



Planning and Development

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May 7th, 2024

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

**RE: Consent Application B4-24 and Zoning By-law Amendment C10-24
Concession 7 N, Part Lot 1 Gore A RP 16R6693 Part 1 (411361 Southgate
Sideroad 41) (083526 Southgate Road 08)
Township of Southgate (Geographic Township of Egremont)
Roll: 420706000511700
Owner: Edwin and Ellen Bearinger
Applicant: Mark Frey
Agent: Cuesta Planning Consultants**

Dear Ms. Milne,

This correspondence is in response to the above noted applications. We have had an opportunity to review the applications 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 applications is to sever the subject lands to create a lot for the existing Fairbanks Creek School. The proposed severed lot containing the existing school would have about 90 meters frontage on Southgate Road 8, 93 meters of depth and about .84 hectares lot area. The retained lot is irregular in shape and contains a farm residence and outbuildings with 345 meters frontage on Southgate Road 8, 1050 meters depth and 62 hectares lot area. As well as to apply an appropriate zoning to permit the existing Fairbanks Creek School on a proposed severed lot with 90 meters frontage on Southgate Road 8 and 0.84 hectares of lot area. The existing Agriculture 1 Exception 355 zone would be replaced with a special Community Facility to apply to a proposed severed lot to allow for future expansion.

Schedule A of the County OP designates the subject lands as 'Rural'. Section 5.4.3(1) states,

All consents for new lot development shall be no smaller than 0.8 hectares in area, and the maximum lot density shall not be exceeded as outlined in Table 9

below. The lot density is determined based on the original Township lot fabric (i.e. as determined by the original crown survey) and shall be pro-rated up or down based on the size of the original Township lot. Any proposed increase to this maximum lot density will require an amendment to this Plan, and will require justification as to the need for additional Rural lot creation.

Table 9: Permitted Rural Severances based on Original Township Lot Size

Original Township Lot Size (in hectares)	Number of Severances Permitted	Total Lots Permitted including the Severed and the Retained
20	1	2
40	3	4
60	4	5
80	5	6

In order to avoid narrow linear parcels of land, the frontage-to-depth ratio for non-farm sized lots (see Diagram 1 below) shall be a maximum of 1:3 and the lot must conform to the appropriate zoning by-law in reference to minimum lot frontage and other applicable provisions. Justification to go beyond the 1:3 frontage-to-depth ratio shall be justified in a development application, but will not require an amendment to this Plan. In considering whether to pro-rate up or down, the land area must be within 15% of the required maximum to be pro-rated up, otherwise it will be pro-rated down.

The severed lot will be located on an approximately 45-hectare original township lot. Currently, the original township lot contains 1 lot. The creation of an additional lot would meet the County lot density policies. Further, the severed lot would have a lot area greater than 0.8 hectares. The frontage-to-depth ratio for the severed lot is less than 1:3. Therefore, County Planning staff have no concerns.

In addition, Section 5.4.1(2) of the County OP states,

In addition to the uses listed in Section 5.2.1, the following additional uses will be permitted in the Rural land use type:

- f) Institutional uses including cemeteries, churches, or schools.*

The school is existing and is permitted within the Rural designation; therefore, County Planning staff have no concerns.

Section 5.2.2(5) of the County OP states,

New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the Provincial MDS formulae. Municipal comprehensive zoning by-laws shall incorporate Provincial MDS formulae.

Further, Section 5.2.2(5) states,

- j) Institutional uses, including schools, churches, and cemeteries, required by the horse and buggy community, shall be considered a Type A land use for the purposes of calculating MDS.*

MDS calculations were submitted with the subject application and setbacks can be obtained; therefore, County Planning staff have no concerns.

Schedule A of the County OP indicates the subject lands contain 'Hazard Lands'. The proposed severance would be partially located within the Hazard Lands. County Planning staff recommend receiving comments from the Conservation Authority.

Schedule B of the County OP indicates that the subject lands contain 'Aggregate Resource Area'. Section 5.6.2(8) states,

Non-farm sized lot creation of lots less than 20 hectares in size will not be permitted in Aggregate Resource Areas.

The proposed severance is located mostly within the Aggregate Resource Area and is not farm-sized. County Planning staff would also note that while the Aggregate Resource Area is near residential uses and natural heritage features; there are existing pits within Grey County that are adjacent to settlement areas and natural heritage features with appropriate mitigation measures. Based on the above, the proposed severance is not permitted within the Aggregate Resource Area.

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

The subject property contains and/or is adjacent to 'Other Identified Wetlands', 'Significant Woodlands', 'Significant Wildlife Habitat', 'Fish Habitat', and a 'Stream'. Additionally, the property is considered a Significant Groundwater Recharge Area and an area that influences Highly Vulnerable Aquifers. 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 staff recommend any future construction activities maintain a 30-metre setback from Fairbanks Creek, which is considered coldwater fish habitat.

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 Planning staff recommend that the subject application be refused, as non-farm sized lot creation is not permitted within the Aggregate Resource Area.

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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