



Committee of adjustment report

Meeting date:	July 5, 2021
Title:	B12.2021 – MILLER, Ezra and Maurica (RIDGEWAY, Peter)
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That Committee of Adjustment received Planner L. Spencer's report wherein approval of application B12.2021 is recommended subject to the following conditions:

- Payment of any outstanding municipal taxes on the subject lands (if any);
- Application for a zoning by-law amendment to implement a holding provision;
- Payment of the zoning by-law amendment application fee; and
- That the severed lands merge in the form of a lot addition to the south.

Executive summary

The subject lands are municipally identified as 394711 Concession 2 EGR and legally identified as lots 16-17, concession 2-3 EGR in the geographic Township of Glenelg. The property is physically located near the southwest corner of sideroad 6 and baseline.

The purpose and effect of the application to sever the lands for the purposes of a lot addition with the lands adjacent to the south and retain a rural parcel. The effect of which will enlarge the vacant parcel to the south and retain a vacant rural parcel.

Background and discussion

In order to assess the merits of the application, Planning Staff have reviewed the Provincial Policy Statement (2020 PPS), the County of Grey Official Plan and the Municipality's Comprehensive Zoning By-law.

1. Provincial Policy Statement (2020 PPS)

The subject lands are designated as 'rural', 'hazard' and 'provincially significant wetland' under the County official plan.

Section 1.1.4 of the 2020 PPS states that rural areas are important to the economic success of the Province and our quality of life. Rural areas are considered to be a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resources and amenities. The province considers it important to leverage rural assets and amenities and protect the



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environment as a foundation for a sustainable economy.

Section 1.1.5.2 on rural lands within the municipalities, permitted uses are the management or use of resources, resource-based recreational uses (including recreational dwellings), residential development (including lot creation) that is locally appropriate, agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards, home occupations, home industries, cemeteries and other rural land uses.

Section 1.1.5.5 further states that development shall be appropriate to the infrastructure which is planned or available and avoid the need for the unjustified and / or uneconomical expansion of this infrastructure.

Section 2.1.4 and section 2.1.8 of the PPS speak to development and site alteration within or adjacent to provincially significant wetlands and the associated adjacent lands. Development is not permitted within the demonstration of the impact through the evaluation of an environmentally impact study. On the basis that development is not proposed on the lot addition lands which contain these features, planning staff have no concerns at this time.

Section 2.1.5(b) of the PPS states that development and site alteration shall not be permitted within significant woodlands or adjacent lands unless it has been demonstrated that there will be no negative impacts.

Section 3.1 of the PPS states that development shall be directed to areas outside of hazardous lands adjacent to rivers and streams which are impacted by flooding hazards and to direct development outside of hazardous sites.

Overall, on the basis that no development is being proposed on the lot addition lands, the planning mechanism to ensure future development will be further identified under section 2.0 of this report.

Based on the information provided by the Applicant, Planning Staff are satisfied that, provided the lands merge with the adjacent lands, the proposal is consistent with the 2020 PPS. No new development beyond the lot line adjustment has been proposed as part of this application.

2. County of Grey Official Plan (Recolour Grey)

The subject lands are within a defined as 'rural', 'hazard' and 'provincially significant wetlands' as previously noted under the county plan. The development policies of the rural land use designation are noted under policy 5.4.2 of the official plan. Minimum lot sizes within this designation for farm sized lots is 20 hectares. Pre-consultation was conducted with the Saugeen Valley Conservation Authority regarding this application, specifically related to the natural heritage components on the property. The hazard mapping for the subject lands identifies flood and erosion hazard of the watercourses, as well as the surrounding wetland features. Based on the information provided by the



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applicant it is the understanding that no development is proposed on the 12 hectare parcel being added to the adjacent lands.

The county official plan further denotes that almost the entire subject lands contain significant woodlands. Policy 7.4(1) of the county plan states that development and site alteration are not permitted within significant woodlands nor shall it be permitted on adjacent lands unless it has been evaluated and demonstrated that there will be no negative impacts.

In this case, development is not being proposed on the lot addition lands and the SVCA has agreed that the requirement for an environmental impact study can be waived. However, should development in this area be proposed in future, an EIS will be required to ensure that no adverse impact on the identified features will occur. To ensure that any development is appropriately reviewed in future, planning staff recommend that a holding provision be added as a condition of any provisional consent that is granted by the Committee. Removal of the holding provision will require the completion of an EIS to the satisfaction of the municipality and the conservation authority.

Provided the lands are required to merge as a condition of consent and the holding provision is also implemented, planning staff have no further concerns with this application.

Planning Staff are satisfied that the proposed lot addition maintains the general intent and purpose of the County Official Plan.

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

The subject lands are zoned A2 (rural), NE (natural environment) and NE2 (natural environment 2). The proposed lot addition will meet the minimum lot area requirement of the A2 zone being 20 hectares. Once the lands merge they will create a parcel approximately 24 hectares in size and have an overall frontage for the newly created lot of 520 metres whereas 122 metres is required.

The severed lands are to be added to the property directly south of the subject lands. The severed lands are located along the eastern portion of the subject lands and will not impact the existing frontage or overall minimum lot area.

Although the provisions of the zoning by-law are maintained a zoning by-law amendment is recommended by planning staff to ensure that any future development within the severed lands will be evaluated to ensure that there are no concerns relative to a negative impact on the natural heritage features on the subject lands in future.

Planning Staff are satisfied that the application maintains the general intent and purpose of the Municipality's Comprehensive Zoning By-law provided the holding provision is implemented.



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Legal and legislated requirements

None

Financial and resource implications

None

Staffing implications

None

Consultation

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

Alignment to strategic vision plan

Pillar: Build a better future

Goal: Invest in business

Strategy: Review zoning by-laws and West Grey Official Plan

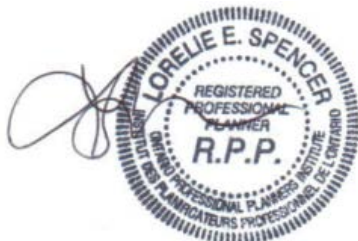
Attachments

- 1.) Application
- 2.) Site Plan
- 3.) County of Grey Planning and Development Department Comments
- 4.) Saugeen Valley Conservation Authority Comments

Next steps

Provided provisional consent is granted the Applicant should proceed with the passage of a Zoning By-law Amendment as noted above.

Respectfully submitted:



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Manager of Planning and Development