



Council report

Meeting date:	October 18, 2021
Title:	ZA15.2021 – Harper Homes Inc. (Agent: Matt Smith)
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

The 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 378 Adam Street in the primary settlement area of Neustadt. They are legally identified as registered plan 161, lot 71 in the geographic Township of Normanby.

The purpose of the application is to change the zone symbol on the subject lands from C1 (general commercial) to R2-436 (residential with exception). The effect of which will change the zoning on the subject lands to permit the use of the lands for a five (5) unit residential building. Exception 436 will specifically permit the five (5) unit residential building and the requirement for site plan control.

Background and discussion

The subject lands are located on the west side of Adam Street and currently contain a funeral home. The zoning on the subject lands is currently C1 (general commercial). To change the use to a residential use, a zoning by-law amendment is required. Planning staff further note that a 'record of site condition' (RSC) will be required as a result of the lands potential conversion from the commercial use to residential. An RSC is an investigation filed with the Ministry of the Environment, Conservation and Parks (MECP) that establishes the environmental condition of a contaminated property at a particular point in time to ensure that a change in land use is not detrimental and site remediation is not required.

Legal and legislated requirements

The application has been reviewed in the context of the Provincial Policy Statement, 2020 (PPS).



1. Provincial Policy Statement, 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 conversion of the subject lands to a multi-unit residential use is considered to be consistent with this section.

The change in land use and the addition of residential development would provide intensification. We understand that a future addition to the existing structure is proposed in future which accounts for the five (5) unit residential use requested as part of this application.

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 intensification in terms of residential land use will be located within the defined primary settlement area of Neustadt and will be constructed utilizing existing municipal services. The public services utilized are not anticipated to be under strain with the addition of the five (5) residential units.

Provided a positive RSC is provided, planning staff are satisfied that the application is consistent with the policies of the 2020 PPS.

2. County of Grey Official Plan (Recolour Grey)

Planning staff reviewed the application relative to the County Official Plan. The village of Neustadt is designated as a prime settlement area under the County official plan. Policy 3.5 of the county plan states that primary settlement areas are areas suitable for high intensification targets, public transit services and have full municipal services. The county plan further requires that municipalities with primary settlement areas will, in their own official plan, identify and plan for intensification within these areas. The development of high quality urban form and open public spaces within these areas is also encouraged through site design, and urban design standards, to create attractive and vibrant places that support walking and cycling for everyday activities and are transit-supportive.

Policy 3.5(6)(d) states that intensification opportunities are strongly encouraged within primary settlement areas. Municipalities must develop and adopt intensification strategies



to ensure that the residential intensification targets identified under section 3.4.1 of the county plan are met. Specifically the expansion or conversion of existing buildings. This policy further states that new construction through intensification should occur in a manner that takes into account the existing built and physical environment and is compatible with the surrounding land uses.

Planning staff are satisfied that the establishment of site plan control for this property as part of the zoning by-law amendment will ensure that matters of concern at the county level can be addressed appropriately. Planning staff are satisfied that the application maintains the general intent and purpose of the county official plan.

3. Municipality of West Grey Official Plan

The subject lands are designated as 'environmental protection' under the municipal official plan. An identified flood fringe exists along the eastern boundary of the property and an identified 'hurricane hazard identified flood event' area within the identified flood fringe.

Policy D9 states that the goal of the environmental protection designation is to strive to protect and preserve lands having inherent physical and environmental constraints to development in order to avoid potential danger to life or property.

Policy D9.2.1 states that the objective of this designation is to identify those areas of Neustadt which represent a risk to development and to direct development away from such areas.

The predominant land use within the environmental protection designation shall be conservation, forestry and passive recreational uses under policy D9.3.1. The flood plain under the official plan is defined as the extent of flood from the 'hurricane hazard flood event standard'.

The official plan defines the flood fringe zone under policy D9.4.2(b) as the portion of lands adjacent to the floodway where the risk of flood-related damages is lesser than the risk associated with the floodway. This definition in Neustadt includes all lands situated between the outer limits of the hurricane hazard flood event standard. New development, including any change to a building or structure that would alter the use of potential use, increase the side, or increase the number of dwelling units requires permission from the conservation authority. Comments have been requested from the conservation authority as a result.

The proposed land use would increase the use of the lands by virtue of the residential zoning proposed. Provided positive comments are provided from the Saugeen Valley Conservation Authority and mitigation measures are implemented as part of site plan control, planning staff are satisfied that the change in land use maintains the general intent and purpose of the municipal official plan.



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

The subject lands are currently zoned C1 (general commercial) under the municipality's zoning by-law. The C1 zone permits a variety of commercial uses in addition to accessory residential units. Single detached dwelling units and multi-residential dwelling units are not permitted. This application was specifically brought forward to address this matter. The R2 (residential zone) permits a variety of residential uses including singled detached, semi-detached, duplex, triplex, fourplex and four unit street townhouse units. The municipal zoning by-law does not permit fiveplex units in any zone and required an exception for the specific use. Planning staff propose an exception to the R2 zone for this purpose and also to require site plan control. Site plan control will ensure that the identified mitigation measures necessary are provided. These mitigation measures may involve flood protection measures. Landscaping, parking and the provision of snow storage are also matters that will be addressed through the agreement. The agreement will be registered on title to the subject lands at the sole expense of the landowner through this process.

The site plan agreement will be provided to council at a future council meeting prior to the passage of a by-law to authorize execution of the agreement with the landowner and applicable municipal authorities.

Provided the by-law requires site plan control, planning staff are satisfied that the application maintains the general intent and purpose of the municipality's zoning by-law and have no further concerns in this regard.

Financial and resource implications

None.

Staffing implications

None.

Consultation

All of the following comments were previously considered as part of the consent applications. Further comments are not anticipated.

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

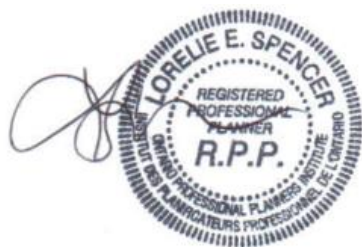
Attachments

- Application form
- Aerial and official plan mapping
- Aerial and zoning by-law mapping
- Draft zoning by-law
- Draft zoning schedule

Next steps

Following this meeting, at a subsequent meeting of council that the by-law receive 1st, 2nd, and 3rd reading. Following the appeal period and provided no appeals have been received, planning staff will notify the applicant and advise them to proceed through the site plan approval process.

Respectfully submitted:



The stamp is circular with a double-lined border. The outer ring contains the text "LORELIE E. SPENCER" at the top and "PROFESSIONAL PLANNERS INSTITUTE OF ONTARIO" at the bottom. The inner circle contains the text "REGISTERED PROFESSIONAL PLANNER" and "R.P.P." in the center.

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