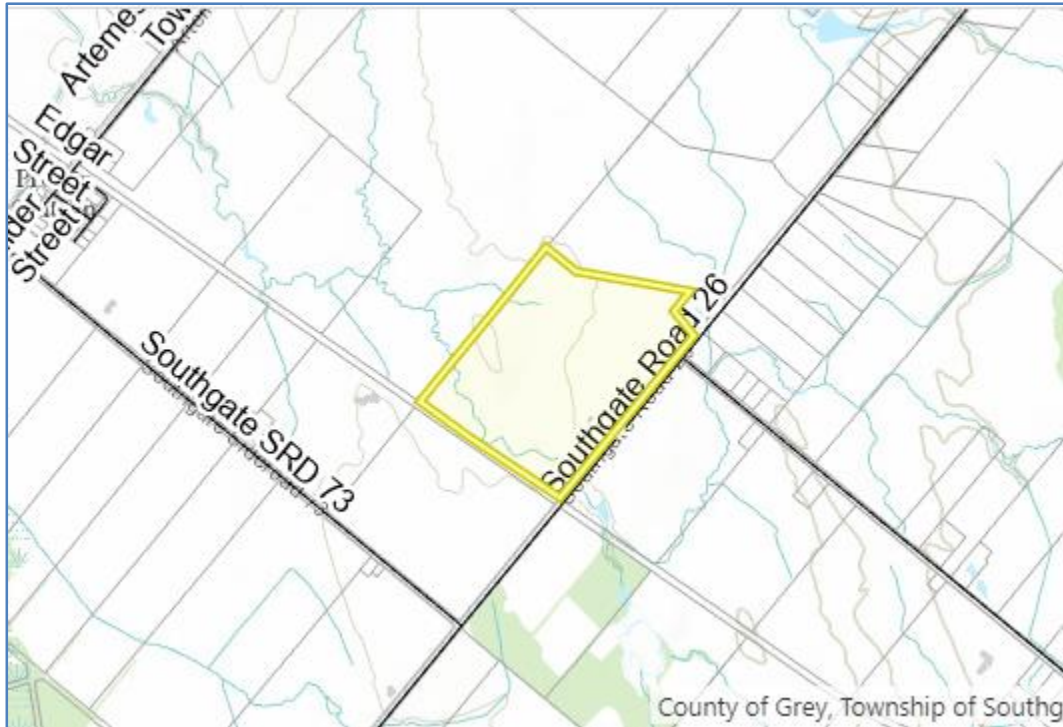
**Be it resolved that** the Committee of Adjustment receive Staff Report PL2023-043 for information; and

***That*** the Township of Southgate Committee of Adjustment hereby grants provisional approval to Consent Application B7-23 (Tubegate Inc.) for a lot addition subject to the following conditions:

- 1. That the owner provide a property tax certificate or, correspondence from Township Financial Services, indicating that all property taxes have been paid up-to-date with respect to the property that is subject to this Decision;*
- 2. That a Reference Plan (survey that is registered) be completed and a digital copy (pdf) and a hard copy be filed with the Secretary-Treasurer of the Committee of Adjustment, or an exemption from the Reference Plan be received from the Registrar. A draft copy of the reference plan shall be provided to the Secretary-Treasurer for review and approval prior to registration of the survey;*
- 3. That pursuant to Section 53(42) of the Planning Act the 'Certificate of Consent' be affixed to the deed within two years of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed));*
- 4. That the application is for a lot addition only; and, that the lands to be severed being Part Lots 198 to 200 Range 2 West as shown on the attached Schedule 'A' be merged under the same ownership as the abutting lands Part Lots 198 to 200 Range 2 West [Tubegate Inc.], and that Subsection (3) or (5) of Section 50 of the Planning Act, apply to any subsequent conveyance. The lawyer shall provide an undertaking to consolidate the pins for the property parcels upon registration of the consent(s);*
- 5. That the Secretary-Treasurer of the Committee of Adjustment provide written confirmation that a minor variance is in force and effect recognizing the undersized nature of the lands and any other deficiencies;*

6. That road widening, as determined by the Township Manager of Public Works, be provided to the Township of Southgate on the retained and severed portions, at no cost to the Township and to the satisfaction of the Township Manager of Public Works.

### **Location Map**



### **Proposal**

The proposal is to sever approximately 9.12ha of land with approx. 216m of frontage on Southgate Road 26 from the existing 42.45ha lot and add it to the abutting farm parcel. See Schedule 'A' attached to this Report.

The retained parcel will be 33.33ha and have approx. 506m of frontage on Southgate Road 26.

The effect would be a lot addition of 9.12ha to the abutting farm parcel, currently owned by Tubegate Inc. creating a 31.28ha parcel.

The retained lands are occupied by a house and shop with a site specific 'A1-333' zoning. There will be no change to the uses on the retained lands.

The lands to be added to are currently vacant. The lot addition would result in the existing house and accessory buildings being part of the expanded farm lot.

There will be no loss of agricultural lands.

## **Background**

Grey County Official Plan:	Rural Hazard
Southgate Official Plan:	Rural Hazard
Southgate Zoning By-law:	'A1 – General Agriculture' 'A1-333 General Agriculture Special' 'EP – Environmental Protection'

The background information for consent file B7-23 can be viewed at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notices.aspx#B7-23-Solomon-Martin-Tubegate-Inc->

## **Comments**

### Agencies

Hydro One – No comments.

Public Works Department - Road widening is required. Entrance permit for the severed portion will be required.

SVCA - Consent is acceptable to SVCA staff.

County of Grey- County staff have no concerns with the proposed development from a natural heritage perspective at this stage. Provided MDS calculations are submitted and setbacks can be obtained and positive comments are received from the Conservation Authority regarding the boundary of the Hazard Lands; County Planning staff have no concerns with the subject application.

### Public

No public comments received to date.

## **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 rural lands within the PPS and the Official Plan. Note that while all policies in the PPS and Official Plans were reviewed only the most relevant, being the consent policy is discussed below.

### Provincial Policy Statement

The Provincial Policy Statement does not speak specifically to lot additions on Rural lands but the PPS does permit lot additions on prime agricultural lands for very specific reasons. By extension, if lot additions are permitted in Prime agricultural areas then they would also be permitted in Rural areas. The proposal is consistent with the Provincial Policy Statement.

### Official Plan – County of Grey and Township of Southgate

The lands are designated Rural and Hazard in the Township and County of Grey Official Plans. County comments indicate that the proposed consent is inconformity with the County of Grey Official Plan.

The Township of Southgate Official Plan permits lot additions where the lands are added to other farm lots, again provided the retained lot is not undersized. The Official Plan establishes a minimum of 20 hectares for a rural farm parcel. Both the retained farm lot (33 ha.) and the expanded farm lot (31 ha.) will conform with the minimum lot size requirements of the Official Plan.

The MDS information has been reviewed and it is not applicable to lot additions of this nature. No new development lots are being created.

The proposed consent conforms to the County and Township Official Plans

### Zoning

The subject lands are currently zoned Agricultural (A1) and Environmental Protection (EP). The lands to be added to are zoned as Agricultural (A1), Environmental Protection (EP) and Agricultural Exception (A1-472).

With the lot addition both the severed and retained lots will NOT meet the regulations for the A1 zone and will require a minor variance to address any deficiencies.

### **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 approved with conditions provided no negative comments are received at the hearing.

Respectfully Submitted,

**Municipal Planner:**

***Original Signed By***

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David Smith RPP, MCIP

**CAO Review:** Original Signed By

***Original Signed By***

Dina Lundy

**Attachments:**

Schedule 'A' showing lot addition

## Appendix 'A'

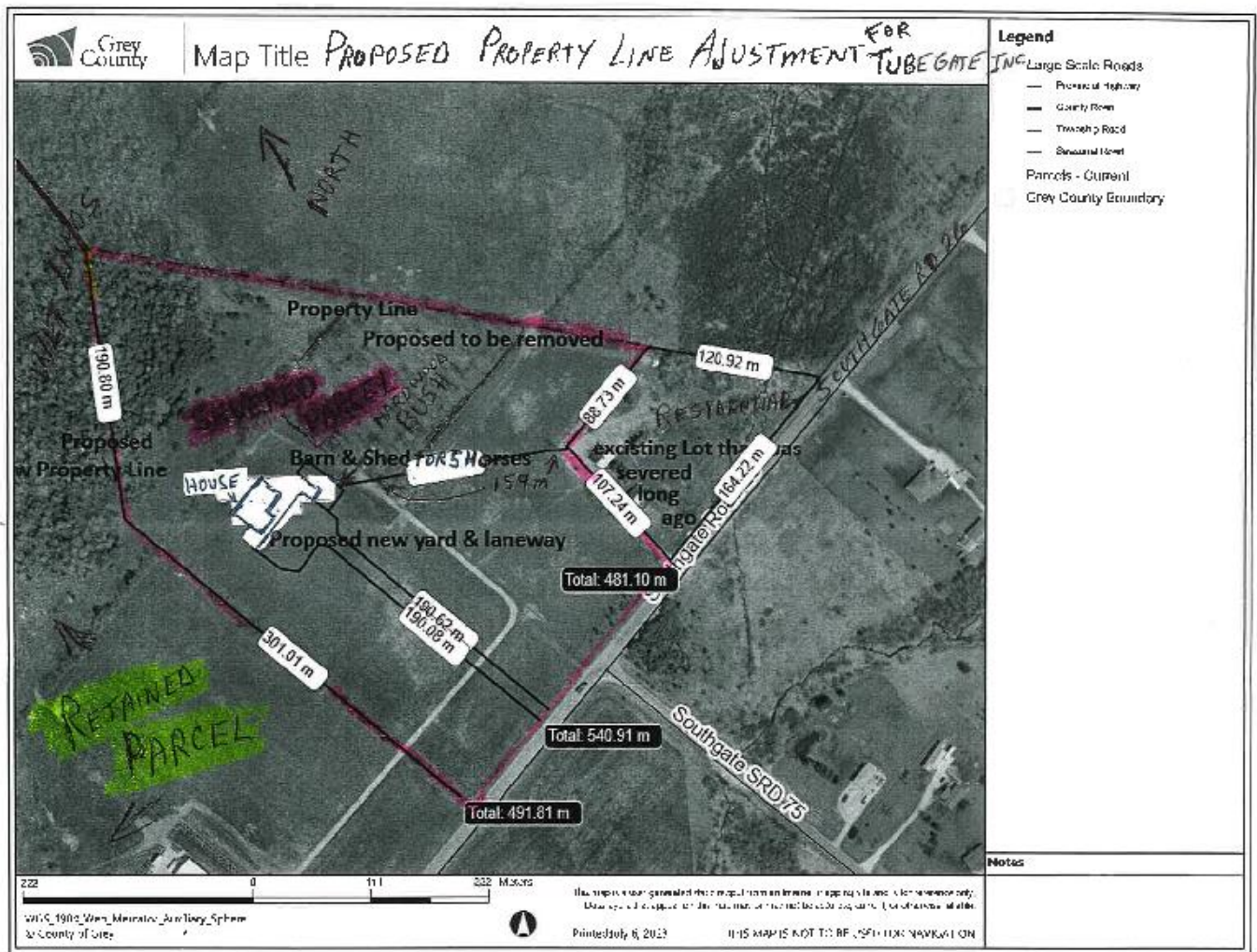
Drawing provided by Applicant showing retained lands

County Official Plan map

## Southgate Official Plan map

## Township Zoning

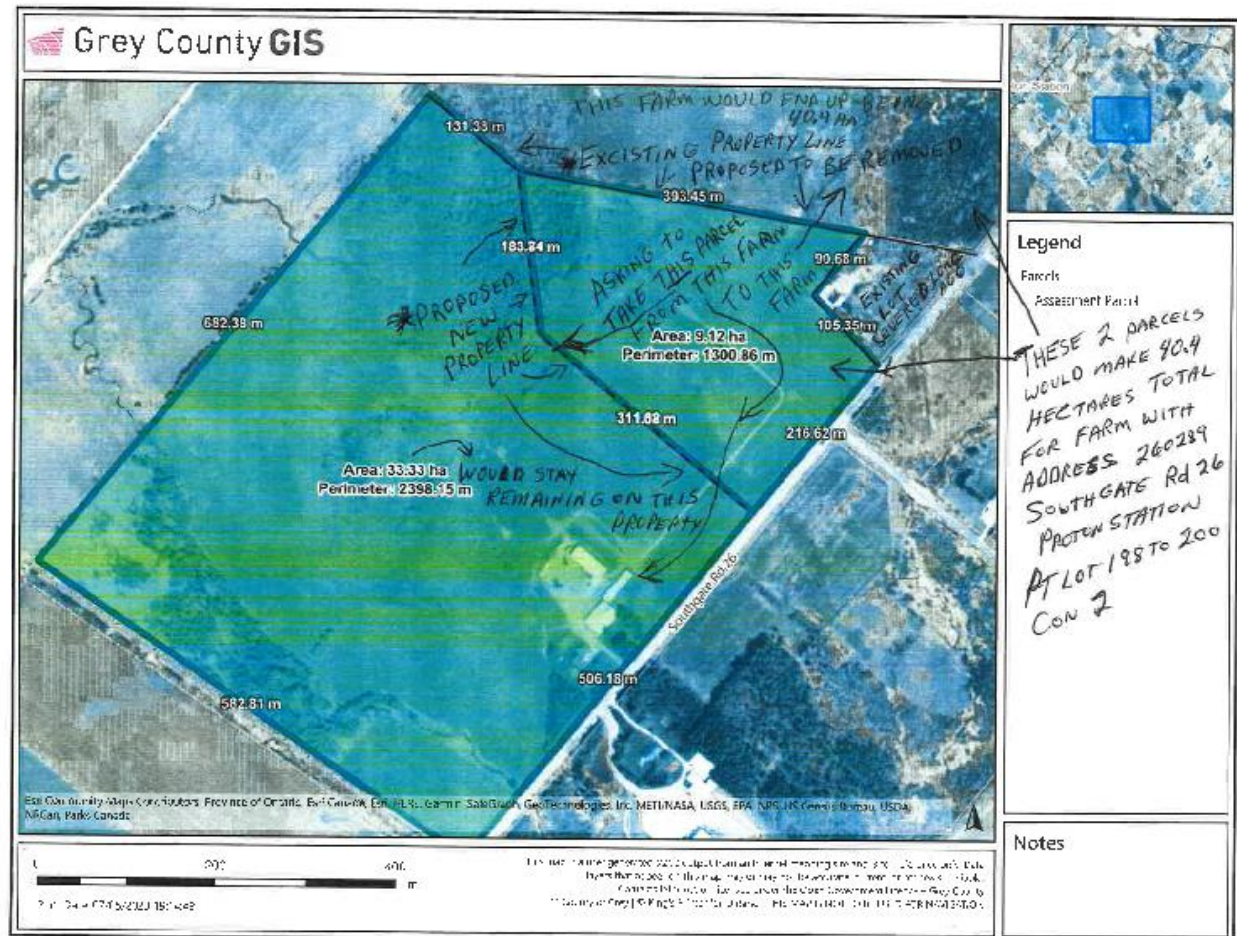
County GIS Air photo



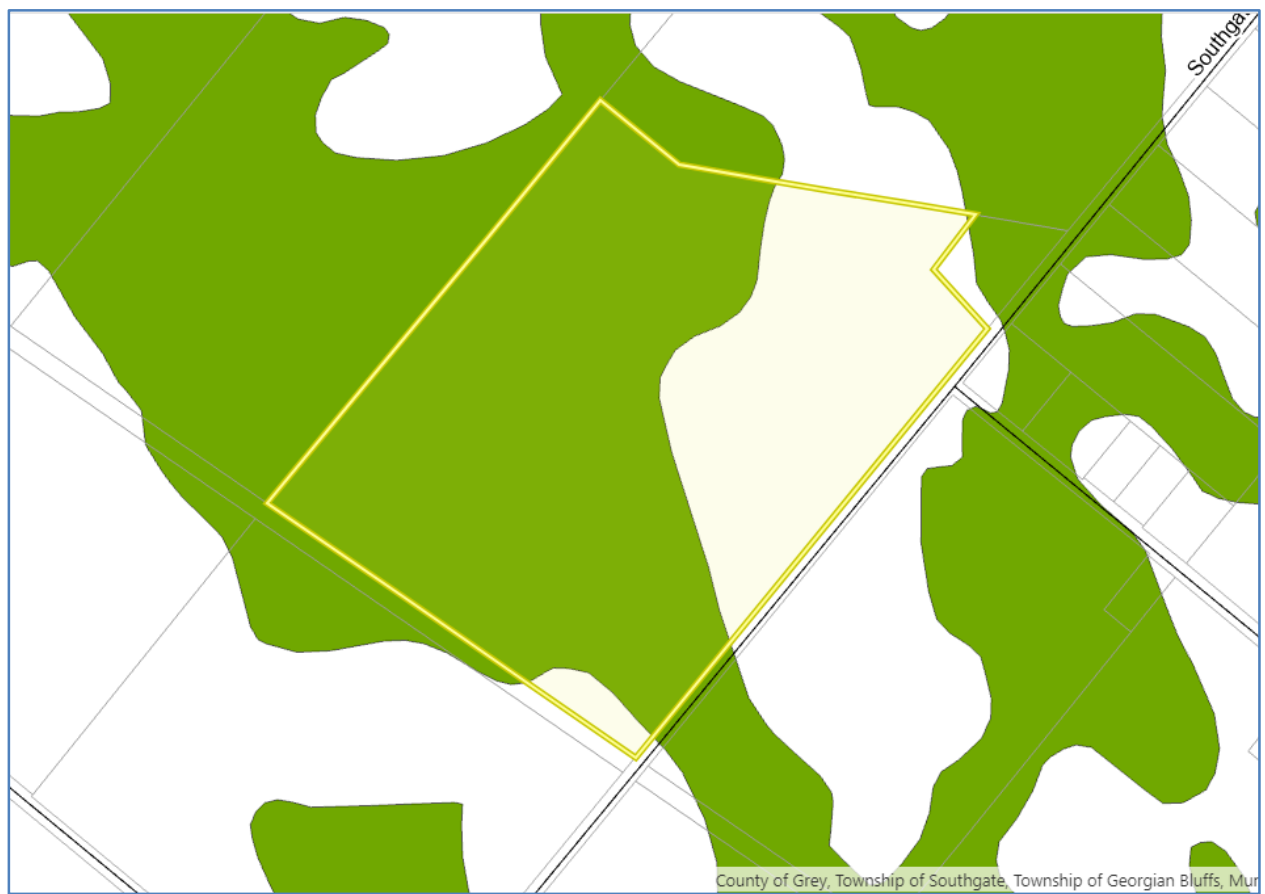
Schedule 'A' (B7-23)



## Appendix 'A'

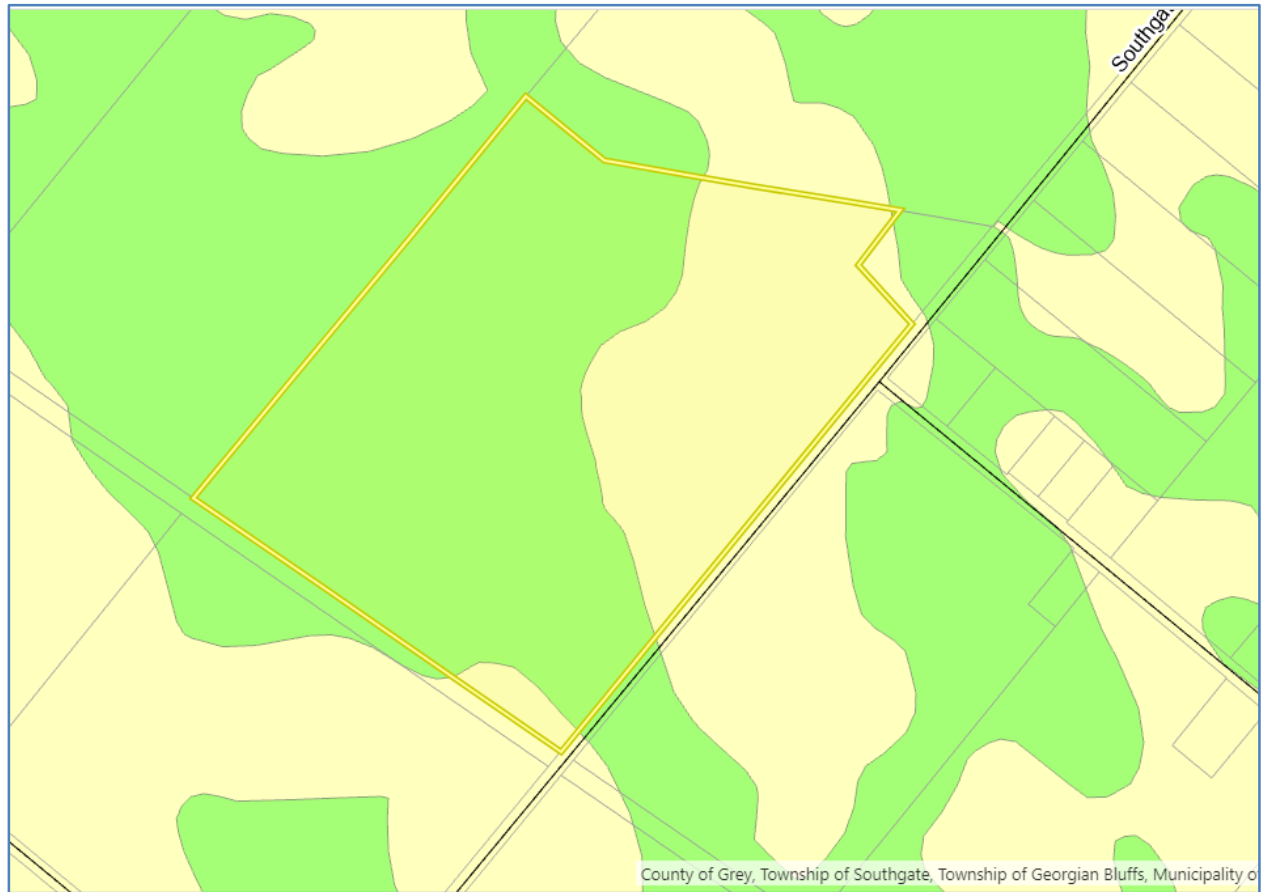


Drawing Provided by Applicant showing retained lands

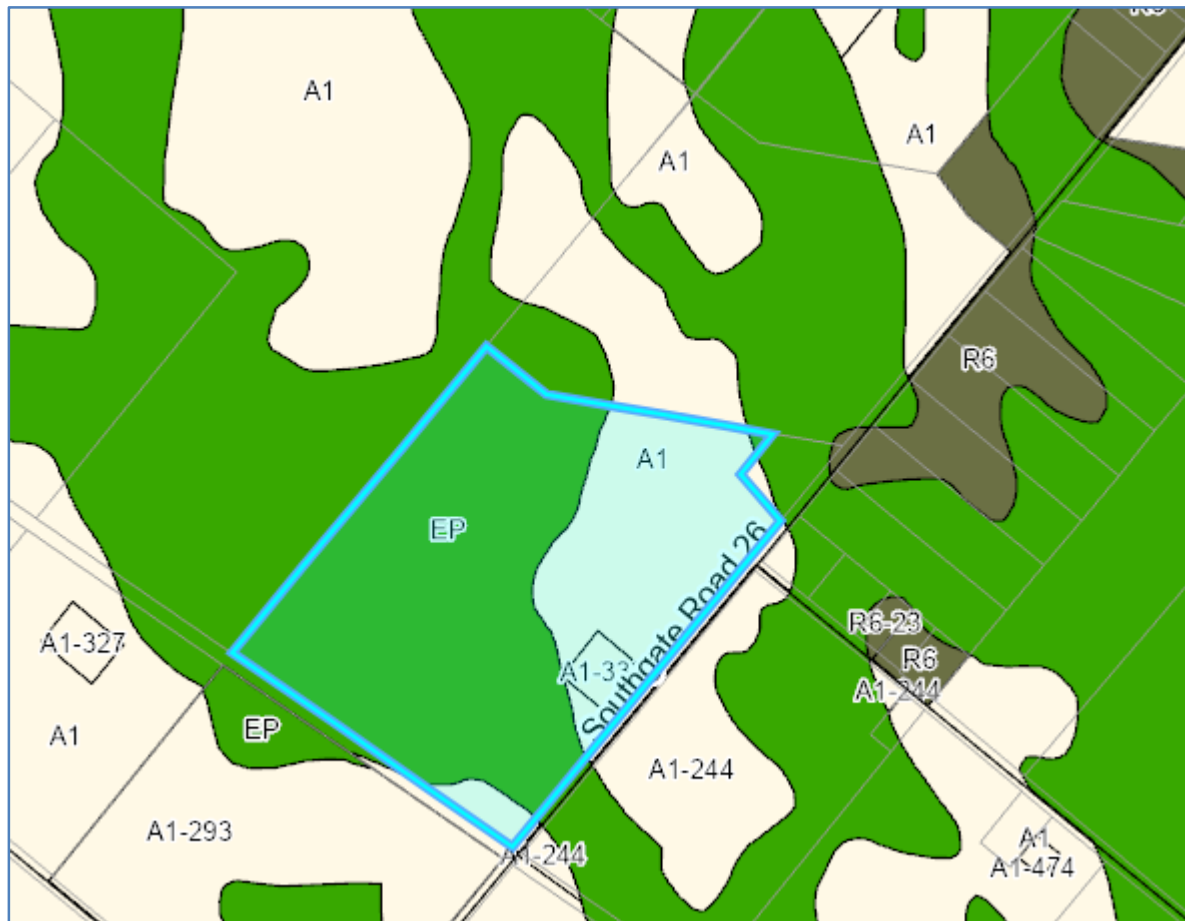


Grey County OP (Rural and Hazard Land)

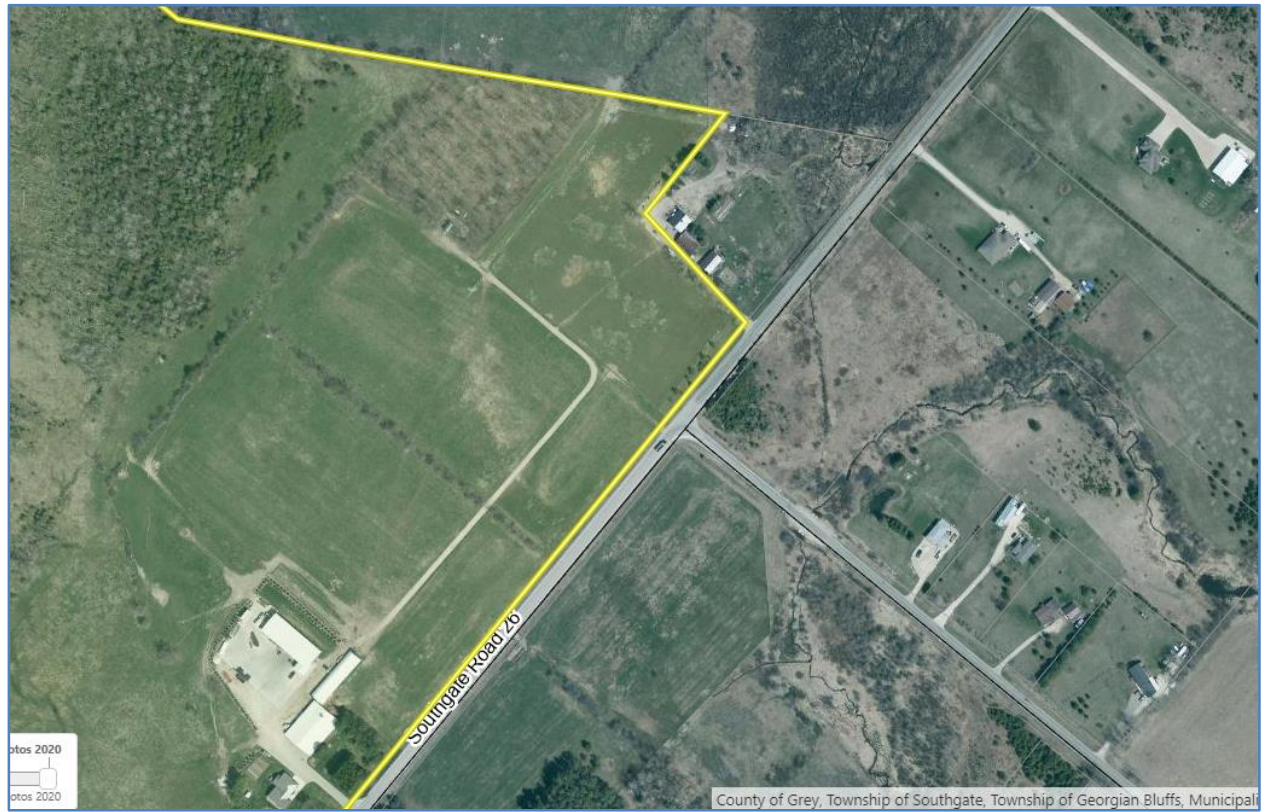




Southgate OP (Rural and Hazard Land)



Southgate Zoning (A1-333, A1, EP)



County GIS Air Photo