



## Council report

<b>Meeting date:</b>	November 1, 2021
<b>Title:</b>	ZA13.2021 – ALLEN, Joseph (CUESTA PLANNING)
<b>Prepared by:</b>	Lorelie Spencer, Manager of Planning and Development
<b>Reviewed by:</b>	Laura Johnston, CAO

### Recommendation

That council receive Planner Spencer's report and the recommendation that the appropriate by-law be brought forward to a future council meeting for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings for consideration.

### Executive summary

The property is municipally identified as 174283 Mulock Road and legally identified as part lot 26, concession 9; RP 16R7318, part 1, the geographic Township of Bentinck.

The purpose of the application is to recognize a condition of provisional consent for file B24.2021 which severed a 1.05 ha. (2.6 acre) residential parcel and retain a 19 ha. (46.95 acre) parcel. The effect of which created one (1) residential parcel and retain one (1) rural parcel.

Provisional consent for this file was granted on September 13th, 2021 with the following conditions:

- Payment of any outstanding municipal taxes;
- Payment of the zoning by-law amendment fee;
- Approval of the zoning by-law amendment; and
- Payment of the parkland dedication fee.

### Background and discussion

The site is comprised of approximately 20 ha. (50 acres). The lands were originally included in a 40 ha. (100 acre) crown survey. The property was previously severed to create the subject lands are a 20 ha. (50 acre) parcel. The property is physically located on the north of the intersection of Mulock Road and Concession 8 NDR. The predominant land use to the south, east and northeast are utilized for farming purposes. The defined secondary settlement area of Crawford is north of the subject lands.

As part of the consent application, planning staff conducted a full review of the file relative to its consistency with the provincial policy statement, the county official plan and the municipality's zoning by-law. A summary of this review has been provided for council's reference.



1. Provincial Policy Statement 2020 (PPS)

The Provincial Policy Statement 2020 (PPS) requires that municipalities are consistent with the policies of the Province in making decisions on land use planning matters.

Section 1.1.5 within the PPS provides guidelines as they relate to the development of rural lands within the municipality. The subject lands are designated as rural with a small portion of prime agricultural lands located on the southwest corner of the property. The newly created lot is located entirely outside of the agricultural designation.

Section 1.1.5.8 specifically requires that new land uses, including the creation of new lots comply with minimum distance separation (MDS). Planning staff have reviewed aerial photography in combination with information provided by the applicant and an MDS calculation has been completed. Two (2) livestock facilities exist in proximity to the subject lands. MDS calculations were provided by the applicant's agent and confirmed by municipal planning staff. Planning staff remain satisfied that minimum distance separation requirements have been met.

Planning staff are satisfied that the proposed lot creation is consistent with the 2020 PPS.

2. County of Grey Official Plan

As previously noted the subject lands are designated as rural and hazard within the County official plan.

Policy 5.4 speaks to predominate land uses within the rural land use designation. These uses include agriculture, aggregate extraction, recreation and forestry. The intent is to preserve these uses and protection farming operations and maintain a rural landscape. The proposed consent application will match this policy requirement through the minimization of the loss of identified prime agricultural and rural lands through a minimum lot size.

Policy 5.4.3(1) of the County of Grey Official Plan, specifically determines the density policies to permit lot creation based on the original crown survey. Based on the original crown survey of the subject lands a total of four (4) lots are permitted on the subject lands, including the retained parcel. Planning staff remain satisfied that the provisionally approved consent maintains the general intent and purpose of the official plan.

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

The municipality of west grey comprehensive zoning by-law zones the subject lands as A3 (restricted rural). A review of the proposed lot creation has been completed following the provisions of the A3 zone on the following page.



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<b>A3 Restricted Rural</b>	<b>Required</b>	<b>Provided (severed)</b>	<b>Provided (retained)</b>
<b>Lot area, minimum (standard)</b>	40 ha.	±1.5 ha.	±19.0 ha.
<b>Lot frontage, minimum</b>	122 m (standard)	±55.0 m	±489.1m
<b>Front yard, minimum</b>	20.0 m (standard)	Not applicable - vacant	±30.5m (standard)

Based on the information provided by the applicant's agent and staff review a zoning by-law amendment will be required to address the deficient lot area of each parcel in accordance with provisions 10.2 and 10.3 of the municipality's comprehensive zoning by-law.

Provided the zoning amendment appropriately recognizes the parcel created by provisional consent as noted above, planning staff remain satisfied that the general intent and purpose of the zoning by-law are being maintained.

## Legal and legislated requirements

None.

## Financial and resource implications

None.

## Staffing implications

None.

## Consultation

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

## Alignment to strategic vision plan

Pillar: Build a better future  
Goal: Review municipal official plan policies  
Strategy: Take a co-operative approach to development



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## Attachments

- County of Grey Planning & Development Department comments
- Saugeen Valley Conservation Authority comments
- Enbridge Gas comments

## Next steps

That the by-law will be brought forward for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> and final reading at a future council meeting. Following the twenty (20) day appeal period required after the passage of the by-law, the applicant will be notified that one condition of their provisional consent approval has been completed.

Respectfully submitted,



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