



Planning and Development

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January 18th, 2024

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

**RE: Consent Application B17-23 and Minor Variance Application A5-23
Concession 2 SWTSR, Part Lot 198 to Part Lot 200 (260289 Southgate Road
26)
Township of Southgate (geographic Township of Proton)
Roll: 420709000804300
Owner: Tubegate Inc
Applicant: Kristine Loft**

Dear Ms. Milne,

This correspondence is in response to the above noted applications. 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 applications is to create a one hectare severed lot (address 260289) containing an existing residence and buildings with 98 meters frontage on Southgate Road 26 and **to address the lot frontage and lot area that results from completing severance files B7/23 and B17/23**. The proposed retained lot has a total of 558 meters frontage on Southgate Road 26, 39 hectares of lot area and is irregular in shape. The retained lot is subject to previous severance file B7/23 to convey lands from the abutting farm parcel.

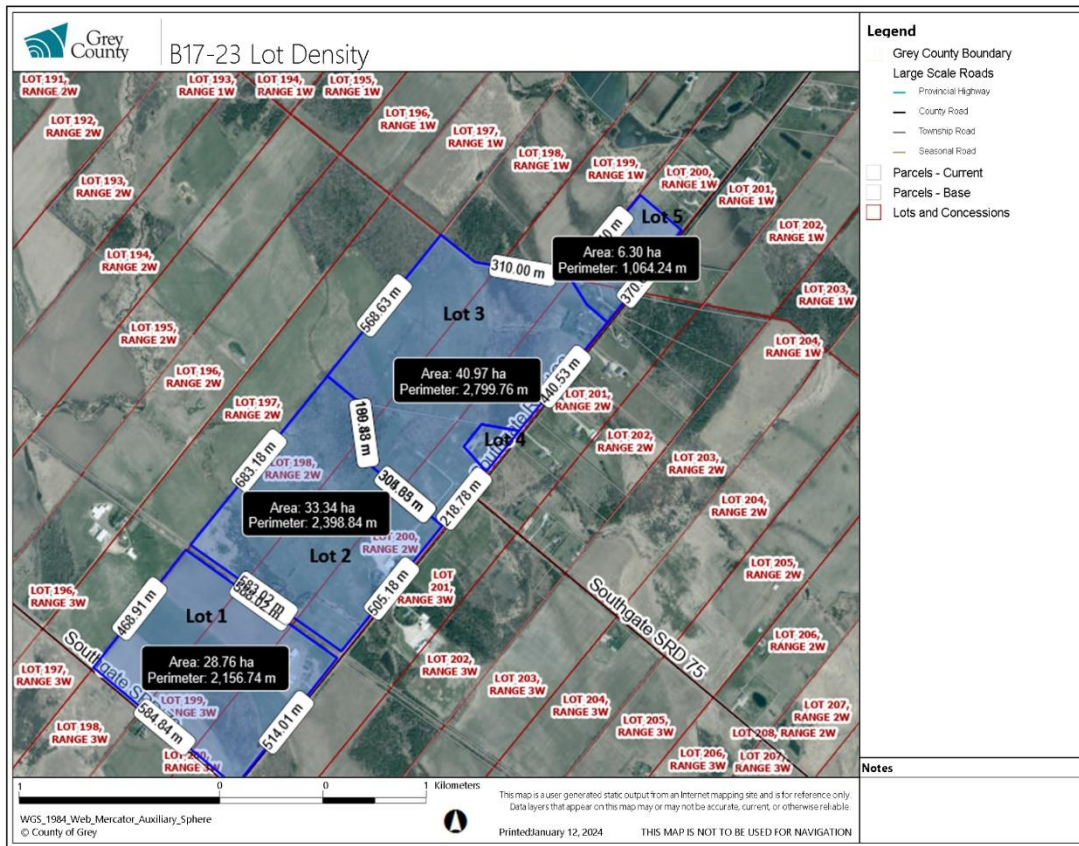
Schedule A of the County OP designates the subject lands as 'Rural'. Section 5.4.3(1) states,

All consents for new lot development shall be no smaller than 0.8 hectares in area, and the maximum lot density shall not be exceeded as outlined in Table 9 below. The lot density is determined based on the original Township lot fabric (i.e. as determined by the original crown survey) and shall be pro-rated up or down based on the size of the original Township lot. Any proposed increase to this maximum lot density will require an amendment to this Plan, and will require justification as to the need for additional Rural lot creation.

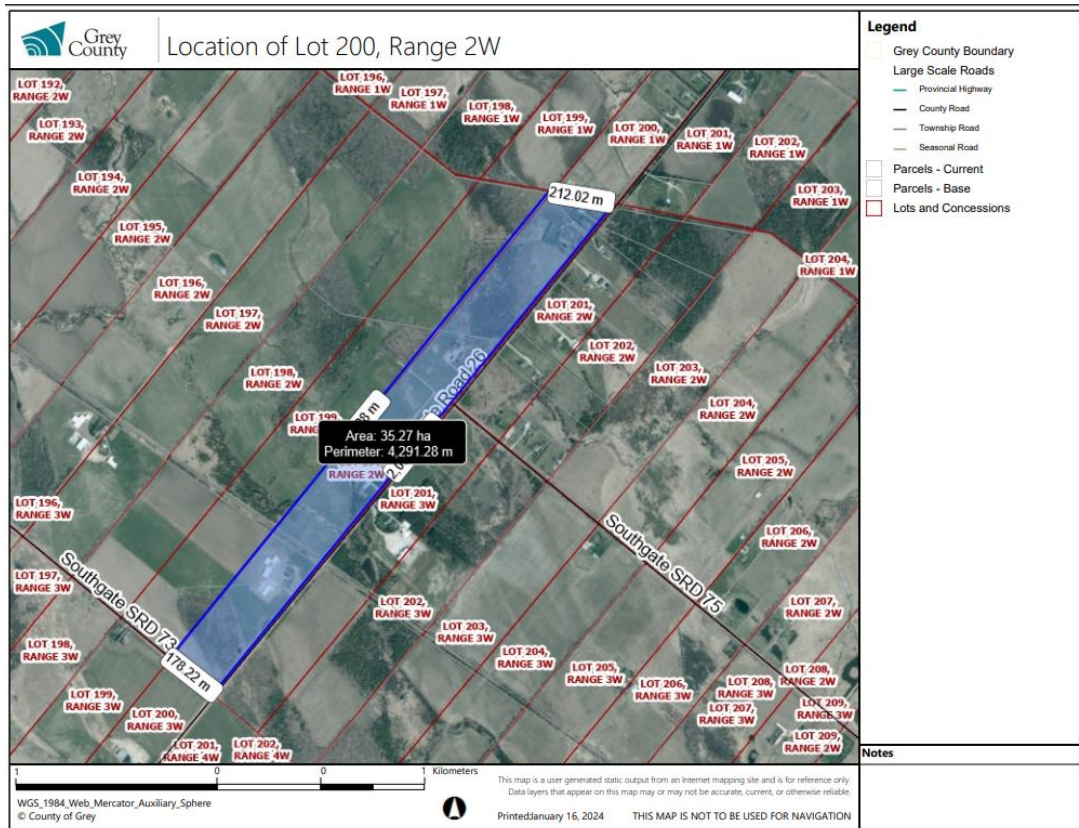
Table 9: Permitted Rural Severances based on Original Township Lot Size

Original Township Lot Size (in hectares)	Number of Severances Permitted	Total Lots Permitted including the Severed and the Retained
20	1	2
40	3	4
60	4	5
80	5	6

In order to avoid narrow linear parcels of land, the frontage-to-depth ratio for non-farm sized lots (see Diagram 1 below) shall be a maximum of 1:3 and the lot must conform to the appropriate zoning by-law in reference to minimum lot frontage and other applicable provisions. Justification to go beyond the 1:3 frontage-to-depth ratio shall be justified in a development application, but will not require an amendment to this Plan. In considering whether to pro-rate up or down, the land area must be within 15% of the required maximum to be pro-rated up, otherwise it will be pro-rated down.



Map 1: Lots 198, 199, and 200, Range 2W



Map 2: Lot 200, Range 2W

The subject property, Lot 3, (see map 1) is located on three original township lots. Lot 198, Range 2W is approximately 36 hectares, Lot 199, Range 2W is approximately 38 hectares, and Lot 200, Range 2W is approximately 35 hectares. Each of these original township lots would be pro-rated up, as the size of the original township lots are within 15% of the 40 hectares. Therefore, all three original township lots permit a total of four lots based on the size of the original township lots. Lot 198, Range 2W and Lot 199, Range 2W currently contain three lots, while Lot 200, Range 2W currently contains five lots. When calculating the lot density for this proposal as per policy 5.4.3(1), we only look at the original township lot where the new proposed lot intends to go and count how many lots are currently within that lot.

The proposed severance would be located entirely within Lot 200, Range 2W. Four lots are permitted within the original township lot 200, Range 2W, and the effect of this proposal would be to consider a 6th lot within this original township lot. Lots 1 to 4 are well within Lot 200, Range 2W, while a small portion of Lot 5 juts into the northern edge of Lot 200, Range 2W (see map 1). The proposed severance would be within Lot 3, along the boundary of Lot 5 (see map 1). In addition, the CP Rail Trail bisects lots 1 and 2, creating two legally separate parcels. The creation of an additional lot would not meet County OP lot density policies.

The Planning Justification Report submitted with the application identified two lot density calculation scenarios. However, neither of these lot density calculation scenarios conform to the lot density calculation policies of Section 5.4.3(1) of the County Official Plan.

County Planning staff would also note that it may be possible for the applicant to convert the existing dwelling into an additional residential unit instead of severing the dwelling.

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

County Planning Ecology staff have reviewed the subject application and have a comment stating,

The subject property contains potential 'Fish Habitat' and a watercourse. In reviewing the proposal, which includes severing the subject property into two parcels, it is County staff's understanding that a building envelope could be located within the previously disturbed adjacent lands of the natural heritage features. As such, it is County staff's opinion that the potential impact to natural heritage would be negligible, and the requirements for an Environmental Impact Study (EIS) can be waived. If you have any questions or concerns regarding the above, please reach out to 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 Planning staff recommend refusal of the subject application as the proposed severance does not conform with Section 5.4.3(1) of the County Official Plan. However, it is our understanding that the proponent applied for this severance with the understanding that County staff were in support of the proposal. There has been an unfortunate mix-up between County and municipal staff which has led the proponent to believe this severance would comply with County official plan policies.

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,

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

Derek McMurdie
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