



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

August 15, 2024

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

Attention: Victoria Mance, Junior Planner

Dear Victoria:

**Re: Applications for Consent and Zoning By-law Amendment
Part Lot 33, Concession 13
Geographic Township of Proton, Township of Southgate
County of Grey
212475 Southgate Sideroad 21
Owner: Dennis and Jackie Groves**

Further to recent pre-consultation discussions involving your office and the County of Grey Planning Department, enclosed please find completed applications for Consent and Zoning By-law Amendment.

To support the submitted applications and assist your office in its evaluation of the proposal, I am providing the following information:

The Proposal:

Dennis and Jackie Groves own a 7.83-hectare parcel of land located along the east side of Southgate Sideroad 21, in the former Township of Proton. Situated near the front of their property is the family residence, a detached garage, and a personal storage building. Please note that the storage building was erected in late 2020 and therefore does not appear on the most recent aerial photograph taken in 2020, but it is shown on the attached severance sketch provided in Figure 1 on this Planning Justification Report.

The rear half (approximately) of the Groves property had been cash-cropped in the past by an area farmer, although no crops have been grown for the last few years. Mr. Groves, however, has since kept the grass/weeds on these land short through yard maintenance.

The new owner of the abutting, vacant 7.83-hectare property will soon be using his own land for agricultural purposes and is hoping to acquire the rear 4.047 hectares of the Groves property for the same purpose. These acquired lands would merge on title with the neighbour's existing parcel. The Groves would retain a 3.78-hectare lot containing their home and accessory buildings. No new lot creation would result from this lot line adjustment.

Approvals Required:

The lot line adjustment requires the approval of a Consent application by the Township's Committee of Adjustment.

Approval of a Zoning By-law Amendment by Township Council is also necessary to reduce the 'minimum lot area' requirement of the 'A1' zone for the retained parcel, as explained below.

Township of Southgate Zoning By-law:

The subject property and the neighbouring parcel were both rezoned to 'A1-99' and 'EP' when these two lots were severed from a larger farm parcel in approximately 2004. The site-specific 'A1-99' zone was established to permit a reduction in the 'minimum lot area' and 'minimum lot frontage' requirements of the 'A1' zone from 40 hectares to 7.5 hectares and from 200 metres to 195 metres, respectively. The current zoning is illustrated on Figure 2 of this Planning Justification Report.

Given that the Groves property will be reduced in size as a result of this lot line adjustment, a further amendment will be required for this retained parcel. A new site-specific zone must be established in this regard, and it should continue to acknowledge the reduced lot frontage. The following wording for the Zoning By-law Amendment is suggested:

Lands within the Agricultural (A1-x) Zone, being Part of Lot 33, Concession 13 (in the former Township of Proton) and shown on Schedule 34, shall be subject to the following zone provisions:

- *Minimum Lot Area:* 3.7 hectares
- *Minimum Lot Frontage:* 195 metres

The expanding neighbour's property will retain the current 'A1-99' zoning. The 'EP' zone for both parcels will remain in effect.

The requested change to Schedule 34 is illustrated on Figure 3 of this Planning Justification Report.

Official Plans:

County of Grey Official Plan:

Schedule A of the County of Grey Official Plan designates the Groves property as 'Agricultural' and 'Hazard Lands'. Whereas about 90% of the retained parcel is designated 'Agricultural', this land designation applies to only approximately 15% of the severed parcel. Please see Figure 4 of this Planning Justification Report.

Permitted uses in both designations include agriculture, although no buildings of any type are permitted in the 'Hazard Lands' designation.

The intent of the 'Agricultural' designation is generally to prohibit non-farm lot creation, with some exceptions, and to keep lots as large as possible to promote viable farming operations. The Official Plan has established a minimum lot area policy of 40 hectares for farm parcels that are designated 'Agricultural'. It is worth noting that the creation of the two lots involved in this lot line adjustment would not be permitted today under the current Official Plan policies.

Section 5.2.3 *Consent Policies* does, however, state the following:

- 2) *Consents may be permitted in the Agricultural land use type may only be permitted for legal or technical reasons.*

The Official Plan provides the following applicable definition:

LEGAL OR TECHNICAL REASONS means severances for purposes such as easements, corrections of deeds, quiet claims, and minor boundary adjustments, which do not result in the creation of a new lot.

In view of the above, the proposed lot line adjustment has merit. Please consider the following:

Both the Groves property and the neighbouring lot benefiting from the land conveyance exist today as 7.83 hectare lots. The rear portion of the Groves property and the majority of this neighbouring parcel were actively farmed until a few years ago, and now no farming activity occurs on either property. Mr. Groves mows the grass/weeds on most of his own property but finds this to be extremely time consuming and a waste of resources. The new owner of the neighbouring property will begin planting crops on his property next year and is hoping to acquire an additional 4.047 hectares from the Groves for the same purpose. Whereas the enlarged parcel will still not, on its own, prove to be a viable farming operation, it will be worthwhile to the landowner. There is obvious merit in having all of the farmland on one property and this arrangement is more in keeping with the intent of the 'Agricultural' policies than the existing situation. It should also be noted that only a small portion of the severed parcel is actually designated 'Agricultural', as most of the lands are situated within the 'Hazard Lands' designation. Moreover, the land conveyance will result in a reduction in the amount of yard maintenance required by Mr. Grove; and whereas this is not an Official Plan consideration, it does lend support to the application from a commonsense perspective.

Please note that a small area in the northwest corner of the severed parcel is identified as 'Significant Woodland' on Appendix B of the Grey County Official Plan. A few trees are located in this area and collectively form part of a larger forested tract that is primarily located on the neighbouring lands. Previous farming activity on the subject property involved cropping around this small, treed area, as evidenced in the aerial photographs provided on the County GIS website (most clearly shown on the 2010 photograph). The farmer acquiring this severed parcel intends to farm in the same manner.

In view of the considerable merit of this application, the proposed lot line adjustment should be deemed to be a minor boundary adjustment and will maintain the intent and purpose of the County Official Plan.

Township of Southgate Official Plan:

The Township's Official Plan is virtually identical to the County Official Plan with regard to the 'Agricultural' and 'Hazard Lands' designations that apply to the subject lands and the policies that pertain to lot creation and lot line adjustments.

Section 5.4.1.3 Consent Policies states (edited for relevancy):

- 4) *Lot line adjustments in the Agricultural land use type may only be permitted for legal or technical reasons unless both the retained parcel and the lot benefitting from the lot line adjustment are 40 hectares in size or greater.*

In a similar manner, Section 7.2.1.2 Severances states the following:

- 2) *Consent applications may also be considered for lot line adjustments, the creation of easements or for other purposes described in Section 50(3) of the Planning Act.*

The Southgate Official Plan contains the following definition:

LEGAL OR TECHNICAL REASONS means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

For the same reasons explained above in terms of why the proposed lot line adjustment should be deemed to conform to the lot line adjustment policies of the Grey County Official Plan, this conveyance should also be considered to be in conformity with Sections 5.1.4.3 4) and 7.2.1.2 2) of the Southgate Official Plan.

On a different matter, the small, treed area located in the northwest corner of the severed parcel is also identified in the local Official Plan (Schedule C) as 'Significant Woodland'. A portion of this same area is also shown as 'Other Wetlands'. Past farming practices have avoided this small area of the property, and this is expected to continue when the neighbouring landowner takes possession of the severed parcel and renews farming operations.

Based on the foregoing, the proposal clearly maintains the intent of the local Official Plan.

Provincial Policy Statement:

The Provincial Policy Statement (PPS) is the basis for the aforementioned policies contained in the County and Township Official Plans pertaining to lot creation and lot line adjustments in prime agricultural areas. Based on the merit provided above, the proposed conveyance is deemed to be consistent with said policies.

The PPS also protect natural heritage features. Provided future farming operations continue to remain outside of the treed area in the northwest corner of the severed parcel, there should be no negative impact on the significant woodland.

In view of the above, the proposal is consistent with the PPS.

Closing Comments:

The proposed lot line adjustment and associated Zoning By-law Amendment conform to the Grey County Official Plan and Township of Southgate Official Plan and are consistent with the Provincial Policy Statement. Therefore, favourable consideration can be given to the approval of these applications.

Given that the benefiting lot was originally established through a formal severance process, that original consent must be cancelled in order for the severed parcel to merge on title with the benefiting lot. In this regard, a cancellation certification and deed for the severed parcel will be submitted simultaneously to the Township for stamping. As a condition of consent, the Township should require the solicitor to provide an undertaking to register the stamped cancellation certificate at the Land Registry Office prior to registering the stamped deed for the lot line adjustment.

Should you require any additional information, please contact the undersigned. On a final note, please contact me to discuss a possible public meeting date before actually scheduling the meeting in order to ensure my availability.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized flourish at the end.

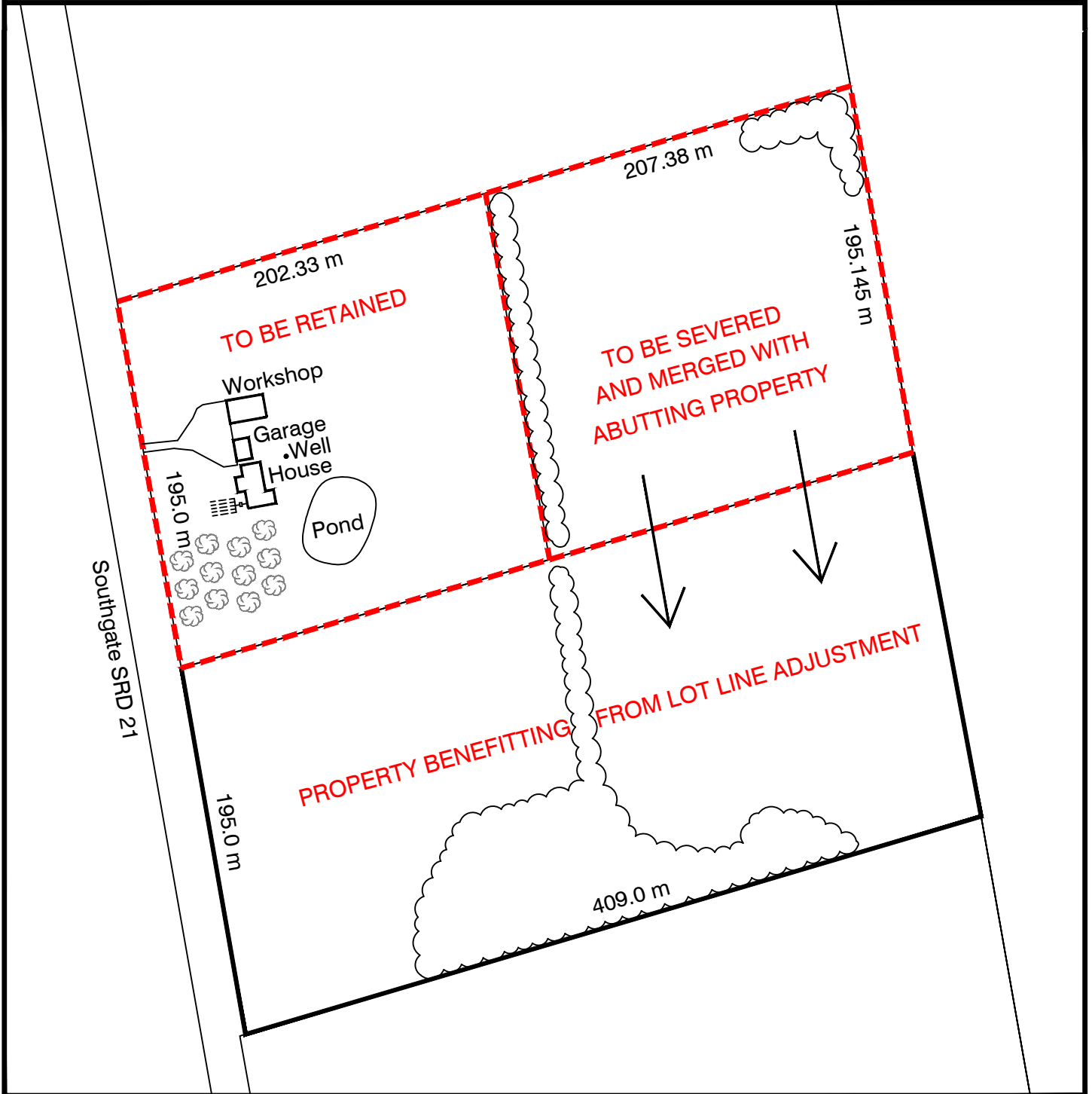
Ron Davidson, BES, RPP, MCIP

c.c. Jackie and Dennis Groves

Figure 1: Proposed Lot Line Adjustment



 Subject Property

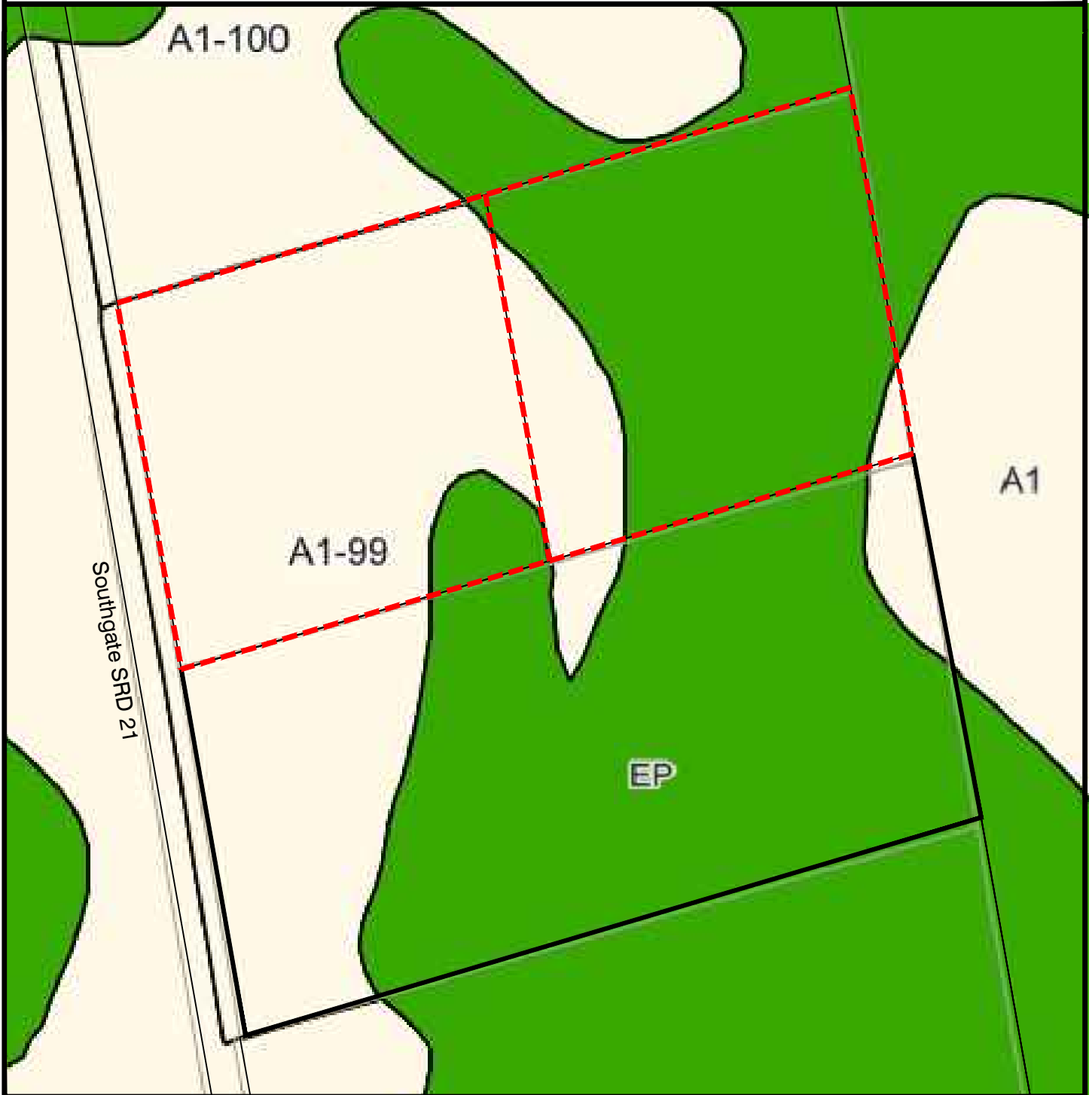


Lot Line Adjustment
212475 Southgate SRD 21
Township of Southgate

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OWEN SOUND, ONTARIO
SCALE 1:3000

Figure 2: Township of Southgate Zoning By-law Schedule A

 Subject property

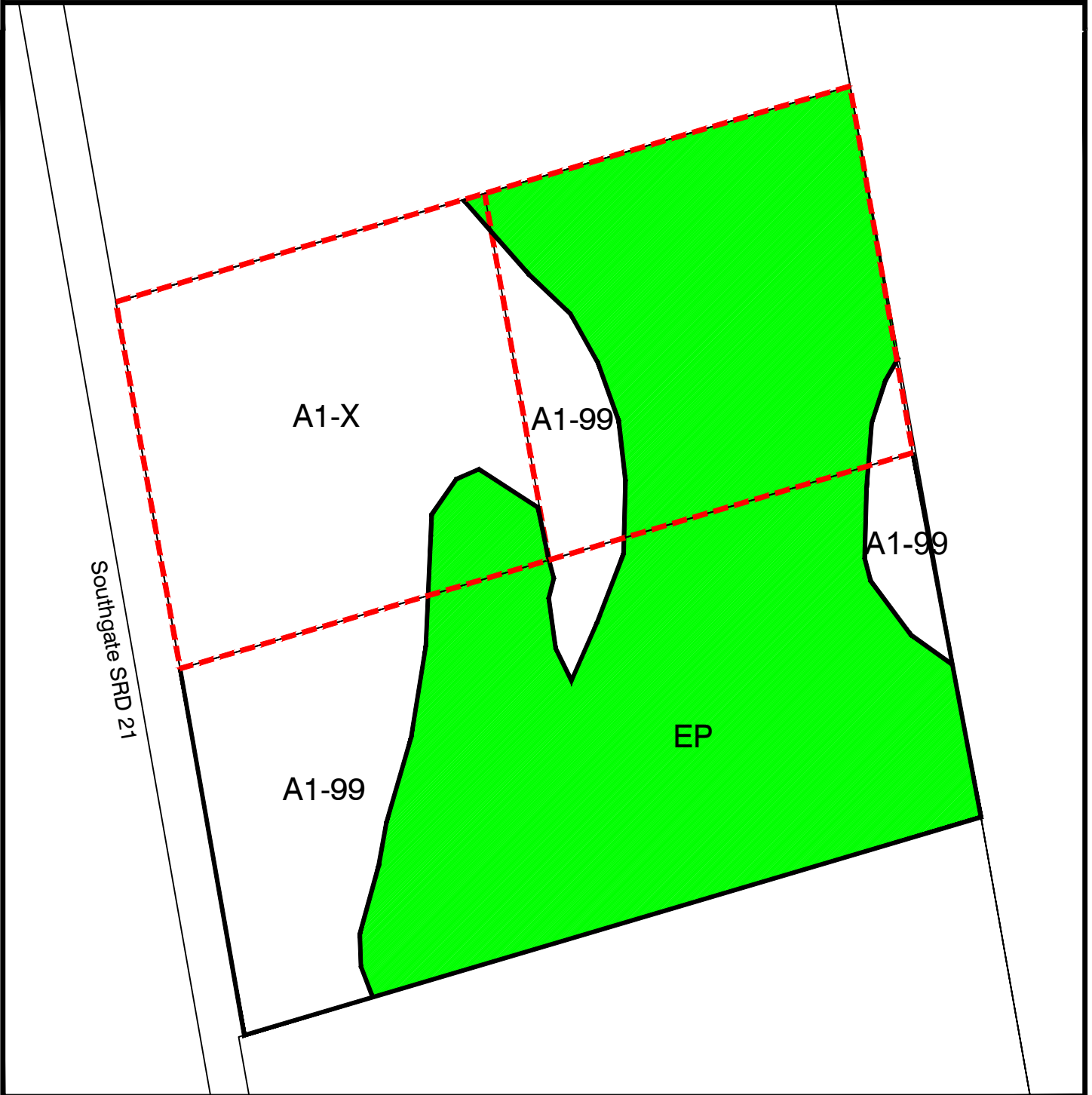


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Figure 3: Proposed Zoning

 Subject property



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Figure 4: County of Grey Official Plan Schedule A



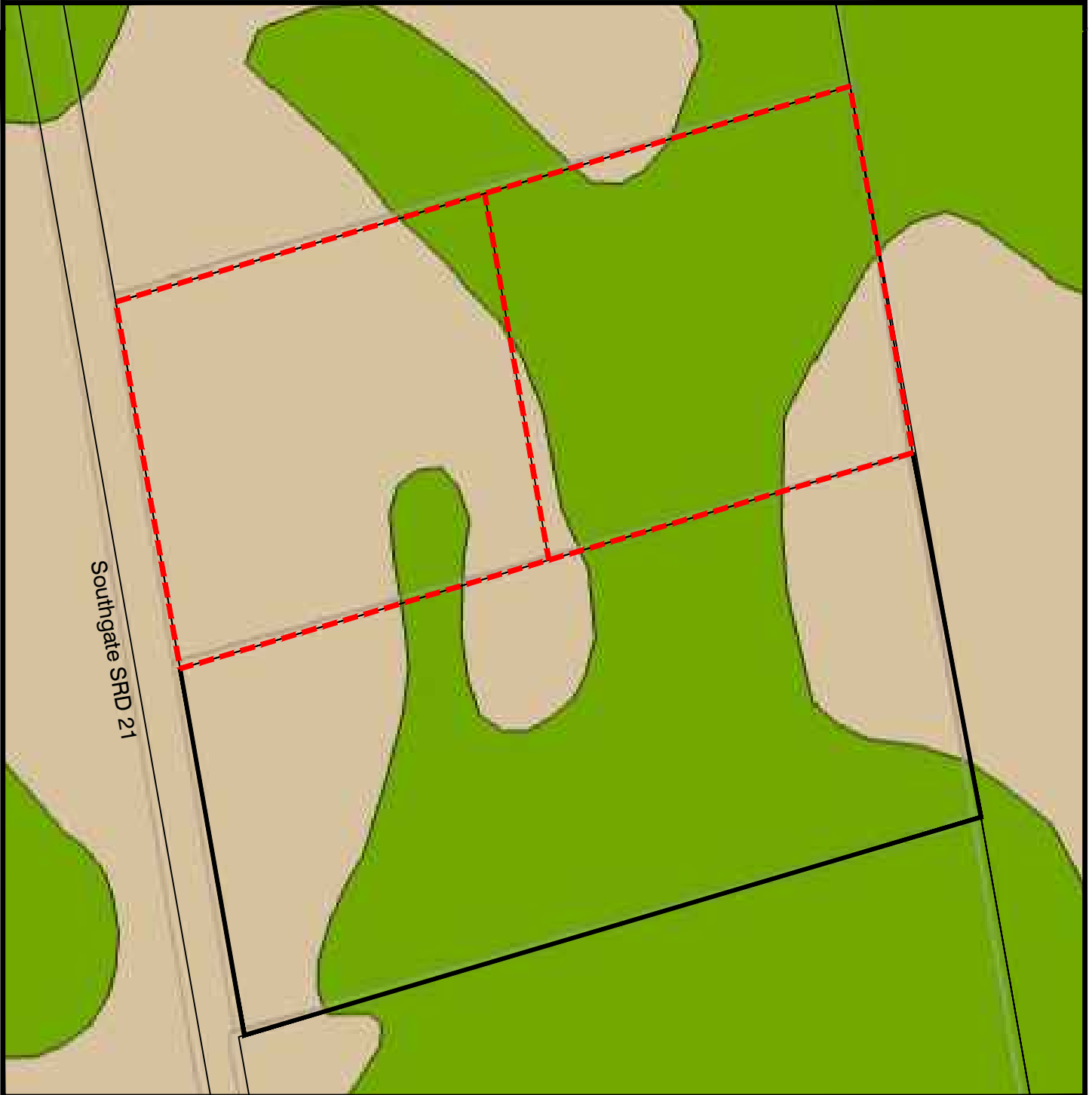
Subject property



Agricultural



Hazard Lands



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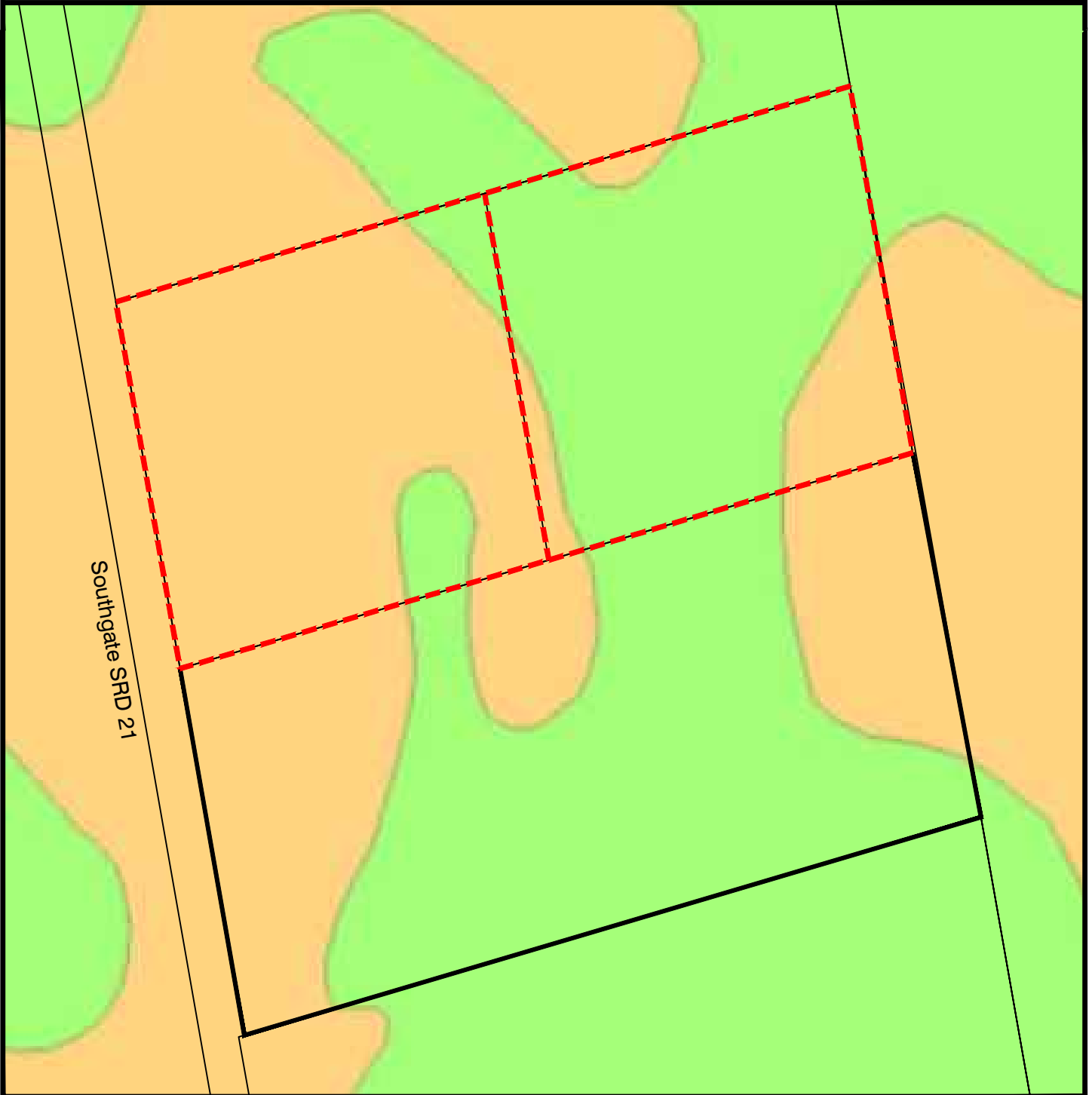
Figure 5: Township of Southgate Official Plan Schedule A



 Subject property

 Agricultural

 Hazard Lands



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