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Township of Southgate
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June 27, 2024.

Subject: Cedar Lane (PLAN 815 LOT 4 SUB OF CON 1; EGR LOT 4),
Township of Southgate
Minor Variance to By-Law 19-2002

Introduction

Cuesta Planning Consultants Inc. (CPC) has been retained by Jamie and John Allen to complete the following Planning Justification Brief relative to an application for a minor variance on the lands legally described as PLAN 815 LOT 4 SUB OF CON 1; EGR LOT 4, in the Township of Southgate, in the County of Grey.

The subject lands have a total lot area of $\pm 3116.1\text{m}^2$ and a lot frontage of $\pm 27.4\text{m}$ on Cedar Lane. The lands are presently vacant with woodlands along the centre and western side of the parcel. A watercourse also meanders along the rear of the property. The surrounding land uses are primarily residential with woodlands located directly west of the subject lands (Figure 1).



Figure 1: Site and Surrounding Land Use

The owners are seeking to develop the lands with a one-storey single detached dwelling. The dwelling will be approximately 221.5m² including an attached garage, patio and deck. The single detached dwelling will be privately serviced with a drilled well and septic system.

As the subject lands fall under the regulated area of the Saugeen Valley Conservation Authority (SVCA), a permit will be required prior to construction. The owners have consulted with the SVCA who have approved an application for the proposed development in accordance with the submitted site plan (Figure 2).

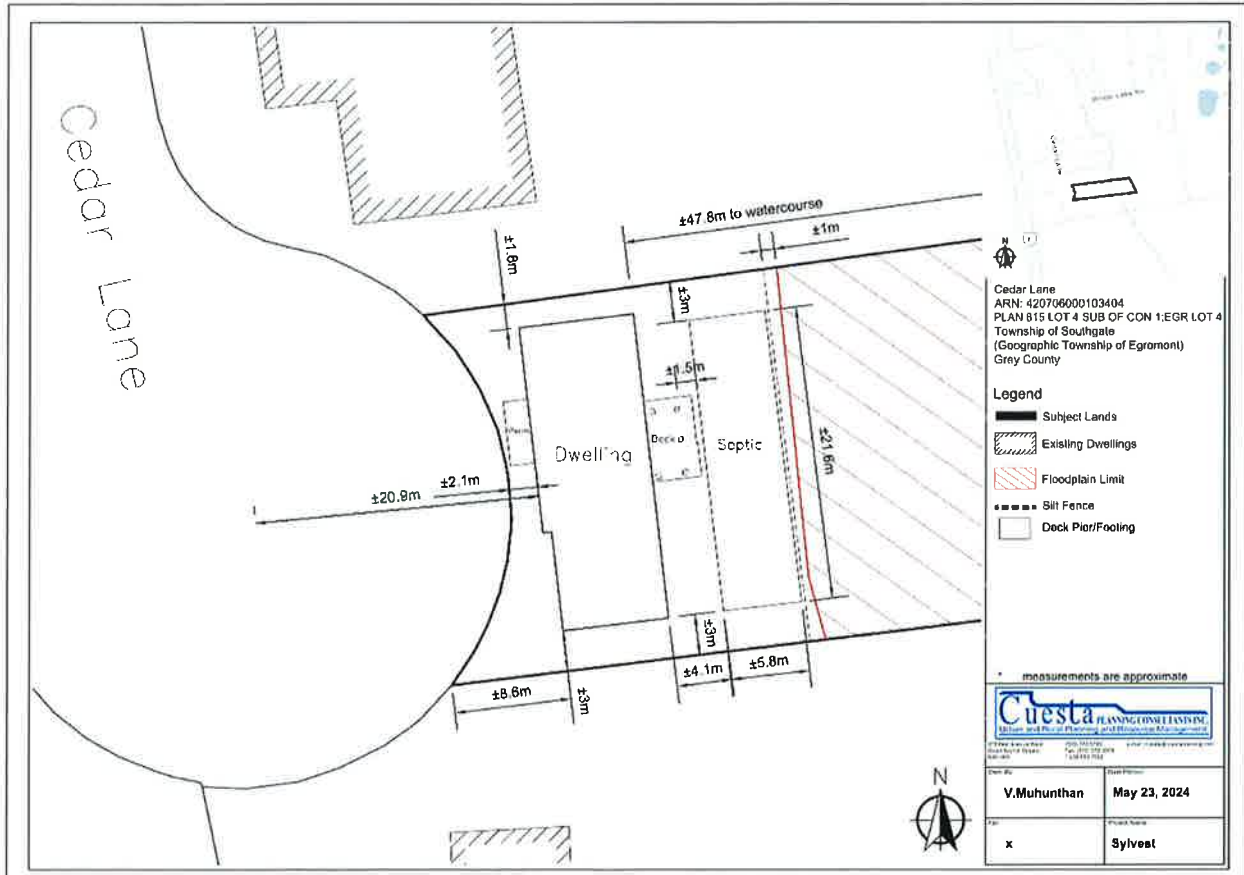


Figure 2: Site Plan - Proposed

The purpose of subject application is to obtain three (3) minor variances in order to permit the proposed development. Relief is required from the minimum front yard and minimum side yard requirements outlined in Section 12 of Zoning By-law 19-2002 for the Residential Type 5 Zone (R5). Specifically, a front yard setback of ±2.1m is being proposed whereas 7.5m is required and a side yard setback of ±1.8 is being proposed whereas 2.0m is required. A minor variance is also required from Section 5.1h) as the patio will encroach ±1.8m into the front yard, whereas a patio can only project a maximum of 1m into the front yard. Therefore relief is required to permit the patio to encroach an additional 0.7m than what is permitted.

Minor Variance - four tests under the Planning Act

As noted in Section 2.1 (5) any decision made by an approval authority shall be consistent with the Provincial Policy Statement (PPS). The proposal meets Sections 1.1.3.1 and 1.1.3.2 of the PPS as a vacant parcel will be developed for residential use. This represents an efficient use of land (infill development) that will promote growth and development within the Varney rural settlement area. The minor variance application can be considered as being consistent with the Provincial Policy Statement.

In addition, the criteria for determining the appropriateness of minor variances outlined in section 45(1) of the Planning Act, have been evaluated below.

Does the minor variance conform to the Official Plan?

The Grey County Official Plan (Recolour Grey) designates the property as Secondary Urban Community and Hazard Lands (Figure 3). The proposed development will be located entirely within the Secondary Urban Community designation. The Secondary Urban Community designation applies to settlement areas with the County that permit low density development on partial or private services for accommodating limited residential growth. Recolour Grey also promotes intensification opportunities within Secondary Urban Communities which includes the development of vacant lands in developed communities.



Figure 3: Recolour Grey – Schedule A (excerpt)

The Township of Southgate Official Plan (TSOP) designates the section of the property pertaining to the proposed development as Village Community (Figure 4). The Village Community designation applies to the Varney settlement area and permits residential uses. The proposed variances conform with the County and local Official Plans as it will

facilitate the development of a single-family dwelling on a vacant parcel in Varney.

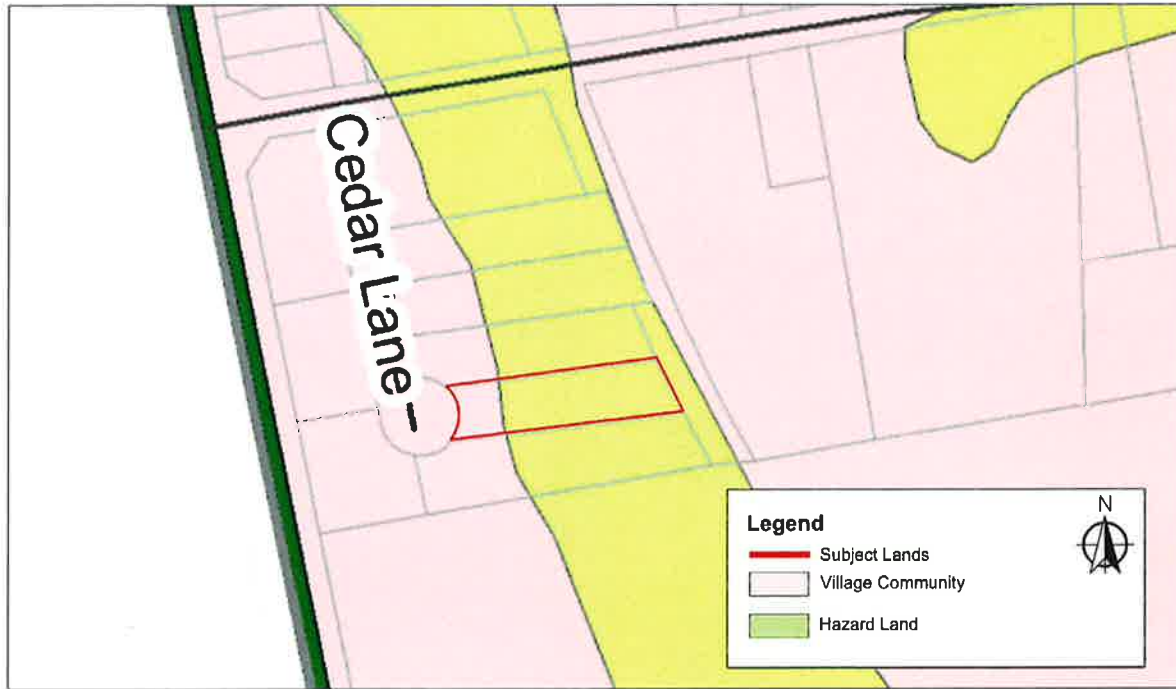


Figure 3: TSOP – Schedule A (excerpt)

Based on the reasons noted above, the proposed variance conforms to the County and local Official Plans.

Does the minor variance conform to the Zoning By-Law?

The subject property is zoned Residential Type 5 (R5) and Environmental Protection (EP) in the Township of Southgate Zoning By-law 19-2002 (Figure 5).



Figure 3: Township of Southgate Zoning By-law 19-2002 – Schedule 2 (excerpt)

The lands zoned EP will not be altered or affected by this application. The R5 zone permits a single detached dwelling on a lot subject to the regulations outlined in Section 12.2 of the Zoning By-law. The proposal contemplates the development of one single detached dwelling on the lot that meets the lot area, lot frontage (legally non-complying), rear yard, height, gross floor area and lot coverage requirements.

Due to the location of the woodlands and floodplain on the property as well as the frontage on the cul-de-sac of Cedar Lane, the developable area on the property is significantly limited. The proposed variances to the front and side yard setbacks will enable the development of a single detached dwelling that is in keeping with the surrounding area.

For the reasons noted above the proposed variance conforms to the zoning by-law.

Is the proposed variance minor in nature?

The proposed variances will enable low density development that will remain in keeping with the surrounding residential parcels. For instance, although a reduction to the front yard from 7.5m to ± 2.1 m is being proposed, the patio and main wall of the dwelling facing Cedar Lane will be setback further than the dwellings located directly north and south of the subject lands. As a result, there will not be any negative visual impact of the development from the street.

Considering the environmental constraints and the lot frontage along the bulb of the street which contribute to significantly reducing the developable area on the property, the proposed variances can be considered as being minor in nature.

Is the proposed variance desirable?

The proposed variances are desirable as they will enable an infill development in a rural settlement area without having to significantly alter the R5 zoning provisions. The reduction to the setbacks and maximum permitted yard encroachments will allow the owners to construct a dwelling in character with the neighbourhood while remaining outside of the significant woodlands and floodplain.

Moreover, the SVCA have reviewed the site plan and have approved the applicant's application to alter a regulated area in order to permit the residential development. Therefore, it can be concluded that the proposal meets the regulatory requirements of the SVCA and that following the approval of the subject minor variance application, an SVCA permit will be issued along with a building permit from the Township.

For the reasons noted above the proposed variance should be considered desirable.

Conclusion

The forgoing analysis has concluded that the subject minor variance application is consistent with the PPS. The four tests under Section 45(1) of the Planning Act determined conformity with the applicable Official Plan and Zoning By-Law and substantiating the minor nature of the application as well as the desirability. Based on the preceding review, the minor variances are appropriate and should be approved.

Regards,

A handwritten signature in blue ink, reading "Genevieve Scott", is written over a horizontal line.

Genevieve Scott

Cuesta Planning Consultants Inc.