



# Planning and Development

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February 12<sup>th</sup>, 2024

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

**RE: Zoning By-law Amendment C2-24  
Concession 4, Part Lot 38  
Township of Southgate (geographic Township of Proton)  
Roll: 420709000704800  
Owner: J-Fab MFG 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 amend the zoning bylaw to address a condition of Consent Application B8-23 dividing the subject lands into a severed farm parcel on the north part with 18.5 hectares lot area and a retained farm parcel on the south part with 20 hectares lot area when current zoning requires 40 hectares lot area and to permit an On Farm Diversified (Dry Industrial) Use, including Wood Working, Metal Working, and fabricating, manufacture of concrete and related supplies and the like, on the future 18.5 hectare severed farm parcel on the north part of the subject lands. The proposed use including office, lunchroom and power room would occupy up to 750m<sup>2</sup> floor area of a proposed structure with outside storage not to exceed 500m<sup>2</sup>.

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

*Permitted uses in the Agricultural land use type include:*

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

In addition, 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 expansion of the 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 Table 8 states that the on-farm diversified use shall be,

*The lessor of: 2% of the total size of the property, or a maximum combined area of the use of 2,000 square metres.*

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 18.82 hectares in size which would permit a total area of 2,000 square metres to be used for the proposed OFDU, including all parking, loading, buildings, servicing, and outdoor storage. The gross floor area for any structures would be limited to 400 square meters. The applicant's proposed use will cover an area of 2,000 square metres, and the proposed shop would be 750 square metres. The proposed shop does not conform to the County OP. County Planning staff recommend application be deferred until such time that the proposed shop can be reduced to meet the 400 square metre shop size requirement.

Section 5.2.2(19) 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.

Schedule A of the County OP indicates the subject lands contain 'Hazard Lands'. The proposed development would be located outside of the Hazard Lands; therefore, County Planning staff have no concerns.

Schedule A of the County OP indicates the subject lands are within the adjacent lands of 'Provincially Significant Wetlands'. Further, Schedule C of the County OP indicates that the subject lands are within the adjacent lands of 'Core Area'. In addition, Appendix B of the County OP indicates the subject lands contains and/or is adjacent to potential 'Habitat of Threatened or Endangered Species', 'Significant Woodlands', 'Other Identified Wetlands', 'Significant Wildlife Habitat', potential 'Fish Habitat' and a watercourse. County Planning Ecology staff have reviewed the subject application and have a comment stating,

*The property is considered an Intake Protection Zone and Significant Groundwater Recharge Area. In reviewing the proposal, it is County staff's understanding there are previously disturbed areas in the adjacent lands of the features for the proposed lot that may be suitable for development. Any development should maintain a 30-metre setback from the wetland features. Diligent application of sediment and erosion controls (ESCs) is recommended for all future construction activities to minimize the extent of accidental or unavoidable impacts to adjacent wetlands. Prior to the commencement of site works, silt fencing should be applied along the length of directly adjacent natural or naturalized features, and routine inspection/maintenance of the silt fencing should occur throughout construction. It is recommended that ESCs be maintained until vegetation is re-established post-construction. Materials storage on the property (i.e. soil stockpiles) should be located over 30m from wetlands. Material storage areas should be contained with ESCs to avoid potential indirect impacts to natural features onsite. County staff defer ESC to the Conservation Authority provided the Conservation Authority addresses ESC through their permitting process.*

*Provided the above requirements can be addressed, it is Grey County staff's opinion that the impact to natural heritage will be negligible, and the Environmental Impact Study (EIS) can be waived.*

*Please note the applicant is responsible for ensuring the Endangered and Threatened Species policy in the PPS has been appropriately addressed. Regarding the potential Endangered and Threatened Species habitat on the subject property, the following mitigation measures are proposed:*

- *Should any tree cutting be required for development, it should be limited to outside of the bird active nesting season (April 1 to August 31, annually).*
- *If hay is to be harvested from grassland areas, cutting should not occur until after July 15 at the earliest. Waiting until August 1 is preferred, as it will provide more time to ensure that young have fledged and left the nest area.*

*County staff advise of the applicant of the above due to external legislation (Endangered Species Act, 2007). The applicant is advised to contact the Ministry of Environment, Conservation and Parks (MECP) at SAROntario@ontario.ca if further information on endangered and threatened species is required.*

*It is County staff's understanding that the property contains protection areas that are subject to policies of the Source Water Protection Act. As such, the Risk Management Official of Drinking Water Source Protection should be tagged for comments on this application, please contact [rmo@greysauble.on.ca](mailto:rmo@greysauble.on.ca).*

*If you have any questions or concerns regarding the above, please reach out to [ecology@grey.ca](mailto: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 has reviewed the subject application and have a comment stating,

*No road widening is necessary, any future entrances must have an entrance permit approved by the County, and all future buildings must maintain a 75-foot setback from the centre line of the County Right of Way.*

*If site plan approval is required, a 0.3-meter reserve shall be conveyed to the County of Grey along the frontage of the County Road, to prevent future laneway access onto the County Road. This shall be legally conveyed at the expense of the applicant. If site plan approval is required, a daylight triangle, measuring 15.24m shall be conveyed to the County of Grey at the intersection of Grey Road 8 and Southgate Road 8. This shall be legally conveyed at the expense of the applicant.*

County Planning staff recommend that the application be deferred until such time that the proposed shop can meet the 400 square metre shop size requirement. In addition,

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County Planning staff recommend that the County Planning Ecology staff's comments are addressed, an entrance permit is applied for, if one has not already been applied for, and that all buildings maintain a 75-foot setback from the County RoW.

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,

A handwritten signature in black ink that reads "Derek McMurdie". The signature is written in a cursive, slightly slanted style.

Derek McMurdie  
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