



Report To:	Township of Southgate Council
Meeting Date:	2024-12-18
Report Number:	PL2024-107
Title:	Removal of Holding Provision, Trustees of the Old Order Mennonite Conference, 144668 Southgate Road 14
Open/Closed Session:	Open Session
Prepared By:	Bill White MCIP RPP Triton Engineering Senior Planning Consultant
Approved By:	Kenneth Melanson, MCIP, RPP Senior Manager of Development & Community Services

Executive Summary:

An application has been submitted to pass a by-law to remove holding provisions for a proposed Meeting House and cemetery rezoned through [By-law 2023-038](#), having met the following conditions:

1. Execution of site plan agreement.
2. Preparation of an Archeological Study to the satisfaction of the Township.

Removing the holding provision allows building permits to be issued so long as terms in the site plan agreement, zoning by-law regulations and Building Code are met.

Recommendation:

Be it resolved that Staff report PL2024-107 regarding Application to Remove Holding Provisions in Zoning By-law Amendment 2023-038 Trustees of the Old Order Mennonite Conference, 144668 Southgate Road 14 is received for information; and

That Council consider the conditions related to the placing of the holding zone in By-law 2024-038 being met, and

That Council consider By-law 2024-151 to remove the holding provision for lands in the Community Facilities (CF) Zone.

Reasons for Recommendation:

1. The application to remove holding provisions in [By-law 2023-038](#) has regard to provincial interest and requirements in the [Ontario Planning Act](#), and is consistent with [Provincial Planning Statement 2024](#).
2. Removal of the holding provision complies with policies in the Township Official Plan and Grey County Official Plan.
3. The following conditions in Zoning [By-law 2023-038](#) have been met:
 - a) A Site Plan Agreement has been signed by the Owner and an undertaking provided by the Township Legal Counsel to register the agreement received (see Site Plan Drawings **Attachment 1**).
 - b) The Phase 1 and 2 Archeological Study received is acceptable to the Township. Conditions in the original rezoning by-law (see **Attachment 2**) have been met so Council is authorized to pass the by-law to remove holding provisions.

Proposal:

Loft Planning has provided advice to the applicant throughout the rezoning and severance process that started over two years ago. The most recent severance [File B11/23](#) created easements for shared access outlined in [Loft Planning's Presentation](#) at the November 22, 2023 Committee of Adjustment meeting. Conditions of the severance are met and deeds creating the subject parcel and easements approved by the Secretary Treasurer.

The applicant asks that Council consider executing the site plan agreement at the December 18, 2024 meeting and after that by-law is passed consider removing the holding provisions outlined in Zoning [By-law 2023-038](#). A Solicitor's Undertaking has been provided to register the site plan agreement immediately upon signature by the Mayor and Clerk.

A Stage 1-2 Archeological Report and Stage 2 and 3 Cemetery Boundary Investigation have been completed and filed with the appropriate Provincial Authorities and First Nations.

Background/Site Context:

The subject property has 165 metres frontage on Southgate Road 14, 11206 square metres lot area and is triangular in shape. An easement established through severance [File B11/23](#) provides driveway access west of the proposed Meeting House (see Attachment 1). [By-law 2023-038](#) rezoned the lands Communities Facilities to permit the meeting house. A zoning analysis was completed to confirm the site plan meets requirements in the CF Zone

Archeological Report and Cemetery Boundary Investigation were prepared under the guidance of the Ministry of Citizenship and Multiculturalism and the Bereavement Authority of Ontario and is in keeping with applicable standards and guidelines. Staff has reviewed the studies and note:

1. The Stage 2 Archeological Study did not document archeological resources on-site but recommended the Cemetery Boundary Investigate due to the possibility that remains, or similar cemetery features may encroach beyond the boundaries of the historic Mount Zion Methodist Cemetery.
2. The subsequent Cemetery Boundary Investigation determined that "no artifacts, grave shafts, or cultural features within the eastern and western unforested sections of the cemetery" were found. The Investigation contains a protocol if any remains are unearthed during construction of the project.

Application Review: Planning Act – Provincial Interest:

Provincial interest in Section 2(h) of the [Ontario Planning Act](#) promotes protection of agricultural resources, conservation of significant archeological features, and provision of adequate cultural facilities. The application *has regard to* provincial interests.

Application Review – Provincial Policy Statement (PPS 2024):

The application is *consistent with* the [Provincial Planning Statement 2024](#) including Section 2.5.1 (f) encouraging health integrated and viable rural areas by leveraging historic and cultural assets and 2.6.1 (f) permitting cemeteries on rural lands.

Application Review – County of Grey Official Plan:

The site is designated Rural and Hazard in the County Official Plan which promotes a variety of residential development densities. The application *complies with* the County Official Plan

Application Review – Southgate Township Official Plan:

[Schedule A Map 1](#) in [Township Official Plan](#) designates the applicant’s lands Residential and Hazard. The application *complies with* the [Township Official Plan](#).

Application Review - Southgate Zoning By-law:

The [Township Zoning By-law](#) was amended through [By-law 2023-038](#) which zones the lands holding Community Facilities (CF).

Application Circulation and Public Comments:

Notice of Council's intention to pass a by-law to remove holding provisions no earlier than December 18, 2024, was given as required by the [Ontario Planning Act](#). A public meeting is not required and the decision on passing a by-law cannot be appealed except by the applicant. Due to the postal strike notice was posted on the Township website as permitted by Section 8(2.1) of [Ontario Regulation 545/06](#). As a courtesy a notice was also placed on a sign on-site.

Conclusion:

A site plan agreement has been signed to permit the proposed meeting house on the subject lands, and a solicitor’s undertaking to register the agreement received. This binds legal counsel to registering the site plan agreement as required. The Archeological Study and subsequent Cemetery Boundary Investigation do not identify any artifacts or resources on the subject lands and have a procedure in place should anything be discovered during construction. It is recommended Council approve By-law 2024-151 to remove the holding provision on the Community Facilities (CF) applicable to the site.

Link to Township of Southgate Strategic Plan:

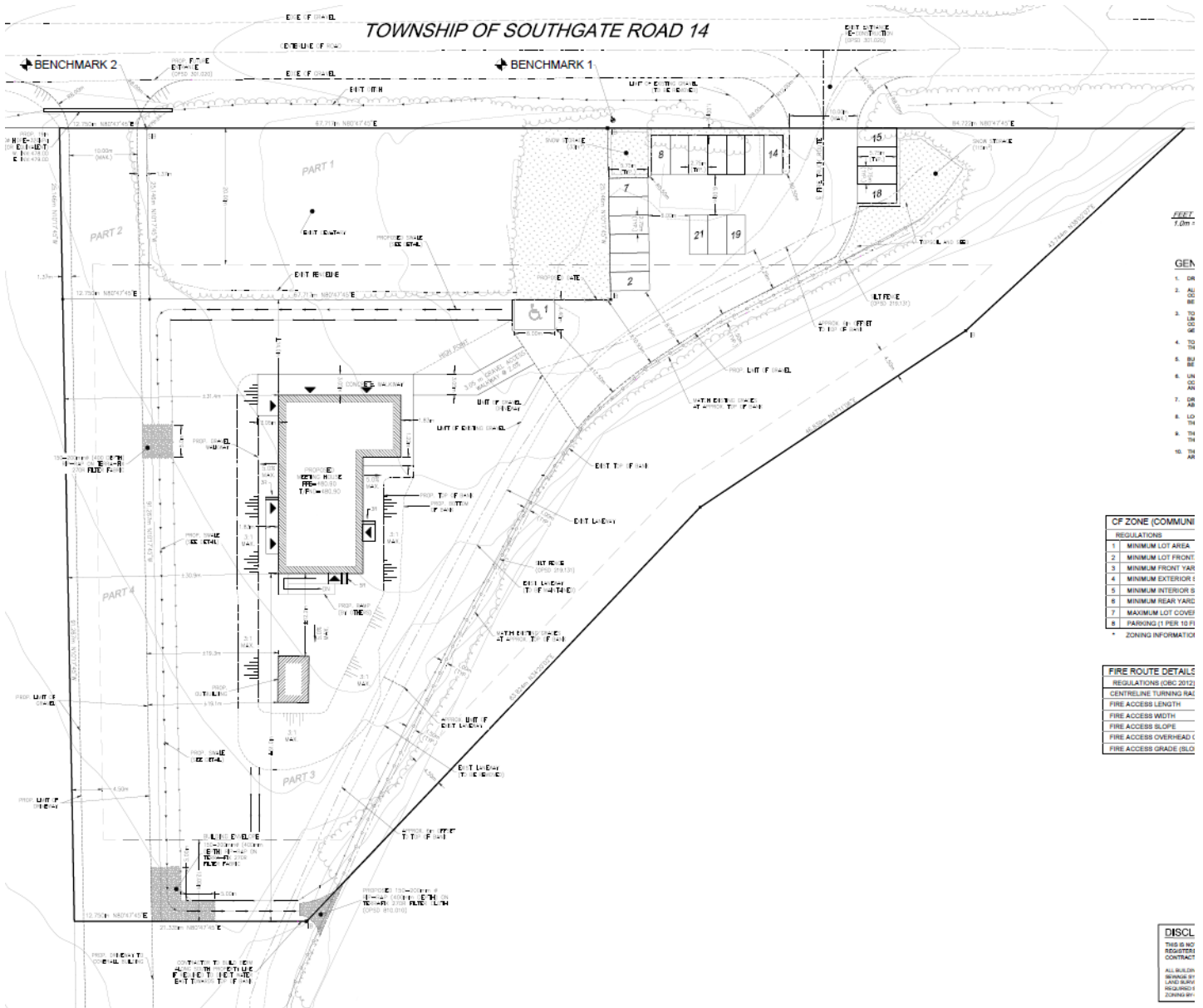
The proposed by-law meets Objectives of the Township Strategic Plan supporting streamlined approval procedures.

Attachment(s):

Attachment 1 – Site Plan

Attachment 2 – Conditions to Remove Holding [By-law 2023-038](#)

Attachment 1 – Site Plan



Attachment 2 – Conditions to Remove Holding Provisions in [By-law 2023-038](#)

2. Holding Symbol (CF-H)

The use of the lands, buildings or structures shall not be permitted until such time as a Holding Symbol (H) is removed.

The Holding Symbol (H) shall not be removed until the following requirements have been met:

- i) That a Site Plan Agreement has been entered into with the Township and registered on title to the land for the development of the site.
- ii) That an Archaeological Study is prepared to the satisfaction of the Township of Southgate.