



Staff Report PL2023-044

Title of Report: PL2023-044-B9-23-Menno and Catherine Sherk
Department: Planning and Economic Development
Branch: Planning Services
Committee Date: September 27, 2023

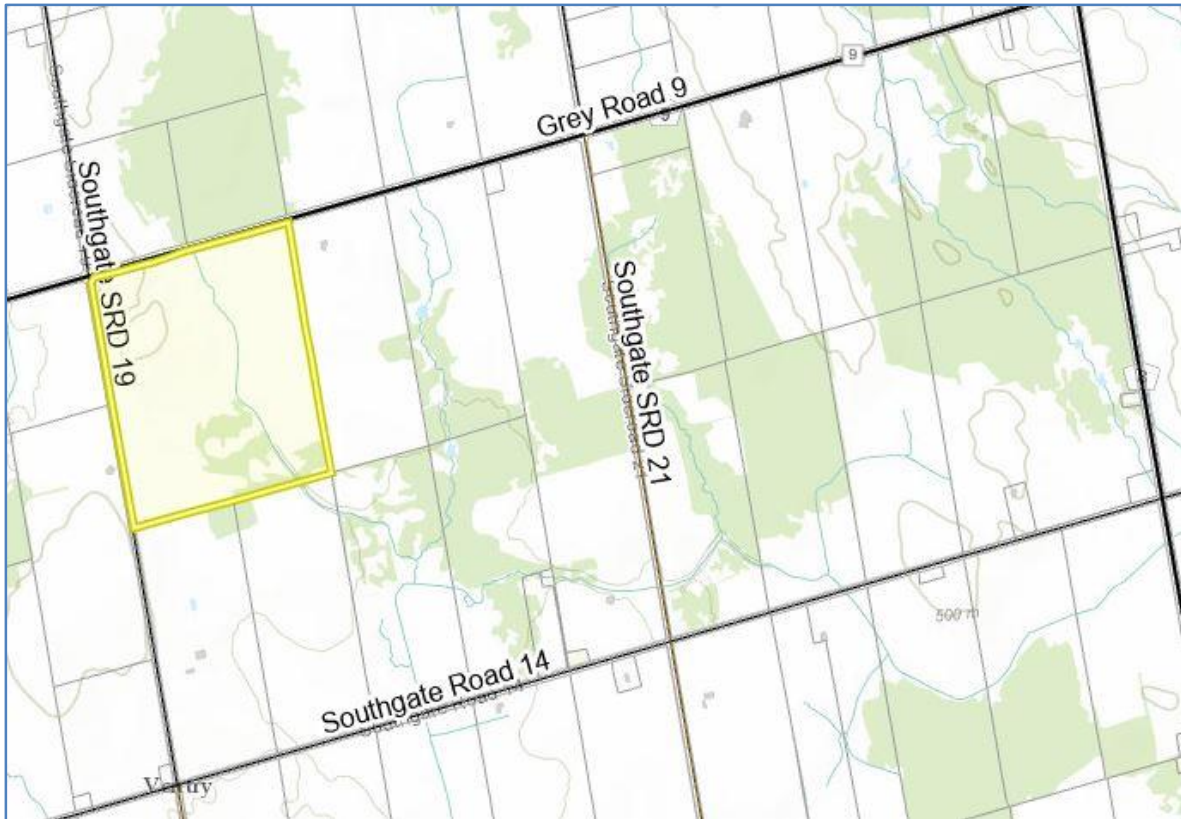
Recommendation

Be it resolved that the Committee of Adjustment receive Staff Report PL2023-044 for information; and

That the Township of Southgate Committee of Adjustment hereby grants provisional approval to Consent Application B9-23 (Grey 9 Enterprises Inc.) for a new lot 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)).*

Property Location:
186220 Grey Road 9 (PROTON CON 12 PT LOTS 28 AND;29)



Proposal

The proposal is to divide the farm into two approx. 40ha farms with both lots having Frontage on Southgate Side Road 19. See Schedule 'A' attached.

Background

Grey County Official Plan: Agriculture
 Hazard

Southgate Official Plan: Agriculture
 Hazard

Southgate Zoning By-law: 'A1 – General Agriculture'
 'A1-394 General Agriculture Special'
 'EP – Environmental Protection'

The background information for consent file B9-23 can be viewed at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#B9-23-Menno-and-Catherine-Sherk-Grey-9-Enterprises->

Comments

Agencies

Hydro One – No comments.

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

SVCA - The application is generally acceptable to the SVCA ... based on the site plans submitted as part of the application, development will not be located within the SVCA Approximate Screening Area, therefore a permit from the SVCA will not be required as part of the application.

County of Grey - Provided MDS calculations are done and setbacks can be obtained; County Planning staff have no concerns. County Transportation Services has reviewed the subject application and have no concerns.

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.

The subject lands are considered prime agricultural lands for the purposes of the PPS. Lot creation is generally discouraged on prime agricultural land unless it is to create agricultural lots for agricultural uses that are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation.

Two 100 acre parcels with sufficient road frontage meet this policy.

Official Plan – County of Grey and Township of Southgate

The lands are designated Agriculture 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 Official Plan designates the subject lands as Agricultural and Hazard lands. The relevant consent policy for Agricultural land is as follows:

5.1.2 Consent Policies

Consent for lots may be permitted to create new farm parcels, provided both severed and retained parcels are generally a minimum of 40 hectares.

The proposal meets this policy.

MDS is not an issue with the creation of these lots as they are of sufficient size to develop without impacting neighbouring uses.

The proposed consent conforms to the County and Township Official Plans

Zoning By-law:

The subject lands are currently zoned Agriculture (A1), Agricultural Exception (A1-394) and Environmental Protection (EP).

A zoning by-law amendment is not required for the proposed consent because both the severed and retained parcels will meet the provisions of the A1 General Agricultural zone.

Any new buildings on the severed portion will need to meet the requirements of the Zoning By-law including MDS at the time of construction.

Financial Implications

None.

Concluding Comments

Based on the above and the comments received, staff recommend that the application be approved with conditions.

Respectfully Submitted,

Municipal Planner: ***Original Signed By***

David Smith RPP, MCIP

CAO Review: ***Original Signed By***

Dina Lundy

Attachments:

Schedule 'A' showing

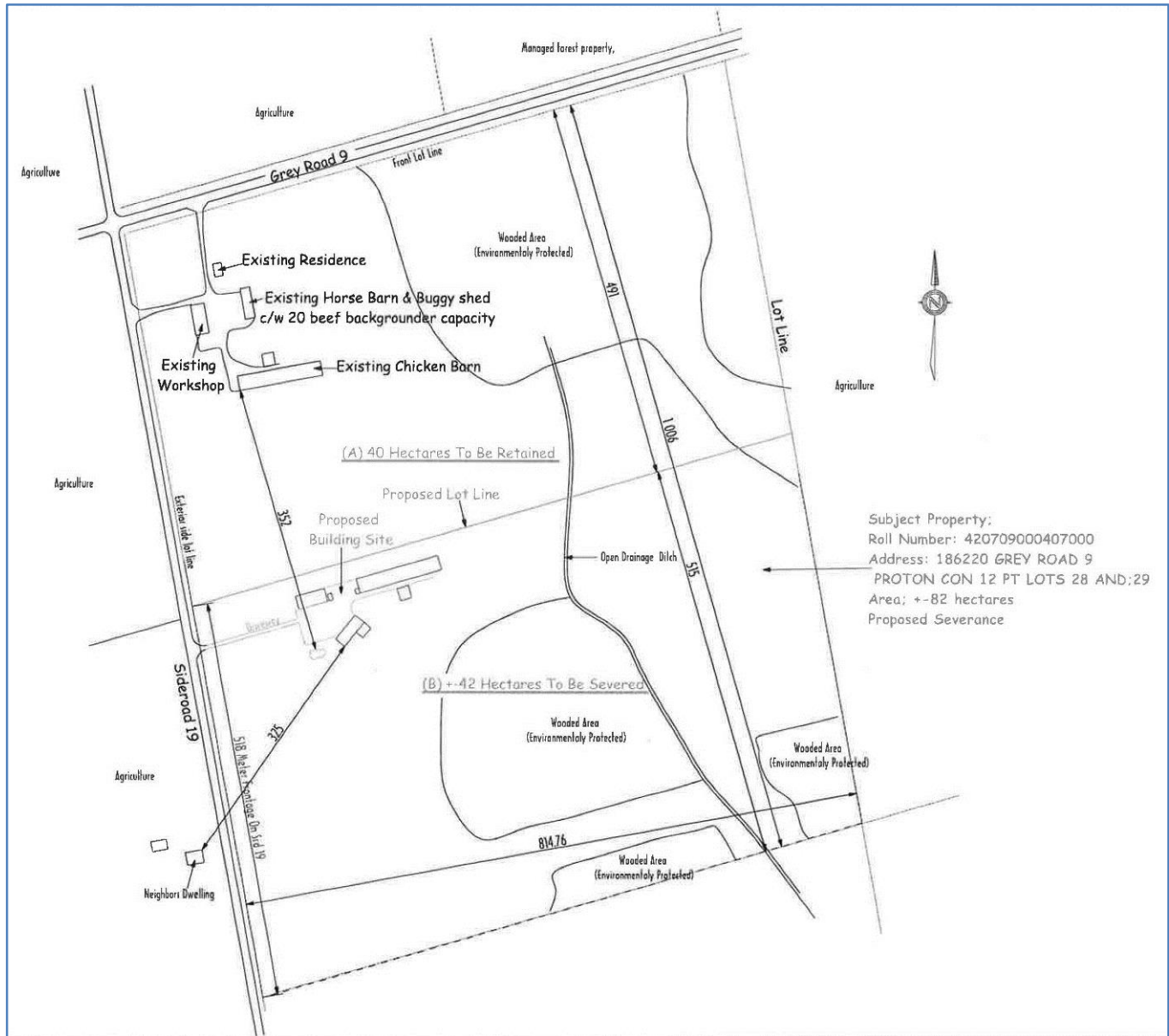
Attachment 'A' County GIS Air Photo

Grey Official Plan map

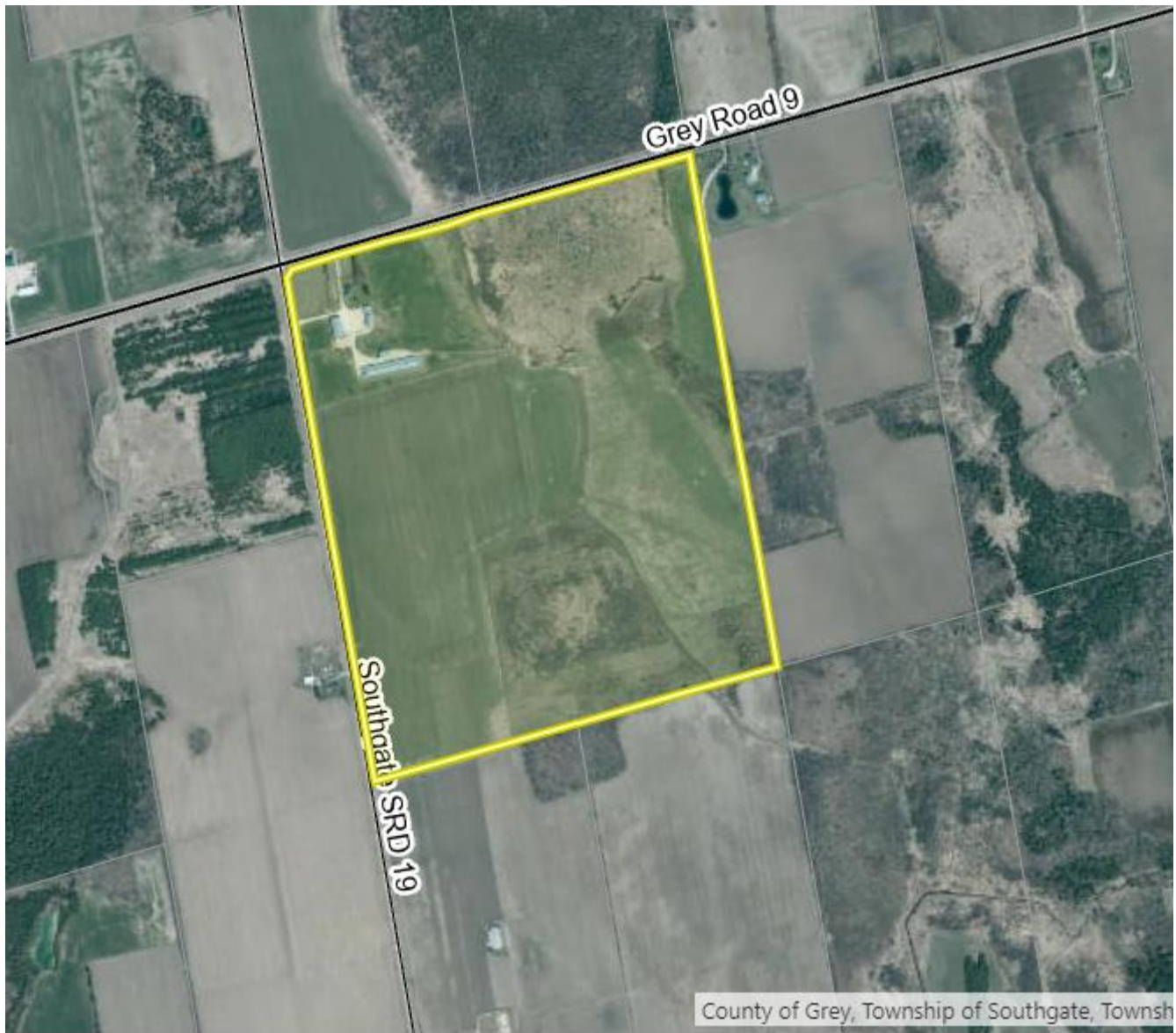
Southgate Official Plan map

Southgate Zoning map

Schedule A



ATTACHMENT 'A'



County GIS Air Photo



Grey County Official Plan (Agriculture, Hazard)



Southgate Official Plan (Agriculture, Hazard)



Southgate Zoning (A1, A1-394, EP)