



Planning and Development

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June 18th, 2024

Elisha Milne
Township of Southgate
185667 Grey Road 9
Dundalk, ON
N0C 1B0

**RE: Minor Variance Application A6-24
Concession 13, Part Lot 33, RP 16R8317 Part 2
Township of Southgate (Geographic Township of Proton)
Roll: 420709000408805
Owner: Allen Bowman (Ventry Acres Inc)
Applicant: Solomon Martin**

Dear Ms. Milne,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to permit construction of a 150 square meter home industry (metal working shop) with 150 square meters of outdoor storage. A two-story house, proposed barn and accessory building would also be constructed on the vacant property. The definition of home industry in Section 3 of the zoning bylaw permits certain occupations accessory to a permitted farm or rural residential use occupying not more than 100 square meters floor area of an accessory building with maximum 200 square meters of outdoor storage. Other home industry rules in the zoning bylaw will be met including signage restrictions, maximum one employee, off street parking and maintaining the character of the property to not create a public nuisance.

Schedule A of the County OP designates the subject lands as 'Agricultural'. Section 5.2.1(1) states,

Permitted uses in the Agricultural land use type include:

c) On-farm diversified uses (See Table 7);

Section 5.2.2 Table 8 states that the on-farm diversified use shall be,

Bed and breakfasts and/or home rural occupations within the dwelling only.

Further, Section 5.2.2(16) of the County OP states,

The gross floor area of the buildings (combined total for all buildings associated with the on-farm diversified uses) shall not exceed 20% of the total area of the on-farm diversified use.

The subject property is approximately 7.8 hectares in size which would permit either a bed and breakfast and/or a home rural occupation within the dwelling. The applicant's proposed use is considered to be a "home industry" and not a "home rural occupation" as defined within the County's Official Plan.

Given the direction of County Council through a previous housekeeping amendment to the County's Official Plan (OPA 11), County staff would suggest that a Minor Variance to expand the size of a home occupation within an accessory structure, on an undersized 'Agricultural' lot, beyond what is currently permitted within the Township's Official Plan and Zoning By-Law, would not meet the direction or intent of the County's Official Plan, as approved by County Council through OPA-11. County Planning staff would therefore recommend that the subject application be refused or that the proposed development be scaled down to meet the Township's Zoning By-law.

Section 5.2.2(5) of the County OP states,

MDS I will generally not be required for on-farm diversified uses, except where a municipality has required MDS to apply in their municipal official plan or zoning by-law.

The proposed on-farm diversified use is permitted within the Agricultural designation. It is recommended that the use conform to MDS, if indicated within the municipality's Zoning By-Law.

Section 5.2.2(20) of the County OP states,

Ministry of the Environment, Conservation and Parks (MECP) D-6 Guidelines, or any successor thereto, shall be considered for any new agricultural-related uses or on-farm diversified uses or an industrial nature in the Agricultural, Special Agricultural, or Rural land use types, to guide the separation of industrial uses from nearby dwellings, institutional uses, or other sensitive non-agricultural uses. Uses which are covered as normal farm practices by the Farming and Food Practices Protection Act (FFPPA) shall not be required to meet the D-6

Guidelines, provided they meet all required Provincial noise, air, water, and wastewater standards.

Municipal staff shall review the applicability of the D-6 Guidelines to the proposed development.

Section 8.9.1(4) of the County OP states,

The following hierarchy of water or sanitary servicing options will be used to evaluate any development applications within the County, except where specific exclusions are made through this Plan or where more detailed policies have been developed in a local official plan or secondary plan. The feasibility of the options will be considered in the following order of priority which will be assessed through a Servicing Options Study in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-5-3 Series Guidelines, or any subsequent update to these Guidelines:

d) Individual on-site sewage services and individual on-site water services in accordance with the policies contained in Section 8.9.1.

From a general planning perspective, it should be ensured that the subject property can safely provide on-site water and sewage servicing.

Schedule A of the County OP indicates that the subject lands contain 'Hazard Lands'. The proposed development is located near the boundary of the Hazard Lands; therefore, County Planning staff recommend receiving comments from the Conservation Authority.

County Planning Ecology staff have reviewed the subject application and have a comment stating,

The subject property contains and/or is adjacent to 'Significant Wildlife Habitat', potential 'Fish Habitat', and a 'Stream'. County staff have reviewed the proposal and based on the site plan, the proposed development will be within adjacent lands to the identified natural heritage features and within a previously disturbed area. As such, it is County staff's opinion that the potential impact to this feature would be negligible, and the requirement for an EIS can be waived. County ecology staff have no concerns with the application. If you have any questions or concerns regarding the above, please reach out to ecology@grey.ca.

Should the applicant seek to injure or destruct trees on lands that extend more than 15 metres from the outer edge of which a Building Permit has been issued, staff recommend consulting the County's Forestry Management By-law <http://grey.ca/forests->

[trails](#). An exemption to the by-law includes the injuring or destruction of trees required in order to install and provide utilities to the construction or use of the building, structure or thing in respect of which a Building Permit has been issued.

County Transportation Services have reviewed the subject application and have no concerns.

County Planning staff recommend that the application be refused or scaled down to meet the direction of the Township's OP and Zoning By-law, as the County Official Plan does not permit home industries on Agricultural lots less than 20 hectares in size, per Council's direction through OPA-11.

County Planning staff would also recommend that it be ensured that D-6 Guidelines can be addressed and positive comments are received from the Conservation Authority regarding the boundary of the Hazard Lands.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours truly,



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