



Council report

Meeting date:	July 5, 2021
Title:	ZA.08.2021 – STREICHER, Leonard and Emaline
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That council receive the report re: ZA08.2021 – STREICHER, Leonard and
That a zoning by-law be brought forward for Council consideration at a regular council meeting.

Executive summary

The subject lands are municipally known as 421763 Concession 6 NDR and legally identified as lots 18 and 19, concession 7 in the geographic township of bentinck. The property is approximately 70 hectares in size with a lot frontage of approximately 571.89 metres and a lot depth of 1047.96 metres. A single detached dwelling unit and accessory farm structures currently exist on the subject lands. The property is located just east of Lamlash on Concession 6 NDR.

The purpose of the application is to rezone the subject lands from A1 (agricultural), A2 (rural) and NE (natural environment) to A1 (agricultural), A2 (rural), NE (natural environment) and I (institutional). The effect of which will permit a portion of the lands to be utilized for a school.

Legal and legislated requirements

1.0 Provincial Policy Statement 2020 (PPS)

To determine the consistency of the proposal planning staff reviewed the Provincial Policy Statement (PPS 2020).

The subject lands are designated as 'agricultural', 'rural', and 'hazard' under the County of Grey official plan. The area proposed to be rezoned is entirely located within the agricultural designation on the subject lands. Section 2.3 of the 2020 PPS speaks to agricultural land uses. Policy 2.3.1 states that prime agricultural uses should be protected for long term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate.



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Section 2.3.3.1 states that in prime agricultural areas predominate uses are agricultural uses, agriculture-related uses and on-farm diversified uses. Section 2.3.6.1 states that planning authorities may only permit non-agricultural uses in prime agricultural areas for:

- a) extraction of minerals, petroleum resources and mineral aggregate resources; or
- b) limited non-residential uses, provided that all of the following are demonstrated:
 - 1. the land does not comprise a specialty crop area;
 - 2. the proposed use complies with the minimum distance separation formulae;
 - 3. there is an identified need within the planning horizon provided for policy 1.1.2 for additional land to accommodate the proposed use; and
 - 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid prime agricultural areas; and
 - ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Section 2.3.6.2 further states that impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and land are to be mitigated to the extent feasible.

The proposed zoning by-law amendment is for the purposes of constructing a new parochial school. The children attending the school predominantly live on the surrounding farms in the area.

2.0 County of Grey Official Plan

The subject lands are designated as 'agricultural', 'rural' and 'hazard' within the County official plan. The proposed amendment, as previously noted, is entirely within the agricultural designation on the subject lands. Policy 5.2.1(g) permits institutional uses on existing lots, serving those segments of the population whose primary means of transportation is via horse and buggy and active transportation, subject to policy 5.2.2(4)(b).

Policy 5.2.2(4)(b) echoes the policies of the 2020 PPS and encourages limiting non-residential uses within the agricultural designation.

The community utilizing the proposed school is located within the area and predominantly travels through the use of horse and buggy. Although the lands are designated as prime agricultural, the minimum area necessary for the location of the school has been determined to minimize impact on the farming operations. Planning staff are satisfied in this regard that the proposed change in land use is consistent with the intent and purpose of the official plan.

Policy 5.2.2(5) states that new land uses shall comply with minimum distance separation formulae. Calculations were provided by the applicant's agent and planning staff have no concerns related to minimum distance separation.

Planning staff are generally satisfied that the proposed zoning by-law amendment maintains the general intent and purposes of the official plan.



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3. The Municipality of West Grey Comprehensive Zoning Bylaw No. 37-2006

The Municipality of West Grey Comprehensive Zoning Bylaw zones the subject lands as A1 (agricultural), A2 (rural), and NE (natural environment). The proposed amendment would occur only on a portion of the A1 zone necessary for the placement of the school.

A minimum lot area of 0.4 hectares is required in the I (institutional) zone. In this case, a minimum lot area of 0.8 hectares has been proposed to ensure that further expansion of the school can occur without further amendment to the zoning by-law. Provided the structure maintains the provisions of the institutional zone, planning staff are satisfied that the application is consistent with the general intent of the zoning bylaw while also preserving lands for agricultural purposes.

Financial and resource implications

None

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

- County of Grey Planning and Development Department
- Saugeen Valley Conservation Authority
- Application Form
- Draft Bylaw and Schedule

Next steps

Once the by-law has received 1st, 2nd, and 3rd reading staff will notify of the by-law's passing. If no appeals are received, planning staff will advise the applicant's agent that they may proceed with their building permit.



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Respectfully submitted:



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