

## Staff Report

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**Report To:** Council  
**Report From:** Mary Hall, RPP (ret)  
**Meeting Date:** September 19, 2023  
**Subject:** ZA27 - 207977 Ontario Inc (Brad Brown)

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### Recommendations:

THAT in consideration of staff report ZA27.2023 – 207977 Ontario Inc (Brad Brown), council directs staff to bring forward a bylaw to authorize the passage of a zoning bylaw amendment.

### Highlights:

- The purpose of the Zoning Bylaw amendment application is to amend the parking requirements for the subject property.
- The effect of the Zoning Bylaw amendment will reduce the parking requirement for the new building from 6 parking spaces to 0 parking spaces.
- There was a former Dollar Store located on the property which was destroyed by a fire in 2008;
- The property owner is proposing to construct a two storey building with a commercial unit on the main floor (retail space) and six residential apartments on the second floor.
- The new commercial/residential building will cover the majority of the lot. Therefore, no on-site parking will be available.

### Previous Report/Authority:

[Public meeting agenda for ZA27 - 207977 Ontario Inc \(Brad Brown\)](#)

### Analysis:

The subject lands are municipally known as 132 Grafraxa Street North (Part Lot 13 & Part Lot 14, Plan 500 WGR) in the settlement area of Durham. The subject lands have a frontage of 12.2m and area of 0.067 hectares.

The subject property is presently vacant as a result of a fire in 2008. The former land use was commercial (Dollar Store).

The property owner has applied to the municipality of West Grey to construct a 2 storey building with commercial on the main floor and 6 residential apartments on the second floor. Access to the second floor will be from stairwells.

The property owner has applied to the municipality to amend Section 17.3(g) of the municipality of West Grey comprehensive zoning bylaw to permit a minimum of 0 parking spaces on the property where the zoning bylaw requires 1 parking space for each apartment, being a total of 6 parking spaces.

The property is designated downtown commercial and environmental protection in the municipality of West Grey official plan and zoned Commercial (C1) and Floodway (FL) in the Municipality of West Grey Zoning Bylaw.

In assessing the merits of the Zoning Bylaw amendment application, staff has reviewed the following documents:

1. Provincial Policy Statement
2. County of Grey Official Plan
3. Town of West Grey Official Plan
4. Town of West Grey Zoning

#### 1.0 Provincial Policy Statement (PPS) - Section 3.1

The Saugeen Valley Conservation Authority has provided comments on the PPS.

The PPS states in part that development shall generally be directed to areas outside of hazardous lands adjacent to river, streams and small inland systems which are impacted by flooding and erosion hazards; and hazardous sites. Section 3.1.6 states in part that where the two zone concept for floodplains is applied, development and site alteration may be permitted in the flood fringe, subject to conditions. It is the opinion of the SVCA staff that the application complies with section 3.1 of the PPS, 2020.

The subject lands appear not to be located within an area that is subject to the local Drinking Water Source Protection Plan.

The proposed development meets the intent of the Provincial Policy Statement, 2020.

#### 2.0 County of Grey Official Plan

County staff has provided the following comments:

Subject lands are designated primary settlement area in the County's official plan and located in the downtown area of Durham. 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 will be the focus of the majority of growth within the County of Grey.

As the proposed development will create growth in the primary settlement area by creating new residential units and a commercial unit on vacant land the County planning department has no concerns.

Schedule A of the county official plan indicates the subject lands contain Hazard Land. The applicant has received a permit from the Saugeen Valley Conservation Authority for the proposed development therefore staff has no concerns.

County transportation services has reviewed the application and has no concerns.

County housing services has no concerns, and the County planning staff has no concerns with the zoning bylaw amendment.

### 3.0 Saugeen Valley Conservation Authority (SVCA)

The SVCA has provided comments and reviewed the applicable policies related to the Natural Hazard under the Provincial Policy Statement, Grey County official plan and West Grey official plan and the drinking water source protection/water resources.

The SVCA staff has reviewed the applications in accordance with their MOA with the Municipality of West Grey and found the application acceptable. SVCA found the application acceptable and consistent with the natural heritage policies of the Provincial Policy Statement (PPS) and consistent with the municipality's natural hazard land policies.

### 4.0 Town of West Grey Official Plan

The subject property is designated downtown commercial and environmental protection. The downtown commercial designation permits low and medium residential uses and commercial uses such as business and professional offices, medical offices, parking lots, small scale retail, personal services and bed and breakfast establishments.

Section D.3.4.2, D.3.4.4 and D.3.4.7 of the official plan supports retail stores, professional and business offices, restaurants and service shops in the downtown core and encourages residential intensification by promoting accessory residential dwelling units at the rear and/or above the principal parking and shall provide appropriate parking.

The environmental protection designation is related to floodplain hazard of the Main Saugeen River. Engineered floodplain mapping exists for the town of Durham where conditional development is allowed within the floodplain.

The proposed uses, being commercial and residential are permitted uses in the downtown commercial and the environmental protection designation subject to meeting any requirements of the Saugeen Valley Conservation Authority, related to the floodplain hazard. The Saugeen Valley Conservation Authority has reviewed the zoning bylaw amendment application and has issued a permit for the proposed development.

It is the opinion of staff that the proposed development meets the intent and purpose of the Town's Official Plan.

## 5.0 Town of West Grey Zoning Bylaw

The landowner has applied to the municipality to amend the zoning bylaw to reduce the number of parking spaces from 6 to 0. The subject lands are zoned C1 (General Commercial) and Floodway (FL). Section 17.3(g) requires 1 parking space for each apartment. The applicant wishes to amend the parking standards and is requesting no parking spaces be required on the subject property.

The senior management team understands the need to promote the downtown commercial core and provide a variety of residential dwelling types. The senior management team has met and discussed options available to provide parking spaces to the residents within the proposed apartments on the 2nd floor of the proposed multi use building. Through these discussions it was noted that there is several municipal parking lots in close proximity to the subject property, 132 Garafraxa Street North. The municipal parking lot locations are identified on Schedule B to this report.

It is the opinion of the senior management team and planning staff that there are adequate available parking spaces in the commercial core to accommodate the 6 parking spaces. Therefore, planning staff supports the Zoning Bylaw amendment to reduce the parking requirement from 6 to 0 spaces.

## 6.0 Comments from the Public Meeting

There were no public comments made or received at the Public Meeting or by correspondence to the municipality.

## 7.0 Planning summary

Planning staff has reviewed the various planning documents related to the zoning bylaw amendment application and is of the opinion that the zoning bylaw amendment meets the Provincial Policy Statement, County of Grey official plan, municipality of West Grey official plan and the municipality of West Grey comprehensive zoning bylaw 37.2006. Planning staff recommend Council adopt the Zoning Bylaw amendment.

## **Financial Implications:**

None.

## **Communication Plan:**

A Notice of the Public meeting was advertised by the Municipality as required under the Planning Act and a Public meeting was held on Tuesday, September 5, 2023 at the municipal office. No comments were received from the public at the meeting or in writing.

Any decision made by council on the zoning bylaw amendment will be circulated to anyone requesting notice of the council decision.

## **Consultation:**

- County of Grey planning department
- Saugeen Valley Conservation Authority
- Senior management from West Grey

## **Attachments:**

- County of Grey comments
- Saugeen Valley Conservation Authority comments
- Building department comments
- Fire department comments
- Hydro One comments

## **Recommended by:**

Mary Hall, Planning Consultant, BES RPP (ret)

Karl Schipprack, CBCO, Director of Infrastructure and Development

## **Submission reviewed by:**

Laura Johnston, Chief Administrative Officer

For more information on this report please contact Karl Schipprack, Director of Infrastructure and Development, at [kschipprack@westgrey.com](mailto:kschipprack@westgrey.com) or 519-369-2200, ext. 234.