



Council report

Meeting date:	September 13, 2021
Title:	ZA14.2021 – BRAUN, Isaak and Elisabeth
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That council receive Planner Spencer's report and considers 1st, 2nd, and 3rd reading of the by-law at a subsequent council meeting.

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, the Village Neustadt (Normanby).

The purpose of this application is to change the zone symbol on the subject lands from R1B (residential) to R1B-432-h (residential with exception and holding provision). The effect of which would implement a condition of provisional consent for file B13.2021. Exception 432 will recognize the deficient front yard setback of the subject property.

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. A public meeting for file B13.2021 was heard by the Committee of Adjustment on July 5th, 2021 and subsequently approved. Notice of no appeals was provided on July 26th, 2021.

In order to finalize the provisional consent the applicant is required to address the conditions of decision no later than one year from the date of decision (July 5, 2022). Four conditions were provided as part of the provisional approval as follows:

- 1) Payment of any outstanding municipal taxes, if applicable;
- 2) Payment of the zoning by-law amendment fee;
- 3) Receipt of a zoning by-law amendment to address the deficient front yard setback on the retained lands and zone the lands to the R1B (residential zone) and



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implement a holding provision to facilitate the future development of Phillip Street;
and

- 4) Payment of the parkland dedication fee for the newly created parcel.

If approved, this will fulfill conditions 2 and 3.

Legal and legislated requirements

The application was previously reviewed in the context of the Provincial Policy Statement, 2020 (PPS) and planning staff are confident that this application remains consistent with the PPS, County of Grey Official Plan (Recolour Grey) and the Municipality of West Grey Official Plan.

Similar to the above, planning staff previously reviewed the provisions of the municipality's comprehensive zoning by-law 37-2006.

1. 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 a single detached dwelling unit. Based on previous review it was determined that the retained lot requires a site-specific amendment to address the deficient front yard setback. Exception 432 will address this component.

In addition, as part of the public meeting comments were received from the county of Grey Planning and Development Department requesting consideration for the future extension of Phillip Street from the adjacent subdivision. In order to address this component, planning staff recommended the use of the holding provision to ensure that structures on this portion of the property were not constructed in the event Council determined a road extension may be required in future. This has been included as part of the overall zoning amendment.

Provided the amendment is approved with the recommendations provided, Planning staff have no further concerns in this regard. The application generally maintains the intent and purpose of the municipality's comprehensive zoning by-law no. 37-2006.

Financial and resource implications

None.

Staffing implications

None.

Consultation



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- 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: Review municipal official plan policies and zoning by-law provisions
Strategy: Take a co-operative approach to development

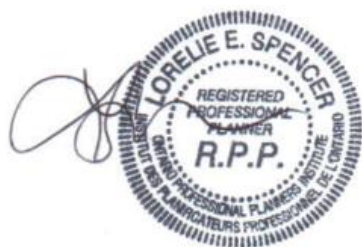
Attachments

- 1.) Application form
- 2.) Aerial and official plan mapping
- 3.) Aerial and zoning mapping
- 4.) Draft zoning by-law
- 5.) By-law schedule
- 6.) County of Grey Planning and Development Department comments

Next steps

Following this meeting, at a subsequent meeting of Council provided that the by-law receive 1st, 2nd, and 3rd reading a notice of decision will be issued. Provided no appeals are received, planning staff will notify the applicant and advise that two of the conditions of consent have been fulfilled.

Respectfully submitted:



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