



Committee of adjustment report

Meeting date:	November 1, 2021
Title:	B26.2021 – WEBER, Howard (Agent: Ross Firm Professional Corporation)
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That committee receive Planner Spencer's report and approve consent application B26.2021 – WEBER, Howard subject to the following conditions:

- 1.) Payment of any outstanding municipal taxes
- 2.) Payment of the parkland dedication fee for the newly created lot
- 3.) Payment and receipt of an entrance permit for the retained parcel

Executive summary

The subject lands are municipally known as 238 Forler Street and 110 William Street. The lands are legally described as part lot 4 and part lot 5, concession 13 and part lot 2 and part lot 3, RP 17R1008, part 1RP 17R1861; part 3 in the geographic township of Normanby within the Village of Neustadt.

The subject lands are designated under the County of Grey Official Plan as a primary settlement area and hazard area. The Municipality of West Grey Official Plan designates the lands as residential, future development and environmental protection. The lands are zoned as FD (future development), FL (floodline), R1B (residential), NE (natural environment) and R3 (residential zone).

The purpose and effect of B26.2021 is to sever a 46.5 ha. (115 acre) agricultural parcel and retain a 28.7 ha. (71 acre) rural parcel. The effect of which will separate two (2) original parcels which merged through registration.

The severed parcel would have approximately 798.0 m of frontage with an approximate depth of 640.0 m. The retained parcel would have approximately 613.0 m of frontage and will have an approximate depth of 488.0 m. The newly created lot line will follow the original township



lot line between lots 3 and 4.

An existing single detached dwelling unit, four accessory structures and barn currently exist on the subject lands.

Background and discussion

The merits of this application have been assessed against the policies of the 2020 Provincial Policy Statement (PPS) and the County of Grey Official Plan.

1.0 2020 Provincial Policy Statement:

The 2020 PPS requires that all planning considerations are consistent with the policies of the PPS. The subject lands are located within the defined primary settlement area of Neustadt.

Policy 1.1.1(c) of the PPS requires that municipalities avoid development and land use patterns which may cause environmental or public health and safety concerns.

Policy 1.1.3.1 of the PPS defines that settlement areas shall be the focus of growth and development. Policy 1.1.3.2 further states that land use patterns within settlement areas shall be based on densities and a mix of land use tools.

The PPS further requires that new land uses comply with minimum distance separation calculations. The subject lands are located within a primary settlement area and as a result, MDS does not apply.

Planning staff are satisfied that the proposed application is consistent with the PPS and have no further concerns in this regard.

2.0 County of Grey Official Plan (Recolour Grey), 2019

The County of Grey Official Plan applies to all lands within the county and establishes an upper-tier policy framework that provides guidance to location municipalities on a variety of matters.

The subject lands are designated primary settlement area and hazard within Schedule 'A' under the County of Grey Official Plan. Schedule B of the county plan identifies a portion of significant woodlands within the southeast corner of property.

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. Municipalities with primary settlement areas are required to identify in official plan documents identify and plan for intensification within these areas.



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Although development of the property is not intended at this time, planning staff support future development in this location, provided services can be accommodated and extended to the subject lands.

Planning staff are generally satisfied that the lot creation meets the general intent and purpose of the county official plan.

3.0 Municipality of West Grey Official Plan

The West Grey Official Plan has been designed to conform to the county plan. In the event of a conflict between these two documents, the county plan shall prevail.

Policy D2 speaks to the goals and objectives of the West Grey Official Plan. The goal is to provide an ample supply of affordable and desirable residential dwelling types and densities for the residents of Durham and Neustadt. The objective of this goal is to provide an appropriate range of housing types and an appropriate supply of rental housing. The northern portion of the subject lands contain the residential and environmental protection designation which is intended to be reviewed for development purposes in future to align with the goals and objectives of the plan. No proposal for development beyond the lot creation has been provided at this time. New development does require water and sewer services.

Policy D10 speaks to the goals and objectives of the future development designation. The goal of this designation is to delay the placement of a designation on the subject lands until water and sewer services are available. The objective of the designation is to designate an adequate amount of land to satisfy the anticipated long-term demand for residential, commercial, industrial, institutional and open space land and place the balance of the lands within the future development designation.

Policy 10.3 of the official plan states that lands within the future development designation shall only be used for agriculture, forestry and conservation, provided no new buildings or structures are erected.

Planning staff are satisfied that the proposed lot creation maintains the general intent and purpose of the official plan.

4.0 Municipality of West Grey Comprehensive Zoning By-law 37-2006:

The subject lands are zoned FD (future development), R3 (residential), FL (flood way), and NE (natural environment).

On the basis that new development is not proposed outside of the lot creation, planning staff are not seeking the applicant to apply for an amendment at this time. Future development will require an official plan amendment and site-specific zoning at the time of development.



Planning staff have no further concerns in this regard.

Legal and legislated requirements

None

Financial and resource implications

None

Staffing implications

None

Consultation

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

Alignment to strategic vision plan

Pillar: Build a better future

Goal: Review of the County Official Plan and municipal zoning by-law

Strategy: Promote efficient development

Attachments

- Completed application form
- Aerial and official plan mapping
- Aerial and zoning mapping
- County of Grey comments
- Saugeen Valley Conservation Authority comments
- Enbridge Gas comments

Next steps

Provided committee approves the subject application, staff will provide notice of decision.

Once the required appeal period ends, the applicant will be advised accordingly. From the date of the decision, the applicant will have twelve (12) months to complete the conditions or the provisional consent approval will lapse.



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Respectfully submitted:



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Manager of Planning and Development