

## Staff Report

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**Report To:** Council

**Report From:** David Smith, RPP, MCIP Manager of Planning and Development

**Meeting Date:** November 18, 2025

**Subject:** Adopt New West Grey Official Plan for the Settlement Areas of Durham and Neustadt

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### Recommendations:

THAT in consideration of staff report 'Adopt New West Grey Official Plan for the Settlement Areas of Durham and Neustadt', Council:

1. Directs staff to bring forward a bylaw to:
  - i. repeal 'Municipality of West Grey Official Plan for the Settlement Areas of Durham and Neustadt (2012)';
  - ii. adopt 'West Grey Official Plan for the Settlement Areas of Durham and Neustadt (Ver. November 18, 2025)'; and
2. Directs the Clerk to forward the adopted 'West Grey Official Plan for the Settlement Areas of Durham and Neustadt (Ver. November 18, 2025)' to the County of Grey for approval.

### Highlights:

- A draft of the new West Grey Official Plan for the Settlement Areas of Durham and Neustadt (New WGOP) was posted on the Municipal [website](#) for public review and commenting.
- A draft of the New WGOP (Ver. August 6, 2025) was circulated to required agencies and government bodies on August 7, 2025.
- A public open house was held in Durham on September 9, 2025, and in Neustadt on September 11, 2025.
- A statutory public meeting was held on October 21, 2025.
- The final version of the New draft WGOP (Ver. November 18, 2025) has been posted to the [West Grey Projects](#) webpage.

- Comments received during the consultation process have been considered and reflected in new draft WGOP (Ver. November 18, 2025) as deemed warranted.
- Proposed addition of lands to the Durham Settlement Area has been removed from the new draft WGOP.
- Proposed removal of lands from the Neustadt Settlement Area has been removed from the New WGOP.
- The new draft 'West Grey Official Plan for the Settlement Areas of Durham and Neustadt (Ver. November 18, 2025)' attached is ready for adoption.

### **Previous Report/Authority:**

[December 15, 2020, Special Council Meeting](#)

[January 19, 2021, Council Meeting](#)

[February 2, 2021, Council Meeting](#)

[February 16, 2023, Public Meeting](#)

[June 20, 2023, Council Meeting](#)

[December 5, 2023, Council Meeting](#)

[January 18, 2024, Special Council Meeting](#)

[September 2, 2025, Council Meeting](#)

[October 21, 2025 Public Meeting](#)

[October 21, 2025, Public Meeting Minutes](#)

### **Analysis:**

#### **Consultation – Agencies:**

The Planning Department circulated a Draft New WGOP (Ver. August 6, 2025) to:

- County of Grey – Clerk and Planning Department
- Bluewater District School Board
- Bruce Grey Catholic District School Board
- Enbridge Gas
- Ontario Power Generation
- Hydro One
- County of Bruce
- Municipality of South Bruce
- Saugeen Ojibway Nation

- Drinking Water Source Protection

### **Comments:**

County of Grey Comments (County): The County provided detailed comments and suggested changes in response to reviewing the draft. County comments or recommendations for change have been included, where deemed warranted by staff, in Ver. November 18, 2025. County comments are included as attachment two to this report.

Saugeen Valley Conservation Authority (SVCA): The SVCA provided a list of identified issues/concerns of certain policies contained throughout the Plan and offered suggested changes. SVCA comments/recommendations for change have been included, where deemed appropriate by staff, in Ver. November 18, 2025. SVCA comments are included as attachment three to this report.

### **Comments – Public:**

One written comment from the public on the draft version of the new WGOP has been received. Public comments/recommendations for change have been included, where deemed appropriate by staff, in the current version. Public comments are included as attachment four to this report.

There have been no further public comments submitted as of November 4, 2025.

### **Timeline/History of New West Grey Official Plan:**

2020 - West Grey Council ordered a review of the 2012 Official Plan for the Settlement Areas of Durham and Neustadt as per Section 26 of the Planning Act.

#### **December 15, 2020**

Public Meeting under Section 26 of Planning Act. West Grey Council ordered an engagement and communication strategy be developed.

#### **February 2, 2021 – Council Meeting**

West Grey Council received report “Official Plan Update – Engagement and Community Strategy” for information purposes.

#### **February 16, 2023 – Public Meeting under Section 26 of Planning Act**

No motions.

#### **June 20, 2023 – Council Meeting**

West Grey Council directed staff to postpone report on Official Plan indefinitely to allow for time to schedule a special meeting to deal with the Official Plan.

### **December 5, 2023 – Council Meeting**

West Grey Council directed staff to schedule a special meeting in January 2024 to address the Official Plan and deferred a decision on the Official Plan until the special meeting in January 2024.

### **January 18, 2024 - Special Council Meeting**

West Grey Council directed staff to amend outdoor lighting and to incorporate County's recommended modifications and bring forward a revised document for council's consideration.

### **September 9, 2025, and September 11, 2025 – Open House**

West Grey staff held an Open House in Durham on September 9, 2025, and an Open House in Neustadt, September 11, 2025, for public viewing/comments on the new draft Official Plan. Ads for Open Houses placed in local newspapers and advertised on West Grey website/social media.

### **October 21, 2025 – Public Meeting**

West Grey Council held a Public Meeting in Durham for formal public comments on the new draft Official Plan. Ads for Public Meeting placed in local newspapers and advertised on West Grey website/social media.

### **Discussion – Issues Raised during Consultation**

#### **1. Change to Settlement Area boundaries – Durham and Neustadt**

Planning proposed an expansion to the Durham Settlement Area and a similar size reduction to the Neustadt Settlement Area. During consultation the proposed removal of lands from Neustadt generated a degree of resistance.

The 'planning justification' for the expansion of Durham also requires additional review.

Durham remains well supplied with potential new residential building lots in the Sunvale development and the draft subdivision approvals for Tiffany/Broos, Saddler Street, Roseate and Khanani.

Adding and/or removal of lands from the settlement areas can be done at any time via a County of Grey Official Plan Amendment and a West Grey Official Plan Amendment.

#### **2. Downtown Commercial – Apartment 'permitted' at front of commercial unit**

The new draft WGOP includes a new Downtown Commercial policy that *could* permit, subject to meeting provisions of the zoning bylaw yet to be developed, the right to an apartment/residential unit at the 'front' of a commercial unit.

Current policy requires an apartment(s) to be located above or behind the commercial unit thereby preserving the commercial unit facing onto the street.

Many small-town downtown cores have struggled with attracting and retaining retail businesses. The issue is not isolated to West Grey.

Retail businesses in Durham operate within a regional market in terms of competition. As big box commercial entities in larger regional centres have opened this has had a profound impact on foot traffic and by extension the viability of commercial uses in our downtown areas.

Downtown commercial issues:

- regional competition from big box stores
- competition from online retailers
- small spaces available
- no Class A or Class B retail commercial spaces available
- perceived lack of 'nearby' parking from patrons when street parking is full
- safety/accessibility especially in the wintertime with snowbanks (even though Municipal crews regularly remove such impediments)

It is proposed that West Grey step back from regulating the permitted uses in the downtown cores and allow property owners to determine for themselves whether they wish to have tenants in all parts of their building.

It is the opinion of the Manager of Planning and Development that a building fully occupied, whether with commercial and residential units, or 100 percent residential units, is better than a building that is only partially occupied due to the difficulties in securing long term commercial clients.

Benefits of allowing residential in all parts of a building:

- rent from all units;
- incentivizes the owner to do ongoing maintenance in parts of building with residential tenancy;
- potential additional residents that would patronize existing stores; and
- flexibility in determining use of private property by the owner.

Cons of allowing residential in all parts of a building:

- detracts from a business first downtown;
- potential changes to building facades i.e., curtains in front windows;
- limited residential parking available; and
- adds pressure to recycling and waste removal issues.

The proposed policy is permissive but would still require owners to comply with any new provisions i.e., parking, as set out in the comprehensive zoning bylaw.

### 3. 'Dark Sky' policy versus 'Dark Environment' policy

Presentations and written correspondence from the public have been made recommending modifications to 'Section H5 Outdoor Lighting/Dark Sky Friendly'.

It is Planning staff's opinion that the proposed modifications represent a significant change in the direction of the West Grey Official Plan from requiring development and redevelopment to be Dark Sky Friendly to requiring all development and redevelopment to adhere to a more onerous Dark Environment standard.

To bring effect to a dark environment Official Plan policy West Grey would not be able to rely on the zoning bylaw, or the Ontario Building Code, to implement such a policy. A separate dedicated bylaw under the Municipal Act would be required.

Planning staff recommend that the Dark Environment modifications as proposed not be accepted except for minor modifications as included in the ver. November 18, 2025.

### **Provincial Planning Statement 2024:**

The Provincial Planning Statement 2024 (PPS) is a policy statement issued under the authority of section 3 of the *Planning Act* and came into effect on October 20, 2024.

The PPS applies to all the decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

Section 3 of the *Planning Act* requires any decision made by the council of a municipality on planning matters shall be consistent with the PPS.

In the preparation of a new official plan for an urban settlement area there are multiple sections of the PPS that are applicable including:

#### ***Chapter 2: Building Homes, Sustaining Strong and Competitive Communities***

*2.1 Planning for People and Homes*

*2.2 Housing*

*2.3 Settlement Areas and Settlement Area Boundary Expansions*

*2.8 Employment*

*2.9 Energy Conservation, Air Quality and Climate Change*

#### ***Chapter 3: Infrastructure and Facilities***

*3.1 General Policies for Infrastructure and Public Service Facilities*

*3.2 Transportation Systems*

*3.3 Transportation and Infrastructure Corridors*

*3.5 Land Use Compatibility*

*3.6 Sewage, Water and Stormwater*

*3.7 Waste Management*

*3.8 Energy Supply*

*3.9 Public Spaces, Recreation, Parks, Trails and Open Space*

**Chapter 4: Wise Use and Management of Resources**

*4.1 Natural Heritage*

*4.2 Water*

*4.6 Cultural Heritage and Archaeology*

**Chapter 5: Protecting Public Health and Safety**

*5.1 General Policies for Natural and Human-Made Hazards*

*5.2 Natural Hazards*

*5.3 Human-Made Hazards*

**Chapter 6: Implementation and Interpretation**

*6.1 General Policies for Implementation and Interpretation*

*6.2 Coordination*

The Manager of Planning and Development is of the opinion that the New Official Plan for the Settlement Areas of Durham and Neustadt (November 18, 2025) is consistent with the PPS.

**County of Grey Official Plan (Grey OP)**

The County of Grey Official Plan is an upper-tier municipal official plan.

Section 17(34.1) of the Planning Act states that the County of Grey shall not approve the West Grey Official Plan, or any part of the West Grey Official Plan, if the plan does not conform with the Grey OP.

The following definitions of conform, taken from various dictionaries, is instructive:

*Conform* (verb) 1. comply with rules, standards, or conventions. 2. be similar in form or type. *Catherine Soanes, The Compact Oxford English Dictionary, 2nd ed. (Oxford: Oxford University Press, 2002).*

*Conform* v. 1. v.t. form according to pattern, make similar (to). 2. v.i. be conformable (to, or abs.); comply with rules or general custom; ~ to or with, comply with. *H.W. Fowler, H.G. Fowler, The Concise Oxford Dictionary of Current English, 7th ed. (Oxford: Oxford University Press, 1982).*

*Conform transitive verb:* to give the same shape, outline, or contour to : bring into harmony or accord <*conform* furrows to the slope of the land> *intransitive verb* 1: to be similar or identical; *also:* to be in agreement or harmony — used with *to* or *with* <changes that *conform* with our plans> 2 a: to be obedient or compliant — usually used with *to* <*conform* to another's wishes> b: to act in accordance with prevailing standards or customs <the pressure to *conform*> *Meriam-Webster Online Dictionary.*

Based on the definitions, conform requires West Grey Official Plan policies to be similar to/in harmony with Grey OP policies. The conform with test does not require policy to be exactly the same.

Planning staff have incorporated many, but not all, of the comments/suggestions provided by Grey County where deemed warranted.

The Manager of Planning and Development is of the opinion that the New Official Plan for the Settlement Areas of Durham and Neustadt (November 18, 2025) conforms to the Grey County Official Plan.

### **Next Steps**

If Council adopts, by bylaw, the New WGOP (Attachments one through 1.5), will be forwarded to the County of Grey for approval.

Upon receiving the adopted WGOP County staff will review it and consult with departments/agencies, and members of the public as required. If County staff propose modifications to the adopted WGOP, West Grey staff may request Council's direction if such modifications are significant.

The County will issue a decision on its approval of the WGOP, including any required modifications, which is subject to 20-day appeal period.

If no appeals are received to the County's decision the WGOP will be in full force and effect.

Changes to, or a new, West Grey Comprehensive Zoning Bylaw will be required to implement the New West Grey Official Plan.

## **Financial and Operational Implications:**

Potential appeal to the Ontario Land Tribunal.

## **Climate and Environmental Implications:**

As reviewed in this Report.

## **Communication Plan:**

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

## **Consultation:**

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

## **Attachments:**

Attachment 1: New West Grey Official Plan for the Settlement Areas of Durham and Neustadt (November 18, 2025)

Attachment 1.1: WGOP Sch. A Durham version November 18, 2025

Attachment 1.2: WGOP Sch. B Neustadt version November 18, 2025

Attachment 1.3: WGOP Apdx. A Durham version November 18, 2025

Attachment 1.4: WGOP Apdx. B Neustadt version November 18, 2025

Attachment 1.5: WGOP Apdx. C Durham version November 18, 2025

Attachment 2: County of Grey Comments

Attachment 3: SVCA Comments

Attachment 4: Public Comments

## **Recommended by:**

David Smith, RPP, MCIP, Manager of Planning and Development



## **Submission approved by:**

Michele Harris, Chief Administrative Officer

For more information on this report, please contact David Smith, Manager of Planning and Development at [planning@westgrey.com](mailto:planning@westgrey.com) or 519-369-2200 Ext 326.