



Council report

Meeting date:	October 18, 2021
Title:	ZA21.2021 – VAN DEN BOSCH, Leonard
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, C.A.O.

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 do not currently have an identified municipal address. The lands are legally described as registered compiled plan 816, lot 1; RP; 17R1211, part 1 in the geographic Township of Glenelg. The property is located north west of the Artemesia-Glenelg Townline and Grey Road 4 within the identified secondary settlement area of Priceville.

The purpose of the application is to change the zone symbol on the subject lands from A2 (rural), A3 (restricted rural) and NE (natural environment) to A3 (restricted rural), A3-349 (restricted rural with exceptions), NE (natural environment) and NE-440-h (natural environment with exceptions and a holding provision). The effect of which will implement a condition of provisional consent for files B11.2020, B12.2020, B13.2020, and B14.2020. Exception 349 will require the subject lands to undertake site plan control in addition to a minimum lot frontage of 72.4 metres and minimum lot area of 2.05 hectares (5.0 acres), exception 440(h) requires the provision of a flood plan study and an environmental impact study to the satisfaction of the municipality and the conservation authority prior to the removal of the holding provision. Exception 440 will also require site plan control and recognize a minimum lot area of 3.6 hectares (9.0 acres).

Background and discussion

Provisional consent approval was granted by Committee of Adjustment on December 8, 2020 for files B11.2020 to B14.2020 inclusive. The effect of which created a total of five lots including the severed and retained parcels. Provisional consent required the following conditions most of which are integral to the zoning amendment application before Council:

1. Payment of any outstanding municipal taxes (standard clause);
2. Application for site plan approval;
3. Payment of the site plan approval fee;
4. Written approval and / or acceptance from the Saugeen Valley Conservation Authority that all proposed conditions have been fulfilled; specifically an approval site plan indicating that site grading and drainage and on site-sewage disposal is located outside of hazard lands and located at least 30 metres outside of the existing tree line on the lot;



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5. Execution of a site plan agreement detailed conditions provided by the Saugeen Valley Conservation Authority; and
6. Payment of the parkland dedication fee for each newly created parcel.

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 P.P.S. County of Grey Official Plan (Recolour Grey)

Similar to the above, planning staff previously reviewed the policies of the County Official Plan and continue to be satisfied that this application maintains the general intent and purpose of the Plan.

Due to the extensive nature of the applications and for the benefit of Council a summary of that review has been included below.

1. Provincial Policy Statement 2020

The subject lands are designated as a secondary settlement area within the County of Grey official plan. Section 1.1.3 of the PPS speaks to the policies of the province regarding settlement areas. Settlement areas are considered critical to the long-term economic prosperity of communities. Development pressures and land use vary throughout the province. The province puts significant emphasis on promoting efficient development patterns, protecting resources, promoting green spaces, the effect use of infrastructure and public service facilities in addition to minimizing unnecessary public expenditures.

Section 1.1.3.4 speaks specifically to the establishment of appropriate development standards which shall be promoted to facilitate intensification and redevelopment within built-up areas, based on local conditions.

Section 1.1..3.8 further speaks to the settlement areas and the use of boundaries within those settlement areas without the need for comprehensive review.

The secondary settlement area of Priceville has been identified under the County official plan.

Planning staff remain satisfied that the lot creation and the zoning implementation subject to this report are consistent with the P.P.S. The implementation of the zones shown on the draft schedule in addition to site plan control and the zoning mechanisms will ensure appropriate development occurs.

2. County of Grey Official Plan (Recolour Grey)

The subject lands are identified as a secondary settlement area under the County of Grey Official Plan. Policy 3.6 of the Official Plan states that secondary settlement areas are areas



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that have lower density targets and have a limited range of uses and amenities in comparison to primary settlement areas that have partial or private services. These areas are intended to accommodate limited residential growth as well as new community facilities and employment uses.

Residential uses are permitted within secondary settlement areas.

Policy 7.9(2) speaks to development within 30 metres of the banks of a stream. Planning staff acknowledge that an identified stream does exist on the subject lands. Consultation with the Saugeen Valley Conservation Authority and the Ministry of the Environment has been ongoing. Planning staff are satisfied that sufficient area exists outside of the identified stream that the potential interference with fish habitat and the ecological function of the stream is not anticipated.

Planning staff are satisfied that the proposed lot creation within the defined settlement area boundary of Priceville conforms to the County official plan.

Planning staff will note that further comments from the County and Conservation Authority were provided as part of the consent process which identified the requirement for portions of the zoning on the property to be adjusted to accommodate the significant woodlands identified on the property. The SVCA has identified that all development on the provisionally approved consents shall be located a minimum of 30 metres from the established tree line. This has been accommodated as part of the zoning amendment application.

In addition, as part of the consent process the applicant did contact the Ministry of Environment, Conservation and Parks (MECP). The discussion centered around the potential for habitats of endangered species and threatened species on or adjacent to the subject lands. MECP reviewed the file and determined that the consent applications were not in contravention of the PPS as sufficient developable area on the subject lands exists outside of areas of consideration. This has also been accommodated as part of the zoning amendment application by limiting the potential building area on each lot.

The requirement of an Environmental Impact Study (EIS) was also identified by the County and SVCA for the lot created by natural severance. The property will contain a holding provision preventing the development of the lands without an approved environmental impact study and flood plain study to ensure that any development does not impact the natural heritage features and functions on the subject lands. The holding provision will not be removed without application and approval of the aforementioned studies.

Planning staff remain satisfied that the provisional consents and zoning amendment application maintain the general intent and purpose of the County plan.



3. Municipality of West Grey Comprehensive Zoning By-law

The subject lands, as previously noted, are zoned A3 (restricted rural) and NE (natural environment). Provision 10.1 of the zoning by-law defines that single detached dwelling units are a permitted use within this zone. Provision 10.2 requires a minimum lot area in this zone of 40 hectares (100 acres). As a result of provisional consent approval, the deficient lot area required a site-specific by-law for recognition. Lot frontages of 72.5 metres to 192 metres have been provisionally approved as part of the consent process which further required the site-specific application under consideration.

As previously noted, the environmental features on the property required recognition as well. Those have also been incorporated into the amendment.

Planning staff remain satisfied that the draft by-law maintains the general intent and purpose of the 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

Alignment to strategic vision plan

Pillar: Build a better future
Goal: Review the County Official Plan and Municipal Zoning By-law
Strategy: Take a co-operative approach to development

Attachments

- Application form
- Aerial and official plan mapping
- Aerial and zoning mapping



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- 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 that one of the conditions of provisional consent has been fulfilled.

Respectfully submitted:



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