



Planning and Development

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October 5th, 2020

Lorelie Spencer, Manager, Planning and Development
Municipality of West Grey
402813 Grey Road 4, RR2
Durham, Ontario
N0G 1R0
*Sent via E-mail

RE: Consent Application B08/2020
Part Lot 9, Concession 18
Municipality of West Grey
Owner/Applicant Agent: Dean Grein and Becky Kaufman

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), Recolour Grey. We offer the following comments.

The purpose of the Consent application B08/2020 is to sever a rural lot and retain a rural lot.

Schedule A of Recolour Grey designates the subject lands as 'Rural'. Section 5.4.3 of the OP states,

1) 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.

The proposed consent does not meet the above noted policies. The Original Township lot in which the subject property is situated in is approximately 51 hectares. The County does not have lot density restrictions for 50 hectares Original Township Lots; therefore, the 40-hectare lot density restrictions would apply. On a 40-hectare lot, Rural density

policies allow for a total 4 lots permitted on the Original Township Lot. The lot density for the subject original township lot has been met.

Schedule A also indicates that there are 'Hazard Lands' on the subject property. Section 7.2 states,

2) Permitted uses in the Hazard Lands land use type are forestry and uses connected with the conservation of water, soil, wildlife and other natural resources. Other uses also permitted are agriculture, passive public parks, public utilities and resource based recreational uses. The aforementioned uses will only be permitted where site conditions are suitable and where the relevant hazard impacts have been reviewed.

County planning staff recommend receiving comments from the Conservation Authority regarding the Hazard Lands.

Schedule B of Recolour indicates that parts of the subject property are designated 'Aggregate Resource Area'. Section 5.4.2 states,

4) *Non-farm sized* lot creation shall not be permitted within *Aggregate Resource Areas* on Schedule B to this Plan.

The subject application proposes to create a non-farmed sized lot within the Aggregate Resource Area. The PPS requires the County to protect the long-term supply of identified resource areas to ensure future access to valuable resources. The intent of the above noted policy is to ensure that identified Aggregate Resource Areas are maintained and protected from incompatible development. A severance that would allow for non-farm sized lot creation would create an incompatible use with future resource extraction. Therefore, the proposed consent does not meet the above noted policy.

Schedule C of Recolour Grey identifies the existence of 'Core Area and Linkages' on the subject property. Section 7.1 states,

3) *Development* proposed within *Core Areas*, their 120 metre *adjacent lands*, or *Linkages* will be required to undertake an *environmental impact study (EIS)*, unless otherwise exempted by 7.11.3 of this Plan*. This EIS will assess the natural features, their *adjacent lands* and their connections to other natural features. Table 10 below provides for the permitted uses in *Core Areas* and *Linkages*.

Appendix B indicates that the subject property contains 'Significant Valleylands'. Section 7.7 states,

1) No development or site alteration may occur within Significant Valleylands or their adjacent lands unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in Section 9.18 of this Plan.

Furthermore, Appendix B indicates that the subject property contains 'Significant Woodlands'. Section 7.4 of Recolour Grey states,

1) 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.

Appendix B also indicates that the subject property contains a stream. Section 7.9 states,

2) 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.

Lastly, Appendix B indicates that the subject property contains 'Other Wetlands'. Section 7.3.2 states,

1) 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.

County planning staff recommend receiving comments from the Conservation Authority regarding the above noted natural heritage features. 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 - <https://www.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 on the basis that it does not conform with Recolour Grey Rural Lot density policies and policy 5.4.2 which concerns lot creation in the Aggregate Resource Area. Further, positive comments should be received from the Conservation Authority regarding the natural hazard and natural heritage features on the property. The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Hibahussain'.

Hiba Hussain
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