



Planning and Development

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January 31st, 2023

Lorelie Spencer
Municipality of West Grey
402813 Grey Road 4
RR2 Durham, ON
N0G 1R0

**RE: Consent Application B18.2022
Lot 11 Concession 8 (384518 Concession 4)
Municipality of West Grey (geographic Township of Glenelg)
Roll: 42052200030070000
Owners: Dorothy and Ronald Hill
Applicant: Lynn Silverton**

Dear Ms. Spencer,

This correspondence is in response to the above noted application. 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 application is to sever approximately 0.33 hectares, with a frontage of 20 metres, of agricultural land and retain approximately 36.1 hectares, with a frontage of 182 metres, of agricultural land. This will create a newly enlarged lot to the west that is approximately 3.6 hectares in size.

Schedule A of the County OP designates the subject lands as 'Agricultural'. Section 5.2.3(3) states,

Lot adjustments in the Agricultural land use type may only be permitted for legal or technical reasons.

Moreover, 'legal and technical reasons' is defined in the County's Official Plan as follows:

LEGAL OR TECHNICAL REASONS means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

The proposed lot addition may have justification as a 'legal or technical reason', as the proposal would seek to correct the existing lot line to locate the driveway fully on the correct property. The driveway currently encroaches on the subject lands. The severance would not create a new lot but would slightly change the sizes of two existing lots. The proposal would also not remove active agricultural land from the lot to be severed. Therefore, County Planning staff have no concerns.

Schedule A of the County OP indicates the subject lands contain 'Hazard Lands'. The proposed lot addition is not located in the Hazard Lands; therefore, County Planning staff have no concerns.

Schedule B of the County OP indicates the subject lands contain 'Aggregate Resource Area'. Section 5.6.2(11) states,

Minor lot additions to existing lots may be permitted in Aggregate Resource Areas, provided reasoning is provided to:

- a) Demonstrate the appropriateness of the land area to be severed (i.e. land need, boundary error, servicing, parking, etc.); and*
- b) To explain the hardship imposed by not permitting the severance.*

All reasonable efforts shall be made to minimize any impacts on the aggregate resource through any lot additions.

Lot adjustments in the Agricultural land use type and Special Agricultural land use type may only be permitted for legal or technical reasons.

The proposed lot addition is relatively small and would likely have minimal impacts on the aggregate resource. Further, there may be justification as a 'legal' or 'technical reason', as the proposal would seek to correct the existing lot line to locate the driveway fully on the correct property. Therefore, County Planning staff have no concerns.

Appendix A of the County OP indicates the subject lands contain 'Other Wetlands'. Section 7.3.2(1) states,

No development or site alterations are permitted within Other Wetlands or their adjacent lands, shown on Appendix B, or as identified by conservation authorities, unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Further, Appendix B of the County OP indicates the subject lands contain 'Significant Woodlands'. Section 7.4(1) states,

No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Adjacent lands are defined in Section 7 and 9.18 of this Plan.

Lastly, Appendix B of the County OP indicates the subject lands contains 'Streams' and 'Ponds'. Section 7.9(2) states,

No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with Section 7.11 of this Plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced. Landowners are encouraged to forest the areas within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream, and to increase natural connections.

The proposed lot addition is located outside of the natural features; therefore, County Planning staff anticipate that there will not be any negative impacts to the natural features. County Planning staff have no concerns. 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 have no concerns with the subject application.

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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