

Planning and Community Development

Wednesday October 22, 2014 – 9:00 a.m.

The Planning and Community Development Committee met on the above date at the Southgate Township Council Chambers, 185667 Grey Road 9, Hopeville, Ontario with the following members in attendance:

Present: Warden Brian Milne, Chair Arlene Wright, Councillor Norman Jack

Regrets: Councillors Alan Barfoot, Kevin Eccles, Kathi Maskell, Terry McKay, Paul McQueen, Francis Richardson and Duncan McKinlay.

Present: Councillors Pat Franks, Glen Irwin, Dale Pallister, Kim Peeters and Dennis Evans,

Municipal
Staff

Raylene Martell, Clerk and Clint Stredwick, Planner

Present:

Others present: Nolan Moss, Cuesta Planning Consultants and Bruce Fulcher

County Staff

Present: Alisha Buitenhuis, Planner and Monica Scribner, Recording Secretary.

Application for a proposed County Official Plan Amendment and a Zoning By-law Amendment for Lot 19, Part of Lot 20, Concession 1, Township of Southgate (Geographic Township of Egremont) County file Number: 42-07-060-OPA-125

Call to Order

Mayor Brian Milne called the joint public meeting to order at 9:00 a.m.

Mayor Milne introduced and welcomed the County Planning staff.

Chair Arlene Wright called the meeting to order on behalf of the County.

Alisha Buitenhuis read the regulations on behalf of the County and the Township of Southgate.

The purpose of the Joint Public Meeting is to provide an opportunity to discuss a proposal for a County Official Plan Amendment is to re-designate a portion of the subject lands from “Rural” to “Rural with Exception” to permit the severance of one four hectare lot on the subject lands, and discuss a proposal for a Zoning By-law Amendment to allow for a reduced lot area and to prohibit new residential development on the remnant parcel.

As required by Section 17 and 34, of the Planning Act RSO 1990, as amended, Council shall ensure that at least one public meeting is held, notice of which shall be given in the manner and to the persons and public bodies containing in the prescribed information.

In accordance with the *Planning Act* and the implementing Regulations being Ontario Regulation 543/06 and 545/06 the County of Grey gave notice on behalf of the Township of Southgate of this Public Meeting by individual prepaid first class mail to persons within 120 metres based on the most recent assessment information provided by MPAC (Municipal Property Assessment Corporation) and to an extensive list of agencies as set out in the regulations. The public meeting notice is located on the County web site at www.grey.ca.

It is imperative to note that:

Any person or public body may attend the Public Meeting and make written and/or verbal representation either in support of or in opposition to this proposal. If a person or public body that files an appeal of the decision of the County of Grey in respect of the proposed County Official Plan Amendment or the decision of the Township of Southgate in respect of the proposed Zoning By-Law Amendment and does not make oral submissions at the Public Meeting or make written submissions to the County of Grey before the proposal is approved or refused, the Ontario Municipal Board may dismiss the appeal.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the County of Grey in respect of the proposed official plan amendments, or to the Township of Southgate in respect of the zoning by-law amendment, before the approval authority gives or refuses to give approval to the official plan and zoning by-law amendments, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there is reasonable grounds to do so.

If you wish to be notified of the decision of the proposed County Official Plan Amendment, you must make a written request to the County of Grey at 595 9th Ave. East, Owen Sound, Ontario N4K 3E3. This can be mailed to the County or deposited with the Administrative Assistant, Monica Scribner this morning.

If you wish to be notified of the decision of the proposed Township Zoning By-law Amendment, you must make a written request to the Township of Southgate at 185667 Grey Road 9, RR1 Dundalk, Ontario N0C 1B0. This can be mailed to the Township or deposited with the Clerk, Raylene Martell this morning.

If there are any comments, questions or concerns for those in attendance this morning please address the Chair and give your name and Lot and Concession, or civic address, for the record.

Comments received from the following:

Historic Saugeen Metis, dated August 25, 2014

- No objection or opposition to the proposed development, land re-designation, rezoning, Official Plan and/or Zoning By-law Amendments

Saugeen Valley Conservation Authority (SVCA), dated August 28, 2014

- Natural heritage features affecting the subject property are the woodlands and the Provincially Significant Wetland known as the Letterbreen Bog
- As no new construction or site alterations are proposed, it is the opinion of the SVCA that these natural heritage features will not be impacted in association with this proposal
- Portions of property are zoned Environmental Protection (EP) and Wetland (W); no new buildings permitted in these zones
- Portions of the property, including the entire proposed severed parcel, are subject to SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation; this requires that a person obtain the written permission of the SVCA prior to any development or site alteration
- The proposal is acceptable to the SVCA

Province of Ontario: Ministry of Municipal Affairs and Housing (MMAH), Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), and Ministry of Transportation Ontario (MTO), dated August 29, 2014

MMAH

- Sections 1.1.5.2 and 1.1.5.4 of the Provincial Policy Statement (PPS) permit limited residential development where it is compatible with the rural landscape; note that dwelling currently exists and is compatible with the surrounding rural landscape and is appropriate for rural service levels and infrastructure; County must ensure that further subdivision of the subject lands or new residential development is not permitted
- Section 1.1.5.9 requires that new lots shall comply with the Minimum Distance Separation formulae (MDS); Township and County in consultation with OMAFRA must ensure that MDS calculations satisfy MDS guidelines; additional comments received from OMAFRA to follow
- Section 2.1.1 requires natural features and areas to be protected for the long term; natural heritage features within severed parcel were noted; County should ensure features as part of a larger system are not negatively impacted by the permitted uses of the subject lands
- Section 2.3.1 states that prime agricultural areas shall be protected for long-term agricultural use; remnant parcel contains prime agriculture; County should ensure that the remnant parcel contains land appropriate in size to continue agricultural use for the long term and is protected through site specific provisions to avoid further residential development or subdivision
- Section 3.1.1 directs development to areas outside of hazardous lands adjacent to surface water subject to flooding and erosion hazards; note that the dwelling is existing; County and Town should ensure no new residential development is permitted within severed and remnant parcels especially adjacent to hazardous lands

OMAFRA

- Subject application must comply with the Provincial MDS Formulae as outlined in Section 2.3.3.3 and 1.1.5.9 of the PPS
- Guideline #8 applies MDS I to the proposed lot with an existing dwelling when the dwelling is presently located on the same lot as the subject livestock facility; does not need to meet MDS I to the livestock facility across the road, west of the subject property, unless County of Grey or local municipality choose to apply MDS I and it's indicated in planning documents
- Cuesta Planning Report states MDS I isn't met by facility on the property; calculations weren't provided therefore OMAFRA can't determine if calculations were completed correctly

- Don't recommend varying MDS I distances except in accordance with Guideline #46; circumstance that meet intent, if not the precise distances of MDS I, may warrant further consideration for a minor variance
- Southgate must ensure new residential dwellings are prohibited on any remnant parcel of farmland as per Section 2.3.4.1(c) of the PPS

MTO

- No objection
- Existing residence at 311827 Hwy 6 has access
- Entrance permit for 311827 Hwy 6 will be required for a change in ownership if application is approved
- Also supports proposal that Southgate should rezone remnant parcel to prohibit future residential development and recognize lot area and setbacks from the pond

Marilyn Streeter, dated August 7, 2014

Listed five concerns:

- 1) Notice was directed to the wrong owner
- 2) No explanation in notice of what 'Rural' designation to 'Rural with Exceptions' means and entails
- 3) Key map doesn't show correct property in her estimation, or description of severance is incorrect
- 4) Description that the property is 4 hectares more or less and that the property contains a dwelling and a pond incorrect in her estimation
- 5) Wishes to have a correct and exact description of what property has been applied for severance and for what purpose

Presentation by Consultant

Nolan Moss from Cuesta Planning Consultants Inc. discussed the file. The subject 200 acre parcel originally existed as one 150 acre and one 50 acre parcel and they inadvertently merged. This application is being treated as a surplus farm dwelling consent. A larger agricultural parcel will be created which is more appropriate than the current configuration.

Mr. Moss cited three main issues as to why the Official Plan Amendment is required and how these issues are being addressed:

1. MDS I: want to vary as per Guideline #46 as the conflict is existing.
2. Lot density: goal is to preserve agricultural lands from fragmentation, and this application will be preserving agricultural lands in exchange for the severance.
3. Aggregate Resource Area: No new sensitive receptors will be created, the dwelling is existing, no new conflicts are created, and new residential development will be prohibited on the severed parcel.

He wanted to reiterate that no new structure or residential use is proposed. It is an existing dwelling that the land would remain the same, just with a separate lot.

The following individual spoke:

Bruce Fulcher commented on the Ministry of Transportation comments. He stated that two entrances already exist and there are no changes proposed in this regard.

Committee comments

There were no comments from the Committee.

Chair Wright advised to contact County staff for any further concerns or questions with regard to the County process.

There were no further questions. Chair Wright thanked the public for their attendance.

Chair Wright adjourned the public meeting on behalf of the county. The joint public meeting adjourned at 9:18 a.m.

Arlene Wright, Chair