



Committee of adjustment report

Meeting date:	May 17, 2021
Title:	B08.2021 (SOLANKO, Jozef / NUHN, Joshua)
Prepared by:	Lorelie Spencer, Ba.U.R.PI, MCIP, RPP
Reviewed by:	Laura Johnston, CAO

Recommendation

That committee receives Planner Spencer's report for file B08.2021 – SOLANKO, Jozef (Agent) NUHN, Joshua and the recommendation that application B08.2021 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 severed parcel;
- payment and application for a zoning by-law amendment to implement a holding provision;
- passage of a zoning by-law amendment; and
- payment of the \$500.00 parkland dedication fee for the newly created parcel.

Executive summary

The subject lands are municipally identified as 1028 Victoria Street in the secondary settlement area of Ayton. They are legally identified as Lot 2, Plan 153; 16R7958; Part 1 in the geographic township of Normanby.

The purpose of the application is to sever one (1) residential lot and retain one residential lot within the secondary settlement area. The effect of the application will create a total of two lots, including the retained parcel. Both parcels will be used for residential purposes.

Background and discussion

The subject lands are located on the north side of Victoria Street, west of Caroline Street and currently contain a single detached dwelling unit. The lands are designated as a 'Secondary Settlement Area' under the County of Grey Official Plan. Policy 3.6 of the Official Plan states that secondary settlement areas are identified as areas that have lower density targets and have a limited range of uses and amenities compared to primary settlement areas and have partial or private services. These areas are intended to have limited residential growth as well as new community facilities and employment services. The type of permitted uses allowed in these



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areas 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.

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

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 the development of the balance of the lands at this time. The balance of lands would require further considerations to permit development in future, should an application be proposed.

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 additional lot would not cause an adverse impact to the existing community facilities and public services in the area. The lots (severed and retained) 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 another lot intended for single detached dwelling units on private services.

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 designated as being within a defined secondary settlement area under the County Official Plan. Policy 3.6 defines the parameters of secondary settlement areas



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and supports 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.

Comments have been provided from the County of Grey which echo the concerns of West Grey Planning Staff. The settlement area boundary permits further development within the subject lands. The creation of this lot does not permit the further development of the lot at this time. Planning staff recommend committee provide a recommendation to council related to the extension of the street patterns in Ayton. At this time, should committee approve the application, it is recommended that a holding provision is placed on the balance of the subject lands outside of an identified building envelope to ensure that future development of the property is considered only on the intent of the upgrade and extension of Caroline Street. This will require the cooperation of the two properties immediately east of the subject lands.

Planning staff are satisfied that the proposed consent application generally maintains the intent and purpose of the Official Plan.

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

The subject lands are currently zoned R1A (Unserviced Residential Zone). Based on the information provided as part of the application, there does not appear to be a need to rezone the subject lands. The existing single detached dwelling unit will continue to maintain the provisions of the zoning by-law. Provided future development on the severed lands maintains the provisions of the zoning by-law, planning staff have no further concerns in this regard.

As previously noted, a condition of consent should include the requirement for the implementation of a zoning by-law amendment to impose a holding provision on the balance of the subject lands to permit consideration for further development through the extension of Caroline Street.

Financial and resource implications

None.



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Staffing implications

None.

Consultation

- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority

Alignment to strategic vision plan

Pillar: Build a better future

Goal: Invest in business

Strategy: Take a co-operative approach to development

Attachments

- Aerial and OP mapping
- Aerial and Zoning mapping
- Commissioned application form
- County of Grey Planning and Development Department comments
- School Board comments

Next steps

On provisional consent approval of application B08.2021 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