

## Staff Report

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**Report To:** Council  
**Report From:** Lorelie Spencer, Manager of Planning and Development  
**Meeting Date:** February 7, 2023  
**Subject:** ZA22.2022 – MYCHALCHUK, Maria

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### Recommendations:

That in consideration of staff report ZA22.2022 – MYCHALCHUK, Maria, council directs staff to bring forward a bylaw to:

1. remove the holding provision on a portion of the subject lands; and
2. proceed with the assumption of a portion of Concession 2NDR.

### Highlights:

- The request to remove the holding provision applies directly to file B18.2021 and the condition to build a portion of Concession 2NDR to an acceptable municipal standard. Concession 2NDR upgrades were required to provide open and maintained frontage to a portion of the subject lands created by consent.
- The road has been constructed and inspected by public works. The standard of construction is acceptable to public works staff.
- The construction of the roadway was the sole requirement to remove the holding provision on the subject lands. A bylaw is required to ratify this zoning.
- A bylaw is further required to assume a portion of the unopened and unmaintained road subject to the road upgrades. This portion of the roadway will now be maintained by the municipality.

### Strategic Plan Alignment:

**Pillar:** Build a better future  
**Goal:** Review of the County Official Plan, zoning bylaw and municipal engineering standards  
**Strategy:** Promote efficient development

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## **Previous Report/Authority:**

- [Committee of adjustment report B18.2021 dated November 1, 2021](#)
- [Council Report for ZA11.2021 dated January 17<sup>th</sup>, 2022](#)

## **Analysis:**

The subject lands are municipally known as 313807 Highway 6. The lands are legally described as concession 1EGR divisions 1 to 2, lot 21 and part of division 3, lot 21 in the geographic township of Glenelg. The property is designated 'rural' and 'hazard lands' under the County of Grey Official Plan.

The lands are located on the northeast corner of Highway No. 6 and Concession 2NDR.

The subject lands are zoned, A2 (rural), A2-449-h (rural with a holding provision), and NE (natural environment).

### **Committee of adjustment summary:**

Application B18.2021 was provisionally approved by the Committee of Adjustment on November 1, 2021. The purpose and effect of the application was to sever approximately 5.7 hectares of 'rural' and 'hazard' lands for the purposes of lot creation and retain approximately 53.9 hectares of 'rural' and 'hazard' lands. The effect of which created a new lot with access along Concession 2NDR. Concession 2NDR is presently an unopened and unmaintained municipal road. The applicant was responsible for upgrading the road to provide access to the parcel created by provisional consent at their sole expense and to the satisfaction of the Public Works Department.

To ensure this was appropriately completed a condition of consent was the requirement for a holding provision to be applied to the lot through the zoning bylaw amendment process. This was completed through application ZA11.2021.

### **Zoning bylaw amendment summary:**

Application ZA11.2021 was approved by Council on January 17, 2022. As previously noted, approval of the amendment was a condition of provisional consent to implement the holding provision on the newly created parcel until the required road upgrades were completed.

Road construction involved improvements to approximately 115.2 metres of frontage on the unopened and unmaintained portion of Concession 2NDR. The applicant retained the services of an engineer, completed the road upgrades, and completed a survey at their sole expense.

Exception 449 was also applied to the provisionally created lot to recognize the deficient lot frontage and area of the parcel.

The upgrades have been reviewed and approved by Public Works staff which is the requirement necessary to remove the holding provision on the subject lands.

Application ZA22.2022 has been submitted by the applicant to request the removal of the holding provision on the subject lands to permit the development of the newly created parcel in future.

Planning staff are satisfied that the requirements of the holding provision have been met and that the passage of a zoning bylaw can be conducted at this time.

### **Financial Implications:**

Standard ongoing road maintenance.

### **Communication Plan:**

None.

### **Consultation:**

- Municipality of West Grey Interim Director of Public Works
- Municipality of Grey Roads Superintendent
- Ministry of Transportation
- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority

### **Attachments:**

None.

### **Recommended by:**



Lorelie Spencer, Ba.U.R.PI, MCIP, RPP  
Manager of Planning and Development

### **Submission reviewed by:**

Laura Johnston, Chief Administrative Officer

For more information on this report, please contact Lorelie Spencer at [lspencer@westgrey.com](mailto:lspencer@westgrey.com) or 519.369.2200, ext. 236.