



<b>Report To:</b>	Committee of Adjustment
<b>Meeting Date:</b>	2025-02-26
<b>Report Number:</b>	PL2025-019
<b>Title:</b>	Application Minor Variance A1-25, Wendy and Eppe Bos, 085351 Grey Road 14, Concession 5, Lot 11
<b>Open/Closed Session:</b>	Open Session
<b>Prepared By:</b>	Victoria Mance, Junior Planner
<b>Reviewed By:</b>	Bill White, MCIP, RPP Triton Engineering Senior Planning Consultant
<b>Approved By:</b>	Kenneth Melanson, RPP, MCIP Director, Development & Community Services

**Executive Summary:**

The applicant is requesting permission to expand a non-conforming use under Section 5.20(b) of the Zoning By-law with a reduced setback from the Wetland Zone (Section 5.25). The existing home appears to be entirely within the Environmental Protection (EP) zone. The expansion would allow a 63 square metre addition to the existing residential dwelling.

The proposal is desirable for the development and complies with Section 7.4(c) of the Township Official Plan (OP):

- The proposed expansion will not make the non-conforming nature worse,
- The addition is appropriate in proportion to the size of the existing use,
- Minimal Impact is anticipated in term of noise, lighting, parking and traffic, and
- Setbacks and separation from nearby uses are appropriate including environmental issues addressed through a permit from the Saugeen Valley Conservation Authority (SVCA).

The permission to expand a non-conforming use proposed represents desirable development of the lands and maintains the intent and purpose of the Township OP and Zoning By-law.

**Recommendation:**

**Be it resolved that** Staff Report PL2025-019 regarding Minor Variance File A1-25 to expand a non-conforming use under Section 5.30(b) of the Zoning By-law by Wendy and Eppe Bos for 085351 Grey Road 14 be received for information; and

**That** Committee approve Minor Variance A1-25 to reduce the required 120 metre distance from areas zoned as Wetland Protection Zone (W) to allow a 63 square metre addition to the existing dwelling that includes a secondary apartment subject to the following conditions;

**That** remaining provisions of the Agricultural-1 Zone and other applicable sections of the Zoning By-law met; and

**That** conditions of any permit obtained from the Saugeen Valley Conservation Authority are met.

**Reasons for Recommendation:**

The application *has regard to* provincial interest and requirements of the [Ontario Planning Act](#). The proposal *is consistent with* [Provincial Planning Statement 2024](#) meets the tests for such applications in Section 7.4 in the Township OP as it would enable a residential expansion with an

acceptable setback from a Wetland Zone required under Section 5.25 of the Zoning By-law, meets all other setbacks in the Agricultural-1 Zone, and meets applicable requirements of the SVCA.

**Proposal:**

The proposal is for a 63 square metre, 1 storey additional residential unit (ARU), attached to the main dwelling through an entranceway/breezeway with its own separate entrance. The entire existing home and proposed addition are within the EP Zone (see **Attachment 1**). The applicant requests permission to expand the non-conforming use with a reduced setback from the Wetland Zone (W). The buildable area on-site is limited by the SVCA Screening Area (**Attachment 3**) who issued a permit for the proposed addition.

During pre-consultation on the proposed expansion, the applicant was advised of the Wetland Zoning on the property and a required 120 metre setback under Section 5.25 of the Township Zoning By-law. The applicant has provided a [Cover Letter](#) to support the application and demonstrate that the proposed addition is to accommodate family and expand the existing residential use on-site.

**Background/Site Context:**

The subject lands have +/-400 metres frontage on the north side of Grey Road 14, +/- 1 kilometre of depth, 40-hectares in area, and is located north of Grey Road 14 between Grey Road 14 and Southgate Sideroad 07 (see **Attachment 2**). The site contains a 252 square metre existing dwelling and barn, located approximately 381 metres from the front lot line along Grey Road 14. The South Saugeen River flows east to west, north of the residential development. The subject lands are heavily wooded. A vehicle storage area can be seen to the southwest of the residence within a clearing.

Based on County GIS mapping, the A-1 zoned area on-site does not correspond with the location of the existing home on-site (**Attachment 2**). This technically places the home in an EP zone as a non-conforming use.

Adjacent land uses are agricultural (north, south, and west). Heavily wooded areas with Wetlands continue to the north and south. Residential lots are located to the east of the site, with most of the dwellings fronting on to Grey Road 14 running north to south. A Provincially Significant Wetland is mapped along the eastern lot line, continuing into the subject lands through the middle and north to neighbouring lots. The South Saugeen River and the Wetland are within the SVCA Screening Area (see **Attachment 3**).

**Application Review - Planning Act – Provincial Interest:**

Provincial interest in Section 2(b) of the [Ontario Planning Act](#) includes protection of agricultural resources, and Section 2(h) promotes orderly development of safe and healthy communities. Section 2(a) requires protection of ecological systems, natural areas, features and functions. [Section 45 \(2\)](#) empowers the Committee to grant applications to change or expand non-conforming uses.

**Application Review - Provincial Policy Statement (PPS 2024):**

[Provincial Policy Statement 2024](#) Section 2.5 (1) includes that healthy, integrated and viable rural areas should be supported by: “(a) building upon rural character and leveraging rural amenities and assets; (c) accommodating an appropriate range and mix of housing in rural settlement areas; (d) using rural infrastructure and public service facilities efficiently; and conserving biodiversity and considering ecological benefits provided by nature”.

Section 2.6 (1)(c) states that permitted uses on rural lands are “residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services”. Section 2.6 (2) notes that “development that can be sustained by rural service levels should be promoted”. Section 4.1 protects Natural Heritage areas like significant Wetlands and directs development and site alteration away from these areas unless it has been determined that no negative impacts on the natural features or on their ecological functions would occur.

A [permit](#) has been issued by the SVCA following assessment of the property and the proposed development. The proposed development is not located within their screened area. Given the above, the application is consistent with PPS 2024.

**Application Review - County of Grey Official Plan:**

The site is designated Rural, Hazard Lands, and Wetlands in Schedule A Map 2 of the Grey County Official Plan. The Rural designation (Subsection 5.4.1) permits all types, sizes and intensities of agricultural uses and normal farm practices as allowed in the Agricultural designation. Section 5.5.1.2 prohibits development within Provincially Significant Wetlands. Section 7.2 directs development away from Hazard lands impacted by flooding and other natural hazards. County Ecology Staff have determined that the proposed development will be within adjacent lands to the identified natural heritage features and within a previously disturbed area. County Staff advise that the potential impact to this feature would be negligible, and the requirement for an EIS can be waived.

**Application Review - Southgate Township Official Plan:**

[Schedule A](#) in [Township Official Plan](#) designates the applicant’s lands Rural, Hazard Lands, and Wetlands. The Rural designation allows uses in the Agricultural designation and limited non-farm uses. Section 5.4.2.1 allows all types, sizes and intensities of agricultural uses as per Section 5.4.1.1.

The Hazard Lands designation permits agricultural, and conservation uses such as protecting woodlots, and natural areas. Section 5.5.2.2 outlines site alteration policies in the Hazard designation including the need for advice and approval from the appropriate Conservation Authority. Buildings should be non-inhabitable and located where risk to public health and safety is mitigated.

Section 7.4 of the OP deals with non-conforming uses and sets out criteria for which expansion may be considered. The proposed addition complies with the terms of the Official Plan.

**Application Review - Southgate Zoning By-law:**

Schedule 38 of the [Original Zoning By-law Maps](#) in the [Township Zoning By-law](#) places the site in Agricultural-1 (A1), Environmental Protection (EP), and Wetland (W) Zones. The location of the EP and W zone boundaries are shown in **Attachment 3**. Section 5.25 requires a 120-metre setback to any building or structure, “unless an Environmental Impact Study is prepared according to terms of the Township Official Plan”. Staff’s review of the County GIS mapping suggests the A-1 zoned area on-site does not correspond with the existing home on the property which suggests the use is non-conforming under zoning. Given the SVCA review of the site and the identified screening area, the application *maintains the intent and purpose* of the [Township Zoning By-law](#).

**Application Circulation and Public Comments:**

The following comments were received:

Comments from:	Comments received:
<a href="#">Grey County (February 13, 2025)</a>	Formal review of the application has not been undertaken; County Ecology Staff are of the opinion that the potential impact to this feature would be negligible, and the requirement for an EIS can be waived.
<a href="#">Historic Saugeen Metis (February 10, 2025)</a>	No concerns.
<a href="#">Township Public Works Department (February 13, 2025)</a>	Safe access can be provided, no road widening necessary, under Grey County jurisdiction.
<a href="#">Saugeen Valley Conservation Authority (December 5, 2024)</a>	Following a site visit, SVCA determined that the proposed development is not located within the mapped Environmental Protection (EP) zone. The EP zone for the development area does not accurately reflect the natural hazard features and therefore recommend the Hazard Lands be updated to reflect the EP zone. A permit was issued by the SVCA for the proposed development.
Bell Canada, Enbridge Gase, Township Fire Department, Township Building Department, and General Public Comments.	No comments were received at the time of report writing.

**Conclusion:**

The proposed residential expansion *is consistent with* Provincial Policy and the application is necessary to provide relief to the Wetland (W) zone setback and the inaccurate location of the A-1. EP zone on-site. The application *complies with* County and Township OP policies for development within or adjacent to Provincially Significant Wetlands, provided permission is granted from the Conservation Authority. The reduced setback from the Wetland (W) Zone is desirable development of the lands and maintains the intent and purpose of both Official Plans and the Township Zoning By-law.

Section 7.4 of the Township OP addresses non-conforming uses as the expansion to allow an ARU will not make conditions worse since the EP zone is not properly located, is appropriate in size relative to the existing home, has minimal impact on the surrounding built environment since an SVCA permit is issued and appropriate separation from adjacent uses is provided. The proposed residential expansion is occurring outside SVCA mapped areas shown in **Attachment 3**.

**Link to Township of Southgate Strategic Plan:**

Priority: Happy, Healthy Communities

Goal: Goal 7: Improve Access to Housing

Action Item: 7 c). Determine Pathways to Streamline Planning Processes and Approvals for Housing Development in Southgate

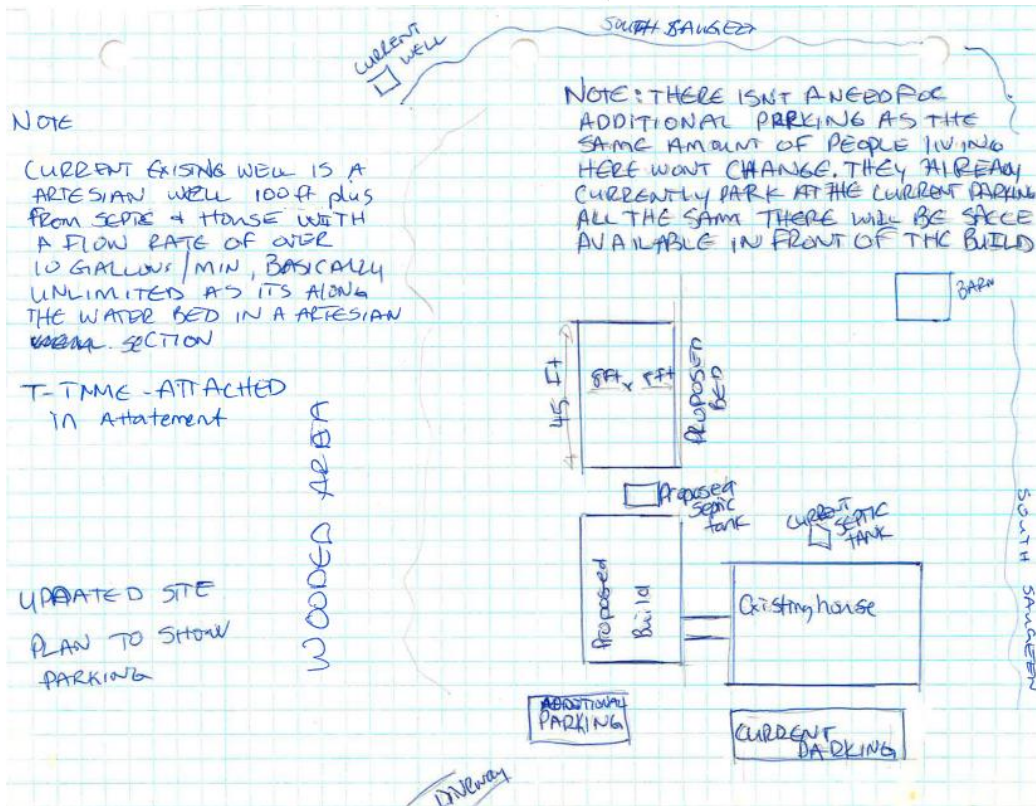
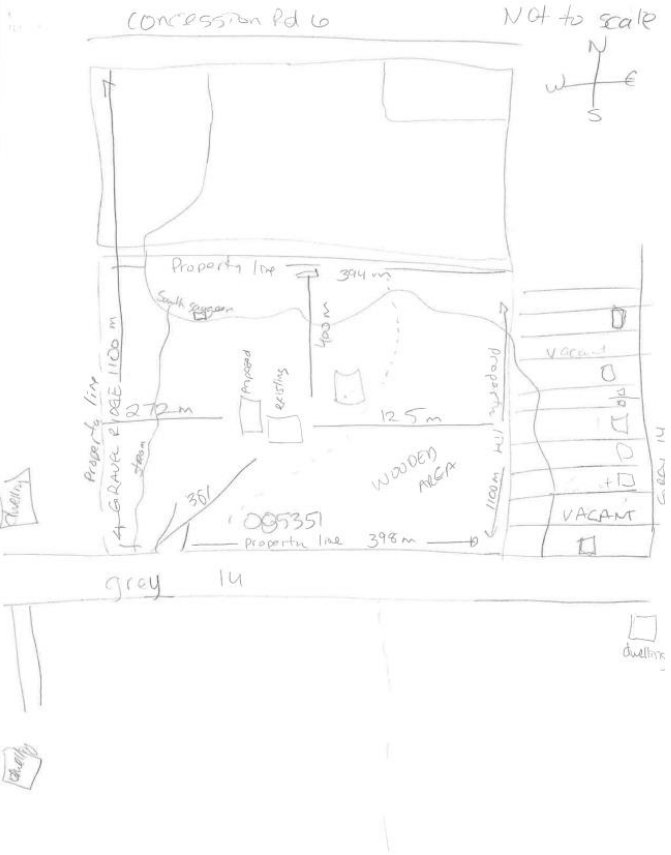
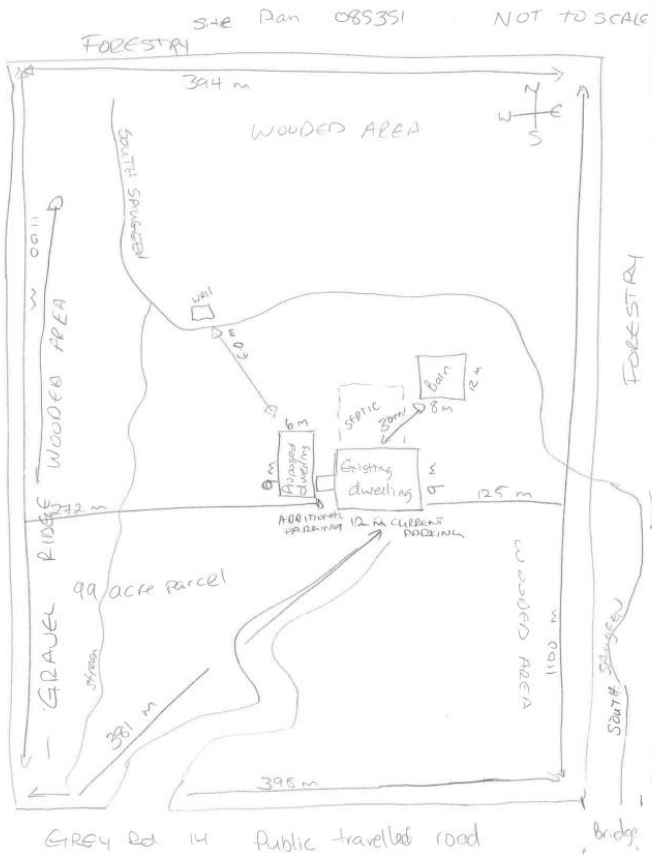
**Attachment(s):**

Attachment 1 – Site Plan & Building Mock-Ups

Attachment 2 – Aerial Photo of Subject Lands & 2023 Google Streetview

Attachment 3 – SVCA Recommended EP Zone Map

# Attachment 1 – Site Plan & Building Mock-Ups





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**Attachment 2 – Aerial Photo of Subject Lands**



### Attachment 3 – SVCA Recommended EP Zone Map

