



Committee of adjustment report

Meeting date:	July 5, 2021
Title:	B13.2021 – BRAUN, Isaak and Elisabeth
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That committee receives report B13.2021 – BRAUN, Isaak and Elisabeth and the recommendation that application B13.2021 be provisionally approved, subject to the following conditions:

- payment of any outstanding municipal taxes (if applicable);
- payment of the zoning by-law amendment application fee;
- passage of the zoning by-law amendment application;
- payment and receipt of entrance permits for the severed lands (file B13.2021); and
- payment of the \$500.00 parkland dedication fee for the newly created parcel.

Executive summary

The subject lands are municipally identified as 225 Forler Street in the primary settlement area of Neustadt. They are legally identified as part lot 4 Forler East, concession 13 in the geographic township of Normanby.

The purpose of the applications is to sever two residential lots and retain one residential lot within the primary settlement area. The effect of the applications will create a total of two lots, including the retained parcel. The proposed parcels will be used for residential purposes.

Background and discussion

The subject lands are located on the east side of Forler Street and currently contain a single detached dwelling unit and an accessory structure. The lands are designated as a 'Primary Settlement Area' under the County of Grey Official Plan.

Legal and legislated requirements

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



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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. There would be no further development of the lots in future under current policy going forward.

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 is 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 of a new residential parcel on municipal services.

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

2. County of Grey Official Plan (Recolour Grey)

Policy 3.5 of the County official plan states that primary settlement areas are identified as areas suitable for high intensification targets, public transit services, and have full municipal services. Municipalities with primary settlement areas will, in their official plans, identify and plan for intensification within these areas. Policy 3.5(6) further states that intensification opportunities are strongly encouraged within this designation and further that municipalities should establish intensification targets. This policy further states that new construction within this area should occur in a manner that takes into account the existing built and physical environment and is compatible with the surrounding land uses.

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

3. Municipality of West Grey Official Plan

The Municipality of West Grey Official Plan further defines the land use designation as



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residential under part D. Policy D D2.3.1 of the official plan states that the predominant use of land within the residential dwelling units. The types of dwelling unit permitted shall include low density residential housing such as detached dwellings, semi-detached dwellings and duplexes, medium density housing such as triplexes, quadraplexes and townhouses and high density housing such as apartments. The proposed development information provided by the applicant would be for single detached dwelling units which maintains the general intent and purpose of the local official plan.

Policy D2.4.2 further requires that development in this location shall be servicing with municipal water and sanitary sewer. Planning staff are satisfied that this can be accomplished at the sole expense of the applicant for the connection of full municipal and water services. Policy D2.4.3 further requires that new residential development shall occur by intensification, infilling and expansion. The proposed development maintains the general intent and purpose of the official plan related to this policy.

Planning staff are satisfied that the proposed development maintains the general intent and purpose of the local official plan for the residential designation.

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

The subject lands are currently zoned R1B (residential zone) under the municipality's zoning by-law. The R1B zone does permit single detached dwelling units which is proposed by the information provided by the applicant at this time. The following provisions relate to the R1B zone and have been evaluated against the proposed lot creation.

	Required	Provided (retained)	Provided (severed)
Lot area, minimum	465 m ²	2022.9m ²	2022.9m ²
Lot frontage, minimum	15.0m	±25.14m	±25.14m
Front yard, minimum	7.6m	±4.5m	Not applicable
Interior side yard, minimum	1.8m (two storey)	±11.84m	Not applicable
Rear yard, minimum	7.6m	±58.71m	Not applicable



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Lot coverage, maximum	40%	±12%	Not applicable
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Based on the information provided, the retained lot will require a site-specific amendment to address the deficient front yard setback. This will be required as a condition of consent should committee approve the application. The applicant is encouraged to determine if any proposed detailed design will be considered which may also be covered under the zoning by-law amendment application.

Provided the amendment recognizes the existing accessory structure and rezones the lands to the R1B zone, staff have no further concerns with the proposed consent applications.

Financial and resource implications

None.

Staffing implications

None.

Consultation

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

- 1.) Application form
- 2.) Aerial and official plan mapping
- 3.) Aerial and zoning mapping
- 4.) County of Grey Planning and Development Department comments
- 5.) Saugeen Valley Conservation Authority comments
- 6.) Enbridge Gas Inc.

Next steps



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On provisional consent approval of application B13.2021 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:



Lorelie Spencer, Ba.U.R.PI, MCIP, RPP

Manager of Planning and Development