



# Committee of adjustment report

<b>Meeting date:</b>	October 3, 2022
<b>Title:</b>	B12.2022 – CANDUE HOMES 2020 Ltd.
<b>Prepared by:</b>	Lorelie Spencer, Ba.U.R.PI, MCIP, RPP
<b>Reviewed by:</b>	Laura Johnston, CAO

## Recommendation

That committee receives Planner Spencer's report B12.2022 (Candue Homes) and the recommendation that application B12.2022 be provisionally approved, subject to the following conditions:

- Payment of any outstanding municipal taxes (if applicable);
- Payment and receipt of an entrance permit for the newly created parcel;
- Payment of the zoning by-law amendment application fee;
- Receipt of a zoning by-law amendment; and
- Payment of the \$500.00 parkland dedication fee for the newly created parcel.

## Executive summary

The subject lands are municipally identified as 270 Queen Street South, Durham. The lands are legally identified as PTS 1 and 2; REG PLAN 500 within the defined primary settlement area of Durham. The property is physically located on the west side of Queen Street South and north of South Street West. A triplex dwelling unit currently exists on the subject lands, which is proposed to be severed as part of this application.

The purpose of the application is to sever approximately 0.09 hectares of a residential parcel and retain approximately 0.43 hectares of vacant residential land. The severed parcel currently contains a triplex residential unit. The effect of which will create a separate parcel with a triplex residential unit and a vacant residential parcel for future development.

## Background and discussion

The site is comprised of approximately 0.52 hectares with the existing triplex dwelling unit. A swath of hazard lands existing in the northwest corner of the property.

The lands are designated as a 'Primary Settlement Area' under the County of Grey Official Plan. Policy 3.5 of the Official Plan states that primary settlement areas are identified as areas suitable



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for high intensification targets, public transit services, and have full municipal services. Policy 3.5(3) states that the County Official Plan promotes the development of primary settlement area land use types for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas are intended under the Official Plan to be the focus of growth within the County.

The subject lands are designated more specifically under the Municipality of West Grey Official Plan as 'residential' with a flood fringe overland and within the defined hurricane hazard flood event standard overlay.

Planning staff are generally satisfied that the intent and purpose of the County and local OP are maintained with the submission of this application.

To assess the merits of the consent application the following policies were reviewed in detail.

#### 1.0 Provincial Policy Statement, 2020 (2020 PPS)

Part V, Policy 1.0 of the 2020 PPS speaks to building healthy and strong communities. In accordance, Policy 1.1 of the 2020 PPS speaks to the management and direction of land use to achieve efficient and resilient development and land use patterns. Policy 1.1.2 of the 2020 PPS further promotes the efficient use of land within defined settlement areas through the use of intensification and redevelopment.

Policy 1.1.3.1 of the 2020 PPS also states that settlement areas shall be the focus of growth and development. The creation of an additional lot within the settlement area in this location is considered to be consistent with the policies of the 2020 PPS. The form of development of the retained lot is still under consideration by the applicant. At this time, the intent is the potential for residential development in the form of townhouse units. A separate zoning application has been provided concurrently to request the placement of the R2 (residential) zone on the property to facilitate this future development.

The lot creation proposed as part of these applications would provide intensification with the intent of the construction of a variety of residential housing types. The capability of the subject lands to be serviced by municipal services is further consistent with the PPS.

Policy 1.1.3.6 of the 2020 PPS states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and have a compact form, mix of land uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The severed and retained parcels will be connected to municipal services and are not anticipated to create a strain on the existing municipal system.

Planning staff are satisfied that the applications are consistent with the 2020 PPS.



## 2.0 The County of Grey Official Plan (Recolour Grey)

The subject lands are identified as a primary settlement area under the County of Grey Official Plan. Policy 3.5(6) outlines the desire to provide intensification opportunities within primary settlement areas. This policy further defines that new construction through intensification should occur in a manner that takes into account the existing built and physical environment.

The intent of the newly created parcels is for residential purposes which is also in keeping with policy 3.5.6(c) which promotes the development of underutilized lots within primary settlement areas.

Planning staff are satisfied that the proposed consent applications maintain the general intent and purpose of the Official Plan.

## 3.0 The Municipality of West Grey Official Plan

The subject lands are designated as 'residential' under the Municipality of West Grey Official Plan.

Policy D2.1.1 of the Official plan states that the Municipality shall strive to provide an ample supply of affordable and desirable residential dwelling types and densities for the present and future residents of Durham and Neustadt.

Policy D2.2 states that the objective of this land use designation is to ensure that an appropriate range of housing types and densities are provided within Durham and Neustadt as well as an appropriate supply of rental housing, in order to meet the projected requirements of current and future residents.

Policy D2.4 of the local Official Plan provides the general policies related to the residential land use designation. In general, a wide variety of housing types are permitted to provide a range of affordable and inclusive housing opportunities.

The policies of D2.4 further require that development within this designation occur on full municipal and water services, be directed to areas of infilling, and provide a range of housing types and opportunities.

Comments have been requested from the Saugeen Valley Conservation Authority (SVCA) and further consideration may be required as part of the zoning by-law amendment process to ensure the implementation of any measures required to address the flood fringe and hurricane hazard overlays denoted under the Municipality of West Grey Official Plan.

Planning staff are satisfied that the proposed application presents an opportunity for the



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efficient use of municipal services, the placement of additional housing options and the use of underutilized lands within the defined settlement area. The application maintains the general intent and purpose of the official plan.

#### 4.0 The Municipality of West Grey Comprehensive Zoning By-law 37-2006

The subject lands are currently zoned R1B (residential) and FL (floodline) under the municipality's zoning by-law. The development currently being contemplated by the property owner requires a zoning by-law amendment to permit a wider range of housing types. Although only preliminary design details have been provided at this time, it is not anticipated that further exception is required within this new zone to accommodate the proposed development.

Planning Staff are generally satisfied that the proposed consent maintains the general intent and purpose of the municipality's zoning by-law. Detailed design from a site plan proposal will be reviewed in further detail prior to the zoning by-law consideration before Council. Should additional exceptions be required they will be reviewed with Council at that time.

### Legal and legislated requirements

None.

### Financial and resource implications

None.

### Staffing implications

None.

### Consultation

- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority

### Alignment to strategic vision plan

Pillar: Build a better future  
Goal: Invest in business  
Strategy: Take a co-operative approach to development

## Attachments

- Aerial and official plan mapping
- Aerial and zoning mapping
- Commissioned application form B12.2022
- County of Grey Planning and Development Department comments
- Saugeen Valley Conservation Authority comments

## Next steps

Following provisional approval of this application, staff will notify of the decision and the required appeal period will commence. Provided no appeals are received the applicant will be notified and have twelve (12) months from the date of decision to satisfy all conditions. The applicant will have an additional twelve (12) months from the condition date to provide draft deeds and a survey for approval by the municipality, and have the same registered by their lawyer at the land registry office.

Respectfully submitted:



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Manager of Planning and Development