



Planning Report

Application for a Zoning By-Law Amendment and Consents to Sever

263597 Southgate Road 26
Concession 22 Part Lot 4
Geographic Township of Egremont
Township of Southgate
Grey County

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Prepared for:
Mr. David Rogers

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PLANNING JUSTIFICATION REPORT

Application for a Zoning By-Law Amendment and Consents to Sever
263597 Southgate Road 26
Concession 22 Part Lot 4
Geographic Township of Egremont
Township of Southgate
County of Grey

1.0 BACKGROUND AND CONTEXT

1.1 Purpose of Report

Cuesta Planning Consultants Inc. (CPC) has been retained by Mr. David Rogers to prepare and process a Zoning By-law Amendment and three (3) Consent to Sever applications on the lands municipally described as 263597 Southgate Road 26 and legally described as Concession 22 Part Lot 4, in the former Township of Egremont, now part of the Township of Southgate, in the County of Grey. Mr. Rogers wishes to establish three lots for single-family residential development.

The following planning report provides a description of the holdings and surrounding land use, as well as an evaluation of the proposal with regard to relevant land use policy. This report will weigh the merits of the proposal according to the Provincial Policy Statement (PPS), Grey County Official Plan (Recolour Grey), the Township of Southgate Official Plan (TSOP) and the Township of Southgate Zoning By-Law 19-2002.

This report and associated applications are intended as well, to satisfy the requirements of Sections 34 (10.1 & 10.2) & 53 (2 & 3) of the Planning Act regarding the submission of a complete application.



Figure 1: Location of Subject Lands

1.2 Background and Description of the Proposal

The applicant and landowner, David Rogers, is seeking three (3) severances on the subject lands, which is a 42.29 hectare parcel, located in the Wilder Lake Settlement Area. The property contains agricultural fields, woodlands and a wetland. Specifically, the location of the proposed residential lots are in the southeastern section of the property, within the heavily wooded area as illustrated in figure 2. The westernmost severance will have an area of 0.43 hectares while the two abutting lots will be slightly larger at 0.46 hectares each. All proposed lots will have a frontage of 50 metres along Southgate Road 26 and a depth of 116 metres as depicted in figure 3 below. There is currently no proposed development concept for the proposed parcels. Any future development proposal will conform to the municipal Zoning By-Law and the Ontario Building Code.



Figure 2: Site Plan – Proposed (Subject Lands)

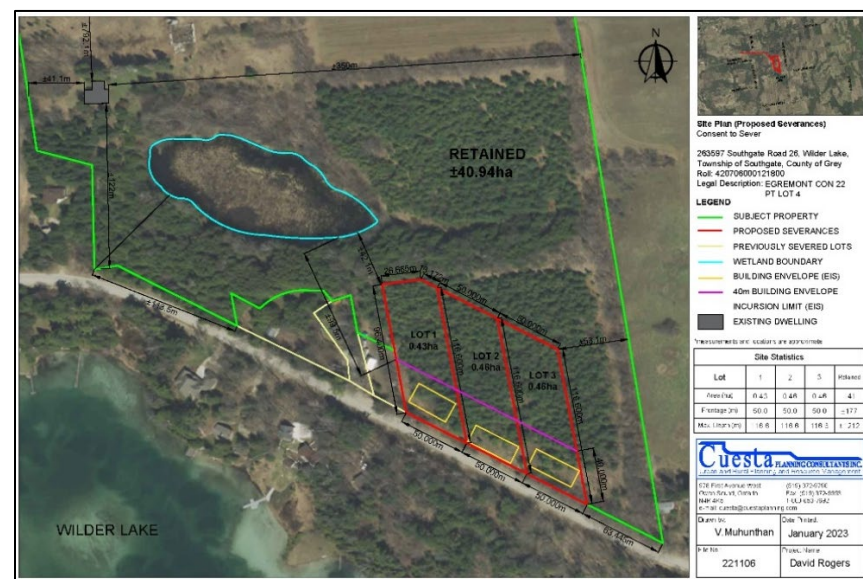


Figure 3: Site Plan – Proposed (Close Up)

1.3 Location, Description of Subject Lands and Surrounding Uses

As previously mentioned, the subject lands are approximately 42 hectares in area and are situated within Wilder Lake Settlement Area. The Durham Settlement Area is located approximately 6.3 kilometres northwest of the subject lands and the Holstein Settlement Area is roughly 10 kilometres to the southwest. The subject parcel is presently used as a recreational residence and hobby farm by the applicant with hay being cropped in the middle-eastern section of the parcel. There will be no change to the existing use as a result of the proposal. The site contains woodlands to the north, west and south and the forested areas in the northern and western sections of the property have been designated as significant woodlands in the Grey County Official Plan. There is also an unevaluated wetland feature and single detached dwelling located to the northwest of the proposed severances.

The surrounding area contains a mix of residential, woodlands and agricultural operations. The proposed lot creation and rezoning will not be in conflict with the nearby uses in the surrounding area as depicted in figure 4 and are described as follows:

North: Directly north are woodlands and Black Lake.

South: Directly south is Southgate Road 26 and a cluster of permanent and seasonal residences that abut Wilder Lake.

East: To the east are a mixture of woodlands, residential and agricultural lots.

West: Directly west is a rural parcel that contains woodlands and wetlands.



Figure 4: Surrounding Land Uses

1.4 Pre-Submission Consultation and Approvals Required

The proponent initiated discussions with CPC staff in August 2021, which included a preliminary review of the proposal. Our review indicated that, in addition to three (3) Consent to Sever applications, a local Official Plan Amendment would be required as three lots would exceed the maximum permitted lot density. Also, a Zoning By-law Amendment would be necessary to rezone the proposed parcels to an appropriate residential zone. Moreover, based on the presence of various natural heritage features on the subject lands, particularly the unevaluated wetland and woodlands on site as well as the proximity to the Wilder Lake, it was anticipated that an Environmental Impact Study would be required. Further, as the subject lands do not have access to full municipal services, it was expected that a Servicing Study which demonstrates the feasibility of implementing private services on the proposed lots.

To confirm complete application requirements, CPC consulted with Township Planning Staff in September 2021. Municipal Planner, Clinton Stredwick, verified that applications for a Township Official Plan Amendment, Zoning By-law Amendment and Consents to Sever would be needed as well as an Environmental Impact Study and Servicing Study.

At the time of pre-submission consultation, the previous Township Official Plan was in effect, which limited the lot creation for lands designated as Inland Lakes to two new lots. The current Township Official Plan, which was adopted on May 24, 2022, no longer regulates lot density for lands within the Inland Lakes designation.

Pre-submission consultation also occurred with the Saugeen Valley Conservation Authority (SVCA) in January 2022. Environmental Planning Technician, Michael Oberle, indicated that the SVCA would not have any objection to the proposed lot creation insofar that the relevant policies related to natural heritage and natural hazard features are addressed. Further, Michael Oberle asserted that sufficient building envelopes be determined for each parcel.

Based on the results of the consultation and a brief review of the applicable land use policy, the following approvals are required.

Table 1: Approvals Required

Application	Approval Authority
<p><u>Zoning By-Law Amendment (ZBA)</u></p> <p>A Zoning By-law Amendment will be required to re-zone the lots to an appropriate residential zone with site-specific regulations to establish the building envelopes as set out in the Scoped</p>	<p>Township of Southgate</p>

Environmental Impact Study. Relief will be required from the minimum frontage provision for the retained lands.	
<p><u>Consents to Sever</u></p> <p>Three (3) Consent to Sever applications are required to create the proposed lots in the southeastern portion of the subject lands.</p>	Township of Southgate

1.5 Background Materials

As indicated in Section 1.4 above, the required studies, in order to consider the application complete, include an Environmental Impact Study and a Servicing Study. The following provides a description of each of the studies including methods of study and findings.

Scoped Environmental Impact Study

SAAR Environmental Limited was retained by the proponent, to complete a Scoped Environmental Impact Study (SEIS) in support of the proposal. The purpose of this SEIS is to identify the extent and location of sensitive areas and opportunities for the three proposed severances from the subject lands for single family residential development, demonstrate no negative impacts to natural features within or adjacent to the proposed development and to ensure compliance with applicable municipal and provincial policies and legislation. The SEIS addressed possible effects of construction and human activity on the natural heritage as defined in the Provincial Policy Statement. Seasonal wildlife inspections took place in order to describe and detail, the natural environment including vegetation, amphibians, reptiles, mammals, birds and invertebrates. Both common and rare habitat and species were analyzed to determine their sensitivity to development with the identification of building envelope locations, development setbacks and recommended mitigation measures.

The SEIS found that with the delineation of building envelopes, which were deliberately outlined within the existing clearing with direct access from Township Road 26; as well as adherence to the mitigation measures and best management practices, will result in the proposal meeting the relevant policy tests for no negative impact. The building envelopes ensure that the on-site wetland remains undisturbed and the mitigation measures enable the conservation of the natural heritage features by specifying timing windows during development in order to avoid intruding into peak wildlife mating periods as well as creating conditions, such as maintaining night sky protocols to accommodate wildlife.

With respect to impact on Wilder Lake, it was determined that there is no drainage feature or connection from the Site to the Lake within the area of the proposed severances and it is expected therefore, that there will be no impact to the Lake.

Preliminary Hydrogeological Feasibility Assessment

GM BluePlan Engineering Limited (GMBP) was retained by the proponent, to complete a Preliminary Hydrogeological Feasibility Assessment (Servicing Study) in support of the proposal. The purpose of the study is to determine the feasibility of private servicing for the proposed lots. To identify the geological setting of the property, GMBP reviewed literature and mapping related to physiography, pedology and geology. The subject lands are situated above the bedrock of the Guelph formation which is known for having a high yield for groundwater supply in the area.

To account for the potential impact of an on-site sewage system on the concentration of nitrate in the local groundwater, GMBP computed the attenuated nitrogen concentration which was estimated to be 5.7 mg/L. The maximum allowable attenuated nitrogen concentration at the property boundary is 10 mg/L, thus it can be considered that the proposed severances can be supported from a hydrogeological perspective. As part of the Servicing Study, GMBP also reviewed local well records and based on their locations, concluded that development on the proposed lots is not expected to have a negative impact on the water quality of surrounding wells.

It was determined that the proposed lot sizes were large enough to construct a Class 4 on-site sewage system that complies with the Ontario Building Code. Specifically, a design sewage flow of 2,000 L/day, which reflects the capacity for a four-bedroom house can be accommodated on each lot. As previously noted, the bedrock found on the property is known for its high yield for a potable supply. GMBP recommended that new water wells be installed a minimum of 15 metres away from the on-site sewage system.

Overall, the results of the Servicing Study concluded that the hydrogeological conditions are suitable for the proposed severances and private servicing systems.

2.0 LAND USE POLICY CONSIDERATIONS

As stated under Section 3 of the Planning Act, all decisions by any authority that affects a land use planning matter, shall be consistent with the Provincial Policy Statement (PPS). On May 1, 2020, the Province of Ontario implemented an updated Provincial Policy Statement. Any decisions made, on or after this date, are to be consistent with the 2020 PPS. The following analysis will evaluate the proposal against applicable PPS policy.

In addition to the Provincial Policy Statement (PPS), the Grey County Official Plan (Recolour Grey), Township of Southgate Official Plan (TSOP) and the Township of Southgate Zoning By-law 19-2002, provide land use policy applicable to the proposal.

2.1 Provincial Policy Statement

Any land use decision must be assessed against the applicable provisions of the PPS. Although the PPS is to be read in its entirety, the following provisions are the most applicable to the consideration of the proposal. The evaluation of the land use policy is shown in italics.

Table 2: Provincial Policy Statement Evaluation

Policy Evaluation
1.0 Building Strong Healthy Communities
1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
1.1.1 Healthy, liveable and safe communities are sustained by:
<u><i>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</i></u>
<i>After the consents are approved the parcels will be assessed separately, providing a modest increase to the property tax revenue for the Township and the County.</i>
<u><i>b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;</i></u>
<i>The proposed severances will add three additional buildable lots to the County and will aid in achieving a range of residential types, in particular single-detached housing.</i>
<u><i>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</i></u>
<i>A Scoped Environmental Impact Study and Servicing Study have been conducted in support of the proposal. It was determined by the aforementioned studies that the proposal, if implemented in accordance with the recommendations of each study, will not result in any environmental or public health and safety concerns.</i>
<u><i>h) promoting development and land use patterns that conserve biodiversity;</i></u>
<i>As noted above, the Scoped Environmental Impact Study sets out recommendations to ensure the conservation of biodiversity on site in relation to the proposed development.</i>
1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development.

The subject lands are located within the Wilder Lake Settlement Area in Southgate. The proposal will facilitate the creation of three lots which will be utilized for residential development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

The proposal represents an appropriate and efficient use of land as it will establish three residential lots within the Wilder Lake Settlement Area without requiring any significant extension to municipal services and infrastructure.

1.1.4 Rural Areas in Municipalities

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

a) building upon rural character, and leveraging rural amenities and assets;

There will be virtually no impact on the rural character of the surrounding area as a result of the zoning by-law amendment and severances. The creation of three residential lots would be in keeping with the uses of the surrounding area and will not affect the rural nature of the retained parcel.

c) accommodating an appropriate range and mix of housing in rural settlement areas;

The proposed severances will allow for new residential parcels in a rural settlement area which will result in three additional residential dwellings that will blend with the neighbourhood. The parcels will be similar in size to those of adjacent parcels.

h) conserving biodiversity and considering the ecological benefits provided by nature;

The Scoped Environmental Impact Study recommended guidelines and mitigation measures that have regard for the ecological benefits provided by natural habitats on the subject property resulting in the conservation of biodiversity ranging from the existing wetland and woodland areas to various animal species.

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

As noted above and elsewhere in this report, the proposal fulfills the intent of the PPS by directing a modest amount of growth to a designated rural settlement area.

2.0 Wise Use and Management of Resources

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

By following the directions and recommendations of the SEIS, the natural features and areas will be protected for the long term.

The on-site wetland and Wilder Lake will not be negatively impacted by the proposal.

2.2 County of Grey Official Plan (Recolour Grey)

The subject lands are designated Rural, Hazard Lands and Inland Lakes & Shoreline in the Grey County Official Plan reflecting the mixture of farmland, woodlands, wetland and proximity to Wilder Lake. The portion of the lands to be developed are entirely within the Inland Lakes & Shoreline designation.

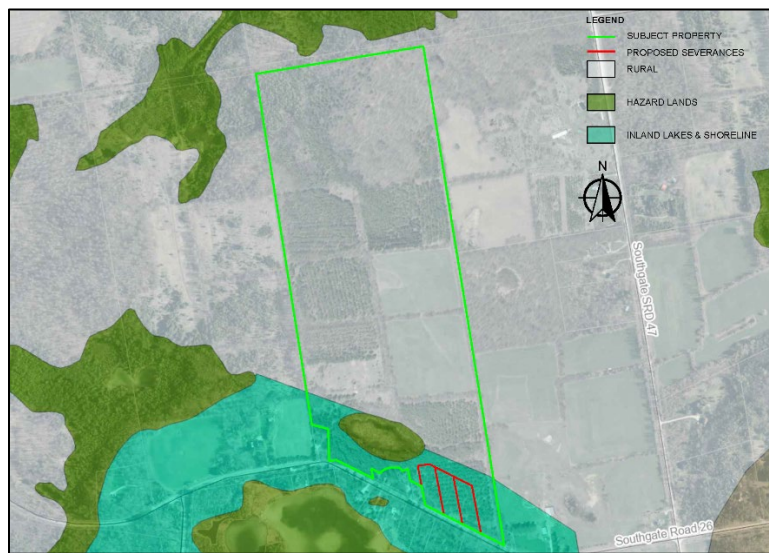


Figure 5: Grey County Official Plan (Excerpt)

Table 3: Grey County Official Plan Evaluation (Recolour Grey)

Policy Evaluation
3 Develop Grey
3.7 Inland Lakes and Shoreline Areas
<u>1) The extensive shorelines within the County have historically attracted significant seasonal residential and related tourism development. More recently, shoreline areas have attracted a greater amount of permanent residential development and /or the conversion of seasonal residences into year-round housing. Historically, shoreline areas have been developed on private individual services on small lots. Ecologically, shorelines perform and contain a variety of natural functions and features, including supporting water quality. They are also important components of the natural heritage system. The ecological sensitivity and importance of shorelines together with the</u>

implications of extensive permanent residential development on the ecological functions of shorelines and the growth management strategies of municipalities needs to be further assessed. The County will work with local municipalities, conservation authorities, and other affected stakeholders to determine the most appropriate management approach for new development within these areas.

The proposal reflects the type of development that is typically associated with the Inland Lakes and Shoreline areas. The establishment of three lots for residential development which will be serviced with private systems without negatively impacting the natural heritage system present on or surrounding the subject lands conforms to the development principles for the Inland Lake and Shoreline areas . The proposal is not out of character for this land use designation.

3) Permitted uses in the Inland Lakes and Shoreline areas must be limited to low-density residential dwellings, bed and breakfast establishments, home occupations, marinas, resource based recreational uses, convenience commercial, and public uses. Any new development will need to address the requirements of the servicing section of this plan, Section 8.9.

The proposal is intended to establish lots for the purposes of single-family residential development. A Servicing Study has been obtained to demonstrate that the proposed lots and use can be sufficiently serviced and in accordance with Section 8.9 of County Official Plan.

2.3 Township of Southgate Official Plan (TSOP)

The Township land use designation for the subject lands mirrors that of the County Official Plan as illustrated in the figure below. The location of the proposed lots falls entirely within the Inland Lakes designation.

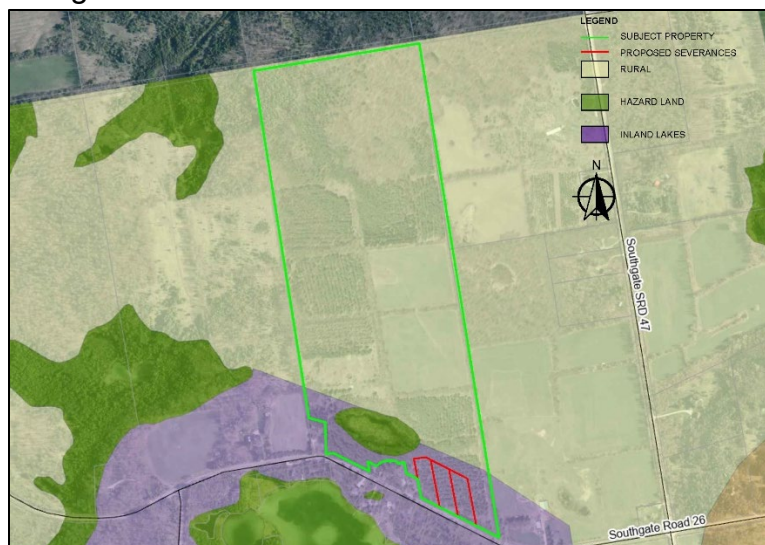


Figure 6: Southgate Official Plan (Excerpt)

Table 4: Southgate Official Plan Evaluation (TSOP)

Policy Evaluation
Section 5: Land Use Designations
5.3.2 Inland Lakes Designation
5.3.2.1 Permitted Uses
<i><u>Permitted uses within the Inland Lakes designation are: low-density residential dwellings; bed and breakfast establishment; home occupations; marina and related uses; resource-based recreation uses; convenience commercial uses; and, public uses.</u></i>
<i>The proposed lots are intended for low-density residential development which is a permitted use.</i>
5.3.2.2 Development Policies
<i><u>1) New development within the Inland Lakes designation will generally be limited to infilling by way of consent application.</u></i>
<i>The proposal meets this Township policy as permission for the establishment of lots for the purposes of new residential development is being sought through the consent application process.</i>
<i><u>3) All new development will be considered on a site-specific basis, and the proposal must have regard for the environmental features in the area.</u></i>
<i>As mentioned, a SEIS was conducted for the purposes of demonstrating that the proposal will have regard for the natural heritage policies of the PPS and the environmental features in the area.</i>
<i><u>4) The proponent of a development shall pre-consult with the Township, Saugeen Valley Conservation Authority and, where applicable, the County to determine the submission requirements for a development application. Such requirements will include an assessment of the impact on the lake where more than two new lots are proposed or where other types of development are proposed and such a study is requested by the Township, Conservation Authority or County.</u></i>
<i>As discussed in Section 1.4 of this report, CPC consulted with the Township and Conservation Authority to determine complete application requirements.</i>

2.4 Township of Southgate Zoning By-law Number 19-2002

The subject lands are zoned as Restricted Agricultural (A2-322) and Environmental Protection (EP) in the Township of Southgate Zoning By-law Number 19-2002 and as depicted in the figure below. The A2 zoning for the property contains a site-specific exception that regulates the minimum lot area.

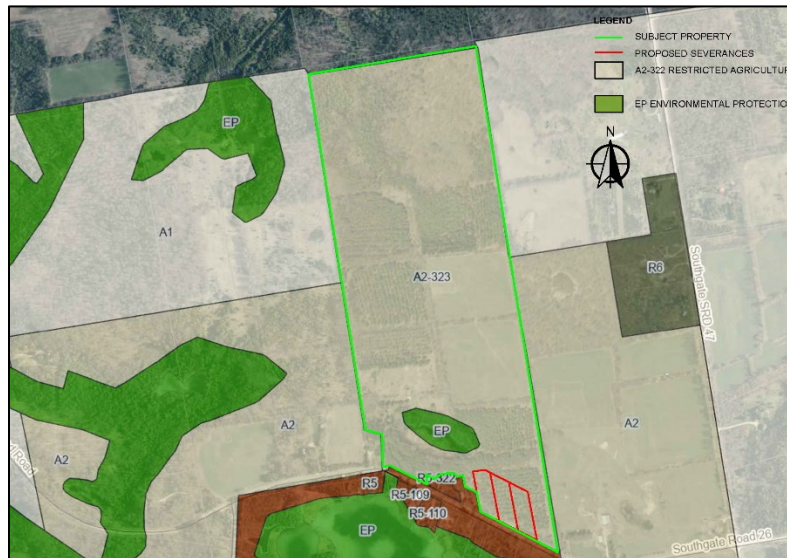


Figure 7: Southgate Zoning (Excerpt)

The intent of this application is to permit the creation of three (3) residential lots from a rural parcel. If approved, the newly configured lots will be rezoned to the appropriate residential zone, which in this case would be the Residential Type 5 Zone (R5) which reflects the zoning of the surrounding residential lots.

Site-specific exceptions for regulating the front yard, rear yard and interior side yard setbacks will be required to implement the building envelopes as set out in the SEIS to ensure sufficient buffering from the on-site wetland as well direct development towards to the small existing clearings along the Township Road 26. In addition, relief is required from the minimum frontage provision for the retained parcel. The required zoning modifications are highlighted in the following table.

Table 5: Proposed Zoning Standards

Provision	Restricted Agriculture (A2-322)	Retained (A2-322)	Residential Type 5 (R5)	Severed Lot 1 (R5-X)	Severed Lots 2-3 (R5-XX)
<i>Minimum Lot Area</i>	39ha	+/- 40.94ha	2000m ²	4300m ²	4600m ²
<i>Minimum Lot Frontage</i>	200m	+/- 177m	30m	50m	50m
<i>Maximum Lot Coverage</i>	7%	+/- 0.06%	35%
<i>Minimum Front Yard</i>	20m	+/- 122m	7.5m	4m	2m
<i>Minimum Side Yard</i>	15m	+/- 41.1m	2m	1.5m	1.5m
<i>Minimum Rear Yard</i>	15m	+/- 792.1m	7.5m	56.4m	76.6m
<i>Maximum Height</i>	2 ½ stories	...	2 ½ stories
<i>Minimum Floor Area</i>	(i) 1 storey house - 90 square metres...		(i) 1 storey house - 90 square metres...		
	(ii) 1 ½ storey/ split level - 105 square metres	...	(ii) 1 ½ storey/ split level - 105 square metres
	(iii) 2-2 ½ storey - 130 square metres		(iii) 2-2 ½ storey - 130 square metres		

3.0 SUMMARY AND CONCLUSIONS

Overall, the proposed lot creation is consistent with the Provincial Policy Statement and is in conformity with the County and Township Official Plans, however a Zoning By-law Amendment will be required to help facilitate the creation of the consents to reflect the provisions of the technical studies.

In consideration of the forgoing analysis, the following can be concluded:

1. The proposal is consistent with the Provincial Policy Statement as it creates additional buildable lots that will not negatively impact natural heritage features and will be located in a rural settlement area.
2. The proposal meets the intent of the Grey County Official Plan and Township of Southgate Official Plan by directing low density residential development that can be privately serviced to a Settlement Area while having regard for the on-site and nearby natural features such as the on-site wetland and Wilder Lake.
3. An amendment to the Township of Southgate Zoning By-law Number 19-2002 is required in order to rezone the proposed severance to the appropriate residential zone as well as to implement a building envelope by modifying the setback provisions to reflect the recommendations of the technical studies. Relief is required for the retained lands to recognize the decrease in frontage.
4. The proposal reflects appropriate rural planning for this area of the County and Township.

Respectfully submitted,



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Approved by Don Scott, MCIP, RPP
Cuesta Planning Consultants Inc.