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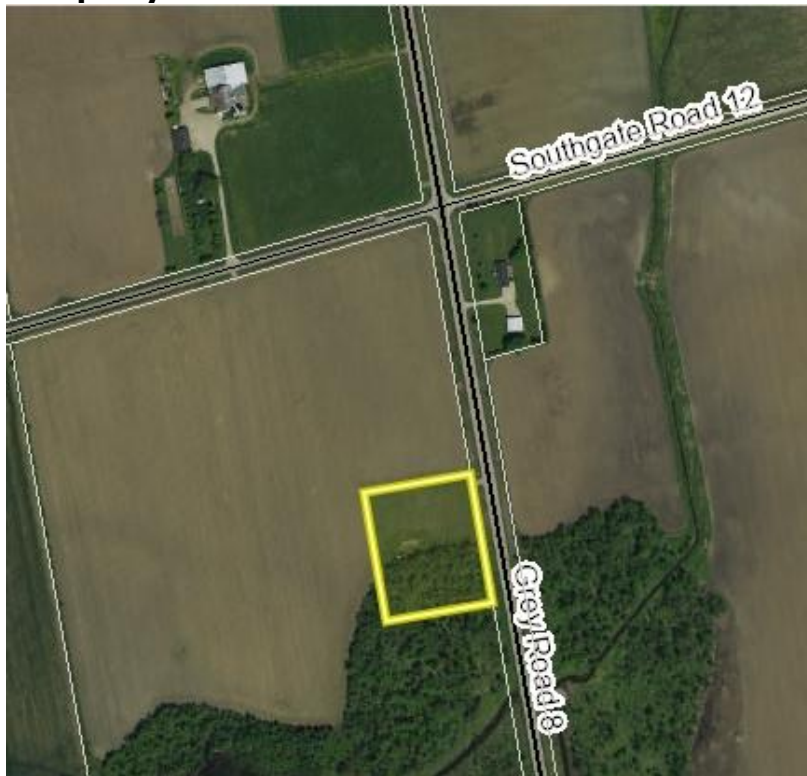
## **Staff Report PL2020-018**

**Title of Report:** PL2020-018-C24-19 Meeting House  
**Department:** Clerks  
**Branch:** Planning Services  
**Council Date:** June 3, 2020

**Recommendation:**

**Be it resolved that** Council receive Staff Report PL2020-018 for information; and  
**That** Council consider the passing of By-law 2020-049.

**Property Location:**



**Subject Lands:**

The subject lands are legally described as Concession 8, Pt Lot 37 RP16R8745 Pt 1 Geographic Township of Proton. They are vacant lands that are approximately three acres in area with approximately 120m of frontage on Grey Road 8.

**The Proposal:**

The purpose of the zoning by-law amendment is to consider a change in use from rural residential (R6) to community facility(CF) to allow for a church, meeting house and cemetery. The effect of the proposed zoning by-law amendment would be to change the zoning symbol on a portion of the property from Residential Type 6 (R6) and Environmental Protection (EP) to Community Facility (CF) and Environmental Protection (EP).

**Background:**

Application C24-19 was submitted to the Township and the particulars of the application can be found at the following link:

<https://www.southgate.ca/en/municipal-services/planning-applications-public-notice.aspx#C24-19-Trustees-of-the-Independent-Old-Order-Mennonite-Church>

A public meeting for the proposal was held on January 15<sup>th</sup>, 2020 at 9am in the Township Council Chambers.

The following comments were received:

The SVCA initially commented that they had concerns with respect to the EIS and issues concerning the erosion control. Through follow up work by the Environmental consultant the SVCA concerns noted have been satisfied.

Building Department notes that a barrier free washroom is required and that a suitable water source is required for fire fighting purposes. An agreement with the abutting farm has been reached to install a water reservoir for fire fighting purposes on that property.

Public Works indicate that the road is an asphalt standard and the jurisdiction of the County of Grey.

Historic Saugeen Metis do not object to the application.

Enbridge Gas does not object to the application.

Bluewater District School Board does not have any comments on this application.

Public Health have provided a sign off letter concerning the proposed cemetery and indicate that the site is suitable for the use.

County of Grey initially had concerns with the road access however through follow up discussions and the closure of one of the entrances their comments were addressed.

**Financial Considerations:**

There are no financial consideration for this report at the present time.

**Staff Review:**

### **Provincial Policy Statement 2020 (PPS):**

The PPS has been reviewed in its entirety however only the most relevant policies have been identified below. The subject land would constitute “a rural” area under the definition of the PPS. The PPS allows for a variety of uses in the rural areas which can be broadly defined to include a small parochial school in the rural area.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature; and
- i) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 2.3.

Comment: The provision of a church and cemetery is an essential part of maintaining the character of rural areas and appropriately uses rural infrastructure.

1.1.4.2 In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural *settlement areas* in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

Comment: While the PPS suggests that settlement areas shall be the focus of growth it does allow for opportunities for limited development in Rural areas.

### **2.3.3 Permitted Uses**

2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

2.3.3.3 New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the *minimum distance separation formulae*.

Comment: The proposed development complies with the MDS information that was provided by the applicant.

### **2.3.6 Non-Agricultural Uses in Prime Agricultural Areas**

2.3.6.1 Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:

- a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*, in accordance with policies 2.4 and 2.5; or
- b) limited non-residential uses, provided that all of the following are demonstrated:
  - 1. the land does not comprise a *specialty crop area*;
  - 2. the proposed use complies with the *minimum distance separation formulae*;
  - 3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and
  - 4. alternative locations have been evaluated, and
    - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
    - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

Comment all of the above criteria have been reviewed and in my opinion the proposed church and cemetery meets the above test. The lands are not specialty crop lands, The proposal meets MDS and there is a need based upon the limited range of the attendees to travel to the school community and there are limited opportunities to locate a church within the nearest settlement area. Also this lot was an existing lot of record that was removed from agriculture use in favour of a rural residential use.

Based on the above it is my opinion that the proposal is consistent with the Provincial Policy Statement.

### **Township Official Plan:**

The Township of Southgate Official Plan (OP) designates the subject lands "Agricultural and Hazard lands".

#### **5.1.1 Permitted Uses**

*5.1.1(vi) limited non-farm land uses (these include social, recreational and institutional uses such as churches, schools, cemeteries, community halls, public uses, airports, receiving and transmission towers and historic sites), where it has been demonstrated that there is a need, there are no reasonable alternatives which avoid the agricultural designation, and there are no reasonable alternative locations with a lower priority ranking under the Canada land inventory and where the land is not improved agricultural land.*

Based on the above the proposed church and cemetery is a permitted use within the agricultural designation subject to meeting the development criteria.

Section 5.1.3 Development Policies (8) and (9) require that an implementing zoning bylaw be passed to regulate the use to address any potential conflicts like noise, safety and MDS concerns. It is also important to note that site Plan control can be applied to the school if required.

The proposal is consistent with the Township Official Plan.

### **Zoning By-law:**

The subject property is currently zoned Residential Type 6 (R6) and Environmental Protection (EP). The proposed amendment would rezone a specific area to permit a church and cemetery to be allowed on the subject lands. The proposed rezoning would zone the property to Community Facility (CF). It is recommended that Site Plan control be required in order to address issues such site layout, location of entrance, and parking. If it is Council's wish a resolution to wave Site Plan control can be brought forward if Council does not feel a site plan is required.

### **Concluding Comments:**

Based on the above review It is my opinion that the Township should approve by-law 2020-048 permitting the Church and Cemetery.

Respectfully Submitted,

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



**CAO Approval:** Original Signed By  
Dave Milliner, CAO

**Attachments:** None.