



Council report

Meeting date:	June 15, 2021
Title:	Z03.2021 - RUSSELL
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

THAT Council receive Planner Spencer's updated report regarding Z03.2021, consider the comments received and provide first, second and third reading of the by-law.

Executive summary

The Applicant has requested the construction of a second dwelling unit on the subject lands. The subject lands are municipally known as 415190 Baseline Road and legally described as Lot 3 EGR, Concession 3 in the geographic township of Glenelg within the Municipality of West Grey. The lands have frontage on Baseline Road. The effect of the zoning by-law amendment would permit the construction of a second dwelling unit on the property with its own private services. A public meeting was held for this file on April 20, 2021. Staff recommended deferral of the application until comments from the County of Grey were received regarding the application. Comments have now been received in addition to supporting documentation from the applicants which can permit the file to proceed.

Background and discussion

The subject lands are designated as 'rural' and 'hazard' under the County of Grey Official Plan. The current zoning of the property is A2 (restricted rural) and NE (natural environment). The proposed location of the new dwelling unit and the area identified in the draft zoning schedule is outside of the 'hazard' designation and the NE (natural environment) zone. The location is contained entirely within the identified A2 (restricted rural) zone. The proposed second dwelling unit is approximately 188 metres from the existing single detached dwelling unit and 95 metres from the existing barn on the subject lands.

The applicant desires to construct a second dwelling to provide for care for family members. Planning staff acknowledge that the immediate needs of this property must also be reviewed from a long-term perspective to ensure appropriate development now and in the future.

Legal and legislated requirements

To assess the merits of this application staff undertook a review of the Provincial Policy



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Statement (2020 PPS), the County of Grey official plan and the Municipality of West Grey comprehensive zoning by-law.

1. Provincial Policy Statement (2020 PPS)

The 2020 PPS speaks to the use of rural lands, specifically section 1.1.5.2 which states as follows:

On rural lands located in municipalities, permitted uses are: a) the management or use of resources; b) resource-based recreational uses (including recreational dwellings); c) residential development, including lot creation, that is locally appropriate; d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards; e) home occupations and home industries; f) cemeteries; and g) other rural land uses.

Section 1.4.3 of the PPS speaks to the appropriate range and type of housing units. In essence this policy provides for the direction of additional types of housing units in areas appropriate for development.

Planning Staff are satisfied that the intent of the PPS is met with this application in the provision for the additional use of housing types.

2. County of Grey Official Plan

The subject lands are designated as rural within the County of Grey official plan. Single detached dwelling units are permitted within the rural land use designation.

The County Official Plan, specifically policy 4.2.5 relates to second units. This policy further refers to the requirements of the Planning Act to have official plans and zoning by-laws permit second units. These units are defined as being located in a variety of housing types including detached dwelling units. Where second units are permitted in detached dwelling units it is required that the primary unit does not contain a second unit under the Planning Act. The County further states under this policy that they are generally supportive of second dwelling unit and in summary where located outside of settlement areas that they are located within the farm cluster. The farm cluster is generally applied as a structure within 50 metres of the original detached dwelling unit. The intent of this application is to ensure the preservation of farmland to maintain an active farm operation.

Planning staff note that the application in its current form is not within the defined farm cluster as it is well outside of the farm cluster at approximately with a distance of 188 metres from the original detached dwelling unit. The applicant has provided rationale for the location of the new dwelling unit. The intent of the applicant is to restore the existing barn on the subject lands and utilize the surrounding lands to the barn for livestock and cropping purposes. The lands in the location of the build site, contain significant slopes which has been incorporated into the house design to minimize the impact of the dwelling unit on the natural slope of the lands.



In the opinion of planning staff, the proposed zoning by-law amendment is generally in keeping with the intent and purpose of the official plan while also preserving the surrounding landscape for agricultural purposes. Planning staff have no further concerns in this regard.

3.0 The Municipality of West Grey Comprehensive Zoning By-law

The subject lands are zoned A2 (rural) and NE (natural environment) within the municipality's comprehensive zoning by-law. The location of the proposed secondary dwelling unit would be entirely within the A2 (rural) zone.

The Municipality of West Grey currently does not permit secondary units of the nature being proposed. To achieve this purpose, this application has been reviewed on a site-specific basis. Municipalities must have regard for the policies noted above, including the requirement to meet Minimum Distance Separation (MDS) requirements. Planning Staff have reviewed MDS related to this property and have no concerns in this regard. Planning staff do note that the cluster has a distance from the primary dwelling unit but the proposed location is site specific and shares a common entrance. It is not anticipated that the location of this unit will impact the current farming operations of the subject lands as they property is primarily utilized for tree farming. The rear portion of the property to the west is primarily tree covered and contains an area where the Styx River traverses the property. The applicants have noted that they intend to restore the existing barn and increase farming operations over time.

Planning staff are generally satisfied that the amendment maintains the general intent and purpose of the municipality's zoning by-law. To prevent an additional accessory apartment unit within the second dwelling unit, this detail has been included within the exception proposed for the zoning by-law to be consistent with the requirements of the planning act.

Financial and resource implications

None

Staffing implications

None

Consultation

- County of Grey planning and development department

Alignment to strategic vision plan

Pillar: To build a better future



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Goal: Review and consider the Official Plan

Strategy: Provide a variety of development and housing options

Attachments

- 1.) Draft zoning by-law
- 2.) Draft zoning by-law schedule
- 3.) County of Grey planning and development department
- 4.) Correspondence from the applicant

Next steps

That the by-law receive first, second and third reading and notice of decision is provided. Following the applicable appeal period, provided no appeals are received, the applicant will be notified that they may apply for a building permit.

Respectfully submitted:



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