

Staff Report

Report To: Council
Report From: Mary Hall, Planning Consultant
Meeting Date: October 3, 2023
Subject: ZA28.2023 Wright, Blair and Miranda

Recommendations:

That in consideration of staff report ZA28.2023 Wright, Blair and Miranda, council directs staff to bring forward a bylaw to authorize approval of a Zoning Bylaw amendment to rezone the subject lands from A1(Agricultural) to A1-149(Agricultural with exception 149) to permit a second detached dwelling on the subject property.

Highlights:

- The purpose of the Zoning Bylaw Amendment application is to change the Zone symbol on the subject property from A1 (Agricultural) to A1-149 (Agricultural-149) exception to permit the construction of a second detached dwelling for their son. The location of the new detached dwelling is within the cluster of the existing buildings;
- Subject property has an area of 60.5 hectares (149.48 acres) with 36.4 hectares (90 tillable acre). The new detached dwelling will be connected to the existing well and a new septic system to be installed.
- No impact to any natural or environmental features
- An existing aggregate operation is located to the east of the property. The County Official Plan has policies regarding the protection of existing and future aggregate supply. The location of the residential dwelling is outside the 300 metre mineral resource extraction area and within an existing cluster of residential/rural buildings. The residential dwelling would not have any further impact on the existing or future expansion of the aggregate operation.

Previous Report/Authority:

[ZA28.2023 Wright, Blair and Miranda public meeting agenda](#)

Analysis:

The property is municipal known as 142347 Grey Road 9 in the geographic Township of Normanby, Municipality of West Grey.

The subject property is an active farm with several agricultural farm buildings and a detached dwelling. The property owners want to construct a detached dwelling for their son.

The following documents were reviewed in the consideration of the proposed severance application: County of Grey Official Plan and the Municipality of West Grey Comprehensive Zoning Bylaw

County of Grey Official

The land subject is designated Agricultural and Hazard Land in the County of Grey Official Plan. Additional residential units are permitted in the Agricultural land, outside the Hazard Lands provided any new residential unit is located with the existing farm clusters. The information provided in the Zoning Bylaw amendment application shows the proposed dwelling to be within the existing farm cluster. Therefore, the county has no concerns with the location of the new residential unit.

Schedule B to the County Official Plan designates the subject property Aggregate Resources and the subject property is located next to a property containing an active 'Mineral Resource Extraction Area' (licensed gravel pit).

Under Section 5.6.2(6) of the County Official Plan, outside of settlement areas, on areas within 300 metres of a Mineral resource Extraction Area land use in Schedule B, new non-agricultural uses that require a Zoning Bylaw amendment on existing lots of record may only be permitted were it has been demonstrated that the proposed land use or development would not prevent or hinder the expansion or continued use of aggregate operations.

Additional Residential units are considered an agricultural use, when located on a farm. Furthermore, the boundary of the licensed pit operation is approximately 450 metres from the proposed building envelope. Therefore, the county has no concerns in this respect.

Grey County Ecology staff reviewed the subject application and indicated the subject property contains potential Habitat or Threatened or Endangered species, Significant Woodlands, potential Fish Habitat, and a watercourse. Since the proposed development is located on the existing disturbed area of the subject property county staff has no concerns with the proposed development application.

The Municipality of West Grey Comprehensive Zoning Bylaw 37-2006

The subject lands are zoned A1(Agricultural) and NE(Natural Environment) in the West Grey Zoning Bylaw. The proposed construction will meet all standards in the Zoning Bylaw except for the number of detached dwelling units on a lot. A Zoning Bylaw amendment is required to change the number of dwellings from 1 dwelling unit to 2 dwelling units.

The applicant's agent has indicated that the small water bottling operation was rezoned several years ago and the land use was not carried forward into the current West Grey Zoning Bylaw. As such the bottling operation is a legal non-conforming status.

General Comments

A public meeting, required under the Planning Act, was held on September 19, 2023 at the West Grey municipal offices. There was only a point of clarification made by staff to a question made by a local resident. Municipal staff clarified the location of the proposed detached dwelling will be within the existing cluster of buildings on the property. Further clarification was asked by a member of council on the servicing of the new detached dwelling. It was confirmed there will be a new septic system installed and the new detached dwelling will connect to the existing well.

The proposed Zoning Bylaw amendment, ZA28.2023, meets the general intent and purpose of the County of Grey Official Plan and the Municipality West Grey Zoning Bylaw 37-2006.

Financial Implications:

None.

Communication Plan:

As required by the Planning Act R.S.O. 1990, as amended.

Consultation:

Karl Schipprack, Director of Infrastructure and Development

Attachments:

1. Notice of public meeting
2. Aerial and Official plan map
3. Aerial and zoning map
4. County comments
5. Hydro One comments
6. Public Works comments
7. Building department comments

Recommended by:

Mary Hall, BES, RPP (ret)

Submission reviewed by:

Laura Johnston, Chief Administrative Officer

For more information on this report, please contact Britney Becker at bbecker@westgrey.com or 519 369 2200.