



Committee of adjustment report

Meeting date:	May 3, 2021
Title:	B04.2021 – ELVIDGE, Robert and Kari
Prepared by:	Lorelie Spencer, Ba.U.R.PI, MCIP, RPP
Reviewed by:	Laura Johnston, CAO

Recommendation

That committee receives report B04.2021 – ELVIDGE, Robert and Kari and the recommendation that application B04.2021 be provisionally approved, subject to the following conditions:

- payment of any outstanding municipal taxes (if applicable);
- payment and receipt of an entrance permit for the newly created parcel; and
- payment of the \$500.00 parkland dedication fee.

Executive summary

The subject lands are municipally identified as 283 Durham Road East, Durham. The lands are legally identified as Part Lot 28, Plan 502; Part 1; RP 17R2728 within the Town of Durham.

The purpose of the application is to sever a residential lot and retain a residential lot. The effect of which will create a new residential parcel.

The severed lot will be approximately 0.07 hectares in size with a retained parcel approximately 0.13 hectares in size. Both properties will have access to Durham Road East.

Background and discussion

The subject lands are located on the south side of Durham Road East and currently contain a single detached dwelling unit. The lands are designated as a 'Primary Settlement Area' under the County of Grey Official Plan. Policy 3.5 of the Official Plan states that primary settlement areas are identified as areas suitable for high intensification targets, public transit services, and have full municipal services. Policy 3.5(3) states that 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 are intended under the Official Plan to be the focus of growth within the County.

The proposed lot creation maintains the general intent and purpose of the Official Plan policies in this regard.



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Legal and legislated requirements

To assess the merits of the consent applications in question the following policies were reviewed in detail.

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 this application would provide intensification with no further consideration to development of the lots at this time. The capability of the subject lands to be serviced by municipal services is further consistent with the PPS.

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 this lot would not cause an adverse impact to the existing community facilities and public services in the area. The lot will be utilized for residential purposes which remains consistent with the lot fabric of the surrounding area. The lot will be connected to municipal services and is not anticipated to create a strain on the existing municipal system.

Planning staff are satisfied that the applications are consistent with the 2020 PPS.

2. County of Grey Official Plan (Recolour Grey)

The subject lands are identified as a primary settlement area under the County of Grey Official Plan. Policy 3.5(6) outlines the desire to provide intensification opportunities within primary settlement areas. This policy further defines that new construction through intensification should occur in a manner that takes into account the existing built and physical environment.

The intent of the newly created parcel is for residential purposes which is also in keeping with policy 3.5.6(c) which promotes the development of underutilized lots within primary settlement areas.

Planning staff are satisfied that the proposed consent applications maintain the general intent and purpose of the Official Plan.



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

The subject lands are currently zoned R2 (Residential) under the municipality's zoning by-law. The R2 zone does permit single detached dwelling units and based on the information provided by the applicant at this time, planning staff are satisfied that the existing single detached dwelling unit will not require a site-specific amendment to address any encroachments on the newly created lot line. Provided development on the newly created lot complies with the provisions of the R2 zone, planning staff have no further concerns in this regard.

Planning Staff are satisfied that the proposed consent maintains the general intent and purpose of the municipality's zoning by-law.

Financial and resource implications

None.

Staffing implications

None.

Consultation

- 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

- Aerial OP
- Aerial Zoning



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Next steps

On provisional consent approval of application B04.2021 staff will provide notice to commence the appeal period. Provided no appeals are received, planning staff will notify the applicant and verify the conditions required to be completed within 12 months from the date of decision.

Respectfully submitted:



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Manager of Planning and Development