



Committee of adjustment report

Meeting date:	October 3, 2022
Title:	B14.2022 – ELVIDGE, Kari and ELVIDGE, Robert
Prepared by:	Lorelie Spencer, Ba.U.R.PI, MCIP, RPP
Reviewed by:	Laura Johnston, CAO

Recommendation

That committee receives Planner Spencer's report B14.2022 – ELVIDGE and the recommendation that application B14.2022 be provisionally approved, subject to the following conditions:

B14.2022:

- Payment of any outstanding municipal taxes (if applicable);
- Payment and receipt of an entrance permit for the severed and retained parcel to the satisfaction of the Municipality of West Grey Road's Superintendent; and
- Payment of the \$500.00 parkland dedication fee for the newly created parcel.

Executive summary

The subject lands are municipally identified as 261 and 265 Durham Road East in the Town of Durham. The lands are legally identified as PT PLAN 16R11654; PLAN 502; ALL of LOT 28, WEST OF ELGIN STRETER within the defined primary settlement area of Durham. The property is physically located on the east side of Garafraxa Street North and on the south side of Durham Road East. The property is zoned entirely R2 (residential).

The purpose of the application is to sever approximately 0.04 hectares of residential land and retain approximately 0.04 hectares of residential land. The effect of which will create two (2) separate parcels containing a proposed semi-detached dwelling unit.

If approved, the creation of the lots would create a total of two (2) separate parcels including the retained.

Background and discussion

The site is comprised of approximately 0.08 hectares. Significant woodlands are mapped under appendix 'C' of the county of Grey Official Plan.



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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 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'.

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 in question 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 additional lots within the settlement area in this location is considered to be consistent with the policies of the 2020 PPS.

The lot creations proposed as part of these applications would provide intensification with the intent of the construction of a semi-detached dwelling unit. 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 creation of this lot for the purposes of constructing a semi-detached dwelling unit would not cause an adverse impact to the existing community facilities and public services in the area. The lot will be utilized for residential purposes which remains consistent with the lot fabric of the surrounding area. 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.



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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 parcel 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.

Planning staff are satisfied that the proposed application presents an opportunity for the efficient use of municipal services, the placement of additional housing options and the use of underutilized lands within the defined settlement area. The applications maintain 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 R2 (residential) under the municipality's zoning by-law. Semi-detached dwelling units are permitted in the R2 zone. The lands subject to the intended construction of the semi-detached dwelling unit. 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

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

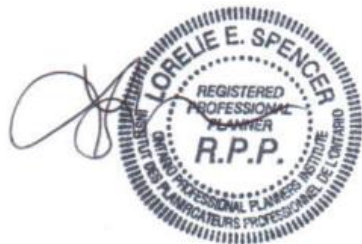
Attachments

- Aerial and official plan mapping
- Aerial and zoning mapping
- Commissioned application form
- 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:

A circular professional seal for Lorelie E. Spencer, a Registered Professional Planner (R.P.P.) in Ontario. The seal includes the text "LORELIE E. SPENCER", "REGISTERED PROFESSIONAL PLANNER", "R.P.P.", and "ONTOARIO". A handwritten signature is written over the seal.

Lorelie Spencer, Ba.U.R.PI, MCIP, RPP

Manager of Planning and Development