



# Council report

<b>Meeting date:</b>	October 5, 2021
<b>Title:</b>	ZA18.2021 – Deblock, Jennifer and Deblock, Brandon
<b>Prepared by:</b>	Lorelie Spencer, Manager of Planning and Development
<b>Reviewed by:</b>	Laura Johnston, CAO

## Recommendation

That the appropriate bylaw be brought forward to Council for consideration at a future meeting for first, second and third reading.

## Executive summary

The landowner recently purchased the subject lands with the intent to construct a single detached dwelling unit.

The purpose of the application is to change the zone symbol on the subject lands from C2 (highway commercial) to A3 (restricted rural). The effect of which will permit the construction of a single detached dwelling unit. The information provided by the applicant to date, would indicate that the proposed dwelling unit will meet the requirements of the A3 zone. Prior to the consideration of readings to the by-law, planning staff recommend that the applicant provide a detailed site plan which indicates the intended location of the structure on the subject lands with dimensions.

## Background and discussion

The subject lands are located on the east side of Bruce Road 10 along the western limit of the municipality. The lands do not have a municipal civic address assigned to them at this time but are legally identified as part lot 1, plan 55, registered plan 16R5433, part 2 in the geographic township of Bentinck. The lands are presently vacant.

The subject lands are designated 'rural' within the County of Grey Official Plan. The lands are currently zoned as C2 (Highway commercial).

The lot is approximately 1.61 hectares (3.989 acres) in size. The property is bounded on the north by commercial properties with rural properties to the east and south of the subject lands.

Although the lands are currently vacant, a record of site assessment (ROA) will be required to satisfy the building permit process that site contamination of the property is not present.



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## Legal and legislated requirements

To determine the consistency of the application planning staff conducted a review of the Provincial Policy Statement (PPS, 2020), the County Official Plan and the Municipality's Comprehensive Zoning By-law.

### 1. Provincial Policy Statement (PPS 2020)

Policy 1.1.4 of the PPS provides guidelines as they relate to the development of rural lands within the municipality. The subject lands are designated as 'rural' on Schedule 'A' of the County Official Plan. Policy 1.1.5.1 speaks to the permitted uses on rural lands. Policy 1.1.5.4 further states that development that is compatible with the rural landscape and can be sustained by rural service levels shall be promoted. Planning staff have considered the commercial property in proximity to the north of the subject lands. Although the lands are vacant, a record of site assessment will be required as part of the building permit process. Provided a positive record is obtained, planning staff are satisfied that the change in land use is acceptable for the rural land use designation. Policy 1.1.5.8 of the PPS requires that new land uses comply with minimum distance separation formulae. Planning staff conducted an MDS review and are satisfied that MDS has been met.

Planning staff are satisfied that the proposal for a change in land use is consistent with the PPS provided a positive record of site assessment is obtained prior to the passage of the by-law.

### 2. County of Grey Official Plan

The subject lands are designated 'rural' under the County of Grey Official Plan.

Policy 5.4.1 of the county plan outlines the permitted uses within the rural land use designation. Residential uses are considered a permitted use. The predominant land uses within the rural land use type will be agriculture, aggregate extraction, recreation and forestry. While this land use type will continue to protect the existing farming operations and maintain the visual appearance of a rural landscape, the rural areas will permit the consideration of resource based recreational uses and other appropriate rural land uses as long as they do not impact agriculture, forestry, aggregate extraction or the natural environment.

Based on the application meeting the requirements of MDS, planning staff are satisfied that the application maintains the general intent and purpose of the official plan.

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

The Municipality of West Grey Comprehensive Zoning By-law zones the subject lands as C2 (highway commercial). The purpose of the application is to rezone the lands as A3 (restricted rural) to permit the use of the lands for a single detached dwelling unit. Provided the applicant maintains the provisions of the A3 zone, planning staff have no concerns.



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As previously noted, a detailed site plan with dimensions should be provided prior to council's consideration of the by-law. Should any provisions of the A3 zone require relief, further review should be conducted and recognized through the proposed zoning by-law. The Planning Act R.S.O. 1990, as amended does not permit the application for a minor variance for a period of one (1) year following the passage of a zoning amendment without council approval.

Planning staff are satisfied that the proposed zoning by-law amendment continues to maintain the general intent and purpose of the zoning by-law.

## Financial and resource implications

None

## Staffing implications

None

## Consultation

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

## 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

- County of Grey Planning and Development Department comments
- Saugeen Valley Conservation Authority comments dated August 31, 2020

## Next steps

That Committee forward the appropriate by-law to Council for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading upon receipt of a favorable ROA.



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Respectfully submitted:



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