



Council report

Meeting date:	April 20, 2021
Title:	Z05.2021 - CULLITON, Aaron and Dalana
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

The Council receive Planner Spencer's report and considers 1st, 2nd, and 3rd reading of the by-law at a subsequent Council meeting.

Executive summary

The subject lands are municipally identified as 1021 Victoria Street in the secondary settlement area of Ayton. They are legally identified as Plan 153, Lot 2, Part Lot 1 S; RP 16R11092, Part 1 in the geographic township of Normanby.

The purpose of the application is to fulfill a condition of consent previously approved by the Committee of Adjustment. The previous applications were provisionally approved to sever two residential lots and retain one residential lot within the secondary settlement area.

Background and discussion

The subject lands are located on the south side of Victoria Street and currently contain a single detached dwelling unit and an accessory structure. The provisional consent approval created two additional lots and one retained parcel within the secondary settlement area of Ayton. A condition of consent was to re-zone the subject lands to recognize the presence of an existing accessory structure and rezone the lands for residential purposes whereas they are currently zoned FD (future development).

Legal and legislated requirements

The application was previously reviewed in the context of the Provincial Policy Statement, 2020 (PPS) and Planning Staff are confident that this application remains consistent with the PPS. However, a brief summary of that review has been included below for the benefit of Council.



1. Provincial Policy Statement, 2020 (2020 PPS)

Part V, Section 1.0 of the 2020 PPS speaks to building healthy and strong communities. In accordance, Section 1.1 of the 2020 PPS speaks to the management and direction of land use to achieve efficient and resilient development and land use patterns. Section 1.1.2 of the 2020 PPS further promotes the efficient use of land within defined settlement areas through the use of intensification and redevelopment.

Section 1.1.3.1 of the 2020 PPS also states that settlement areas shall be the focus of growth and development. The creation of additional lots within the settlement area in this location is considered to be consistent with the policies of the 2020 PPS.

The lot creation proposed as part of these two applications would provide intensification with no further consideration to development of the lots at this time. There would be no further development of the lots in future under current policy going forward.

Section 1.1.3.6 of the 2020 PPS states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and have a compact form, mix of land uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The creation of these two lots would not cause an adverse impact to the existing community facilities and public services in the area. The lots are intended to be utilized for residential purposes which are consistent with the fabric of the existing community. The public services utilized are not anticipated to be under strain with the addition of two lots intended for single detached dwelling units on private services.

2. County of Grey Official Plan (Recolour Grey)

Similar to the above, planning staff previously reviewed the policies of the County Official Plan and continue to be satisfied that this application maintains the general intent and purpose of the Plan. For the benefit of Council a summary of that review has been included as part of this report below.

The subject lands are designated as being within a defined secondary settlement area under the County Official Plan. Policy 3.6 defines the parameters of secondary settlement areas and support the growth of these areas despite being on private or partial services. Permitted uses within this designation under policy 3.6.2 include residential uses, bed and breakfast establishments, home / rural occupations, commercial and dry industrial uses, public, recreational and institutional uses intended to support the surrounding agricultural community. Policy 3.6.6 promotes the intensification of intensification opportunities within secondary settlement areas to promote the development of healthy communities. Intensification under policy Section 3.6 further permit the development of lands on private services provided they demonstrate no adverse environmental impact.



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3. Municipality of West Grey Comprehensive Zoning By-law 37-2006

The subject lands are currently zoned FD (Future Development) under the municipality's zoning by-law. The FD zone does permit single detached dwelling units however, planning staff recommended that the property be rezoned to R1A for consistency and to recommend the accessory structure that will now exist on a newly created parcel without a principal use. This application is to satisfy the condition of provisional consent that was approved by the Committee.

The current structures conform to the requirements associated with the R1A (Un-serviced Residential) zone however the presence of an accessory structure prior to the establishment of a principle use is not permitted which occurred as a condition of consent. The accessory structure is approximately 92.9 m² (1000 ft²) and is located in the front yard. Section 6.1.2(a) of the municipality's comprehensive zoning by-law does not permit the placement of an accessory structure in the front yard unless it maintains the setback provisions of the established zone. Section 6.1.2(c) of the municipality's comprehensive zoning by-law also limits the placement of accessory structures in the front yard where they do not meet the minimum lot size of 1.0 hectares (2.5 acres). Both of these provisions have been recognized as part of the draft zoning by-law through exception 426.

Planning staff are satisfied that the draft by-law maintains the general intent and purpose of the zoning by-law and have no further concerns in this regard.

Financial and resource implications

None.

Staffing implications

None.

Consultation

All of the following comments were previously considered as part of the consent applications. Further comments are not anticipated.

- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority
- Hydro One Networks
- Enbridge Gas Inc.

Alignment to strategic vision plan

Pillar: Build a better future
Goal: Invest in business
Strategy: Take a co-operative approach to development

Attachments

- Application form
- Draft zoning by-law
- Draft zoning schedule

Next steps

Following this meeting, at a subsequent meeting of Council that the by-law receive 1st, 2nd, and 3rd reading. Following the appeal period and provided no appeals have been received, planning staff will notify the applicant and advise that one of the conditions of provisional consent has been fulfilled.

Respectfully submitted:



The seal is circular with a double-lined border. The outer ring contains the text "LORELIE E. SPENCER" at the top and "INSTITUT DES PLANNING PROFESSIONNELS DU CANADA" at the bottom. The inner circle contains the text "REGISTERED PROFESSIONAL PLANNER" and "R.P.P." in the center.

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