



Committee of the whole report

Meeting date:	September 8, 2020
Title:	ZA08/2020 – SCRIVEN, Leah
Prepared by:	Lorelie Spencer, Manager of Planning & Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That Committee forward the appropriate by-law to Council for 1st, 2nd, and 3rd readings.

Executive summary

The applicant's agent has applied for a zoning by-law amendment to permit the construction of a second dwelling unit on the subject lands. The second dwelling unit is intended to be constructed as a detached dwelling unit on the subject lands.

The subject lands have frontage on Concession 12. Based on the information provided by the applicant's agent, a second entrance has been proposed from Concession 12 for the new dwelling unit.

Background and discussion

The subject property is located east of the intersection of Concession 12 and Sideroad 25 on the south side of Concession 12.

The subject lands are described as Part of lot 27, Concession 11 in the geographic Township of Normanby, the Municipality of West Grey. The lands are known municipally as 182242 Concession 12.

The site is comprised of approximately 2.0 ha. The subject lands currently have a single detached dwelling unit with private services. File ZA08/2020 would facilitate the construction of a second detached dwelling unit.

The purpose of the zoning by-law amendment is to rezone a portion of the subject lands to permit the construction of a second dwelling unit. The effect of which would rezone the property from Agricultural (A1) and Natural Environment (NE) to Agricultural (A1-421), Natural Environment (NE) and Agricultural (A1). Exception 421 would permit the construction of a second dwelling unit on a portion of the subject lands.



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Legal and legislated requirements

To determine the consistency of the proposal planning staff have conducted a review of the Provincial Policy Statement 2020 (PPS), Bill 108 – More Homes, More Choices Act, the County of Grey Official Plan and the Municipality of West Grey Comprehensive Zoning By-law No. 37-2006.

1. Provincial Policy Statement 2020 (PPS)

The Provincial Policy Statement 2020 (PPS) encourages the preservation of prime agricultural land and generally prohibits the creation of smaller farm parcels or residential lots in areas having strong agricultural capabilities.

The subject lands are designated as 'agricultural' and 'hazard' under the County of Grey Official Plan.

Section 1.4.3 of the PPS speaks to the requirement for planning authorities to provide for an appropriate range and mix of housing options and densities. Section 1.4.3(b)(1) further requires the permitting and facilitating of all housing options required to the social, health, economic and well-being requirements and needs arising from demographic changes and employment opportunities. Section 1.4.3(b)(2) further speaks to the provision of all types of residential intensification, including additional residential units, and redevelopment.

Section 2.3.1 of the PPS speaks to the protection of prime agricultural areas for long-term use for agriculture. The intent of this policy is to limit the use of prime agricultural lands for non-agriculturally related uses.

2. Bill 108 – More Homes, More Choices Act 2019

Bill 108 amended subsection 16(3) of the Planning Act as follows:

The Act requires official plans to contain policies authorizing second residential dwelling units by authorizing two residential dwelling units in a house, within an ancillary building or structure without a residential unit and by authorizing a residential unit in a building or structure ancillary to a house containing a single residential unit. The subsection is re-enacted to require policies authorizing additional residential units in and a house and by authorizing a residential unit in a building or structure ancillary to a house.

The application is supported by policies within the County of Grey Official Plan which will be further discussed under Section 3.

3. County of Grey Official Plan

Policy 4.2.5 of the County Official Plan states the following with respect to second dwelling units:

Second units are also known as secondary suits, basement apartments, and accessory apartments. They are self-contained residential units with a private kitchen, bathroom, and sleeping facilities within a main residence or structures additional to a dwelling (e.g. above garages).



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Second units increase the supply and range of affordable rental accommodation while offering homeowners additional incomes. Further they provide alternative housing options for the elderly, young adults, and populations looking for smaller living quarters; increase the efficiency of the housing stock and offer affordable housing options.

The Planning Act requires that official plans and zoning by-laws permit second units:

- In detached, semi-detached and row houses if an accessory building or structure does not contain a second unit;*
- In a building or structure accessory to those housing types, provided that the primary dwelling does not contain a second unit.*

Municipalities shall develop local policies and zoning regulations that establish appropriate standards, which protect neighbourhood character, public health and safety, and enjoyment of abutting properties without unduly restricting the creation of such dwelling units. The County is generally permissive of second units provided development meets zoning provisions outlined by the local municipalities. In settlement areas or the countryside without full municipal services, well water records or designated appropriate authority for sewage systems may be necessary prior to granting a building permit. In the countryside secondary suites shall be within the farm cluster. Second units shall not be permitted in the Hazard Lands land use type, and may be allowed in the flood fringe overlay subject to conservation authority review.

Planning Staff are satisfied that this application meets the intent of policy 4.2.5 of the County Official Plan.

Policy 5.2.1(6) of the County Plan states that second units are permitted in the main house, or in a non-agricultural accessory structure, providing that appropriate service is available and it is not located within hazard lands. Secondary units in accessory structures are required to be in the farm cluster.

Planning Staff note that there are no agricultural buildings located on the subject lands. Staff are satisfied that the proposed location of the second dwelling unit conforms to the general intent and purpose of this policy.

Based on the above, planning staff are satisfied that the proposal meets the general intent of the County of Grey Official Plan.

4. The Municipality of West Grey Comprehensive Zoning By-law No. 37-2006

As previously noted the purpose of the zoning by-law amendment is to rezone a portion of the subject lands to permit the construction of a second dwelling unit. The effect of which would rezone the property from Agricultural (A1) and Natural Environment (NE) to Agricultural (A1-421), Natural Environment (NE) and Agricultural (A1). Exception 421 would permit the construction of a second dwelling unit on a portion of the subject lands.



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The municipality is currently in the process of updating our zoning by-law to coincide with the changes to the Planning Act implemented by bill 108 and the official plan policies of the County of Grey Official Plan. Based on the information provided by the applicant's agent, it would appear that the balance of the proposed development maintain the provisions of the Agricultural (A1) zone. Planning staff are satisfied that the proposal maintains the general intent and purpose of the municipality's zoning by-law.

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: Invest in business

Strategy: Take a co-operative approach to development

Attachments

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

Next steps

That Committee approve file ZA08/2020 and forward a by-law for 1st, 2nd and 3rd readings by Council.

Respectfully submitted:



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