Agenda
Municipality of West Grey
Committee of the Whole (Planning) Meeting
Monday, November 12th, 2018, 1:30 p.m.,
West Grey Municipal Office

Items of Business:

1. Disclosure of Pecuniary Interest

2. Public Meetings
   ➢ 1:30 p.m. – Zoning By-law Amendment Application ZA-16-18 – Part Lot 2, Lot 3,
   Concession 15, former Township of Glenelg (Scott Murray – owner; Cuesta
   Planning Consultants Inc.) (attachment)

3. Other

4. Next Meeting – December 10, 2018, 1:30 p.m., West Grey Municipal Office

5. Adjournment
Take notice that the Municipality of West Grey is in receipt of a complete application to amend the Municipality of West Grey Comprehensive Zoning By-law.

And take further notice that the Council of the Corporation of the Municipality of West Grey will hold a Public Meeting on Monday, November 12, 2018 @ 1:30 p.m. in the Municipal Council Chambers at 402813 Grey Rd. #4 to consider the proposed Zoning By-law Amendment under Section 34 of the Planning Act, R.S.O. 1990, as amended.

The purpose of the Zoning By-law Amendment is to rezone the subject lands described as Part Lot 2, Lot 3, Concession 15, Geographic Township of Glenelg, Municipality of West Grey, from the 'AZ' (Rural Zone) and 'NE' (Natural Environment Zone) to the 'A2-395' (Rural Exception Zone) and 'NE' (Natural Environment Zone), for the severed parcel, and from the 'AZ' (Rural Zone) to the 'A2-397' (Rural Exception Zone), for the retained parcel. Exceptions 'A2-395' and 'A2-397' recognizes the deficient lot area of the severed and retained parcels, respectively.

Any person may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law Amendment. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the bylaw is passed, the person or public body is not entitled to appeal the decision of the Municipality of West Grey Council to the Local Planning Appeal Tribunal. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of West Grey before the bylaw is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. A complete application has been received by the Municipality.

Additional information relating to the proposed Zoning By-law Amendment may be obtained by contacting the undersigned during regular business hours. A Key Map is provided to show the location of the lands to which this By-law pertains. A complete application has been received by the municipality.

Dated at the Municipality of West Grey
This 23rd day of October, 2018.
Scott Murray (owner); Cuesta Planning Consultants Inc. (applicant) - ZA-16-18 / B11/2018, Property Roll #4205 220 004 14400 0000 & #4205 220 004

**Key Map** (not to scale)

Part Lot 2, Lot 3, Concession 15
Geographic Township of Glenelg
Municipality of West Grey
The Corporation of the Municipality of West Grey
By-law Number xx - 2018

Being, a By-law to amend Zoning By-law No. 37-2006, for the Municipality of West Grey;

Whereas, the Council of the Corporation of the Municipality of West Grey deems it in the public interest to pass a By-law to amend By-law No. 37-2006;

And whereas, pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, By-laws may be amended by Councils of Municipalities;

Now Therefore the Council of the Corporation of the Municipality of West Grey enacts as follows:

1. Schedule "5" to By-law No. 37-2006, is hereby amended by changing the zone symbol of Part Lot 2, Lot 3, Concession 15, Geographic Township of Glenelg, Municipality of West Grey from the ‘A2’ (Rural Zone) and ‘NE’ (Natural Environment Zone) to the ‘A2-395’ (Rural Exception Zone) and ‘NE’ (Natural Environment Zone), for the severed parcel (Parcel 1), and from the ‘A2’ (Rural Zone) to the ‘A2-397’ (Rural Exception Zone), for the retained parcel (Parcel 2). , as shown on Schedule "5A", attached to and forming part of this by-law.

2. Section 35 to By-law No. 37-2006 is hereby further amended by adding the following subsection:

A2-395 (see Schedule “5A”)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Rural (A2-395) as shown as Parcel 1 on Schedule “5A” affixed hereto:

“Minimum Lot Area – 15.7 hectares.”

3. Section 35 to By-law No. 37-2006 is hereby further amended by adding the following subsection:

A2-397 (see Schedule “5B”)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Rural (A2-397) as shown as Parcel 2 on Schedule “5A” affixed hereto:

“Minimum Lot Area – 14.9 hectares.”

4. Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

5. THAT THIS By-law Amendment shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34(30) and (31) of the Planning Act, R.S.O., 1990, as amended.
Read a first and second time this ___th day of ______________, 2018.

Read a third time and finally passed this ___th day of ______________, 2018.

Kevin Eccles, Mayor

Mark Turner, Clerk
PLANNING REPORT

Proposed Zoning By-law Amendment
& Consent to Sever

Part Lot 2 & Lot 3 Concession 15, Glenelg
Municipality of West Grey, Grey County

Prepared for:
Mr. Scott Murray

Prepared by:
Cuesta Planning Consultants
978 First Ave West, Owen Sound, ON
Tel: 519-372-9790
Email: cuesta@cuestaplanning.com
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<td>PROVINCIAL POLICY STATEMENT</td>
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<td>Table 3</td>
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<td>7</td>
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<td>MUNICIPALITY OF WEST GREY COMPREHENSIVE ZONING BY-LAW</td>
<td>11</td>
</tr>
</tbody>
</table>
1.0 BACKGROUND & CONTEXT

1.1 Purpose of Report

Cuesta Planning Consultants Inc. (CPC) has been retained by Mr. Scott Murray to prepare and process the required policy amendment applications to sever lands legally described as Concession 15 Pt Lot 2 and Concession 15 Lot 3, geographic Township of Glenelg, now part of the Municipality of West Grey. Mr. Murray wishes re-create the two (2) lots along the original Township lot line.

The resulting configuration will create two parcels that are generally around 15 hectares (38 acres) each. There are currently no dwellings or buildings on the subject lands, however there has been a past severance in the northwest corner of Part Lot 2 which contains a dwelling and outbuildings. The proposal will require an amendment to the current zoning bylaw as both proposed parcels will be less then 20 hectares (50 acres) in size.

This report will examine the merits of the proposed consent by evaluating the proposal against policies of the Provincial Policy Statement (PPS), the Grey County Official Plan, and the Municipality of West Grey Comprehensive Zoning By-law. The conclusions of this report support the subject policy amendment applications.

This report and accompanying applications are intended to satisfy the requirements of Section 34 (10.1 & 10.2) and Section 53 (2 & 3) of the Planning Act, RSO 1990 regarding the submission of a complete application.

1.2 Location and Description of Subject Lands

The subject lands are located at the intersection of Glenelg-Holland Townline and Concession Rd 3B, 4.5 kilometres east of Dornoch. The lands consist of 30.9 hectares (76.45 ac) and are described as Part Lot 2 and Lot 3, Concession 15, Municipality of West Grey, Grey County. The lands are bounded in the south by Concession 14.

The subject property owned by Mr. Murray, is currently vacant and has traditionally been used for agricultural purposes. The parcel contains no buildings or dwellings as the original dwelling was previously severed from the holdings. The southeast corner of the
lands contain a watercourse and associated woodlands which extend south onto the adjacent lands.

Surrounding uses are similar to that of the subject lands. The area is rural in nature, with agriculture and woodlands being the predominant uses. Directly south of the property is a large wooded area, with agricultural uses to the west and east. North of the property are some non-farm residential dwellings, along with more forested lands, and further north, more agricultural lands are located.

The lands are approximately 2.9 km from Townsend Lake, which is surrounded by seasonal residential development.

![Figure 1: Subject Lands (proposed retained parcel in yellow, & proposed severed parcel in red)](image)

### 1.3 Background & Description of Proposal

Mr. Murray has recently purchased the land from his mother who has owned the lands since the late 1990’s. The lands merged on title after they were registered in Mrs. Murray’s name. Mr. Murray is now seeking to sever the lands along the original lot line between Con 15 Pt Lot 2 and Lot 3. As mentioned, due to the size of the proposed lots a zoning bylaw amendment will be required to provide relief from lot area requirements.
1.4 Pre-Submission Consultation & Required Approvals

A preliminary policy review by CPC staff indicated that a severance would be permitted by the Grey County Official Plan as the proposal meets the lot density requirements for lands designated Rural. A zoning bylaw amendment will be required as both new lots will be less than 20 hectares (50 acres) in size. MDS calculations will be required for the proposal which have been calculated by CPC and can be found in Appendix 1 of the report.

Pre-submission consultation took place between Mr. Murray and Municipal staff to review options and requirements for the property. It was determined that zoning bylaw and severance applications would be required. No other requirements or concerns were noted by Municipal staff.

The required approvals are reflected in Table 1.
Table 1 – Approvals Required

<table>
<thead>
<tr>
<th>Application</th>
<th>Approval Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning By-Law Amendment (ZBA)</td>
<td>Municipality of West Grey</td>
</tr>
<tr>
<td>A Zoning By-law Amendment will be required to recognize reduced lot area of both the retained and severed lot.</td>
<td></td>
</tr>
<tr>
<td>Consent to Sever</td>
<td>Municipality of West Grey</td>
</tr>
<tr>
<td>A consent to sever is required in order to sever the current property into the two original parcels.</td>
<td></td>
</tr>
</tbody>
</table>

2.0 LAND USE POLICY CONSIDERATIONS

The analysis of the applicable land use policies, considers how the proposal will meet the needs of the community and conform to the respective policies of the area. Taking into account provincial, county and local policies it will be determined how the proposal is a good fit for the area.

In addition to the Provincial Policy Statement, the County of Grey Official Plan (GCOP), and the Municipality of West Grey Comprehensive Zoning By-law, will also be evaluated as land use policy applicable to the proposal.

2.1 Provincial Policy Statement (PPS)

As stated under Section 3 of the Planning Act, all decisions by any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS). Any decisions made on or after April 30th, 2014 are to be consistent with the 2014 PPS. The following analysis will evaluate the proposal against applicable PPS policy.

2.1.1 Evaluation of Provincial Policy Statement

Although the PPS is to be read in its entirety, the following provisions are deemed to be the most applicable to the consideration of the proposed severance.

Section 1.0 “Building Strong Healthy Communities”
<table>
<thead>
<tr>
<th>Section</th>
<th>Policy</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 Building Strong Healthy Communities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</td>
<td>1.1.1 Healthy, liveable and safe communities are sustained by:</td>
<td>The proposed severance will create an efficient land use pattern. The parcels will be assessed separately, providing an increase to the property tax revenue for the Municipality and the County. Once developed, the lands will require the provision of soft services (i.e. bussing, garbage etc.) however, the Municipality and the Board of Education provides these services currently within the general area.</td>
</tr>
<tr>
<td></td>
<td>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</td>
<td></td>
</tr>
<tr>
<td>1.1.4 Rural Areas in Municipalities</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.4.1 Healthy, integrated and viable rural areas should be supported by:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) building upon rural character, and leveraging rural amenities and assets;</td>
<td>There will be little impact on the rural character of the surrounding area as a result of the zoning by-law amendment and subsequent severance. Should development occur in the future, the one or two new rural residences will conform to the rural nature and uses of the surrounding area.</td>
</tr>
<tr>
<td></td>
<td>h) conserving biodiversity and considering the ecological benefits provided by nature;</td>
<td>There is sufficient area on both proposed lots to maintain development setbacks from the on-site significant woodlands.</td>
</tr>
<tr>
<td>1.1.5 Lands in Rural Areas</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1.1.5.2 On rural lands located in municipalities, permitted uses are: a) the management or use of resources;</td>
<td>Historically and currently, the use on the lands has been agriculture, which is likely to continue. Limited residential growth is also permitted on the lands. Future residential permits will be required to meet MDS 1 setbacks which can be easily accommodated on both proposed lots (see appendix 1).</td>
</tr>
<tr>
<td></td>
<td>b) resource-based recreational uses (including recreational dwellings); c) limited residential development;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) home occupations and home industries; e) cemeteries; and f) other rural land uses.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.</td>
<td>This severance does not propose any development, but could allow for two rural dwellings in the future. Municipal services such as garbage, public school bussing,</td>
</tr>
</tbody>
</table>
### 1.1.5.8 Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.

- Agricultural, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.
- Any new development will adhere to the MDS standards set out by the province in order to protect the agricultural uses adjacent to the property. There are currently eight (8) livestock barns within 1 km of Mr. Murray’s property. Most of the barns are used for recreational equestrian use, hosting 2-6 horses.
- Using the MDS formula it has been demonstrated that building envelopes on each proposed lot fall outside of required MDS 1 setbacks. It can be seen in Appendix 2 that the building footprint is outside the distance required for each barn.

### 1.1.5.9 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the MDS 1 formulae.

- New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the MDS 1 formulae.
- As noted previously, MDS 1 calculations were completed for the eight (8) surrounding barns. Any development on the proposed lots can be placed outside of the required MDS 1 setback area from each barn.

This proposal is consistent with the Provincial Policy Statement as limited development is permitted in Rural areas and the proposed lot meets MDS requirements.

### 2.2 Grey County Official Plan (GCOP)

- The subject lands are designated Rural and Hazard Lands in the Grey County Official Plan.
- The GCOP reflects the provisions of the PPS with respect to the creation of lots in rural areas. A more detailed review of the relevant GCOP policy is continued in Table 3.
Table 3 – Grey County Official Plan

<table>
<thead>
<tr>
<th>Section</th>
<th>Policy</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0 Land Use Designations</td>
<td>2.3 Rural Designation Policies</td>
<td>2.3.1 Permitted Uses (in part)</td>
</tr>
<tr>
<td>(1)</td>
<td>The Rural designation on Schedule A shall mean that the predominant use of the lands shall be for agriculture and forestry and uses connected with the conservation of water, soil, wildlife and other natural resources. In addition to the uses permitted under Section 2.1.2(1) of this Plan, other uses also permitted within the Rural designation shall include:</td>
<td>The land has historically been used for agricultural purposes. The consent may allow for future residential development, but will require building and servicing permits at the time of development. Low density non-farm residential development is permitted by the OP. No Mineral Resource Area will be affected by this proposal as the closest resource is over 1 km away.</td>
</tr>
<tr>
<td>• low density non-farm residential, garden suites,</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2.3.3 Development Criteria Policies

1(a) That development on improved agricultural land shall be discouraged. | It is the intent of the applicant to continue agricultural production on |
Where development is proposed on improved agricultural land (i.e. land that is currently or has been previously used for farm purposes) it must be demonstrated that no reasonable alternative exists. The investigation for a reasonable alternative shall be limited to the lot to be developed.

That the location of the non-farm land use imposes no operating constraints to an existing farm. An adequate separation distance shall be maintained between non-farm development and existing livestock uses. Conversely, an adequate separation distance shall be maintained between the development of livestock facilities and existing nonfarm uses. New land uses, including the creation of lots and new or expanding livestock facilities shall comply with the Provincial Minimum Distance Separation (MDS) formulae.

Mr. Murray may develop a rural residence on Lot 3. Any future development must adhere to the MDS formulae for surrounding barns and on-farm uses. As noted previously, MDS 1 setbacks have been calculated for the proposal. Adequate buildings areas exist on both lots outside of required MDS 1 setbacks.

2.3.4 Consent Policies

(2) All consents for new lot development shall be no smaller than 0.8 hectares in area, and a maximum density of two lots may be considered (plus the retained lot), by the consent process, per 40 hectares.

The lot density shall be determined based on the original Township lot fabric (i.e. as determined by the original crown survey) and shall be pro-rated up or down based on the size or the original Township lot.

For example in cases where the original Township lot is 80 hectares a maximum of four lots may be considered (plus the retained). Alternatively, where the original Township lots were 20 hectares a maximum of one lot (plus the retained) may be considered.

In order to avoid narrow linear parcels of land, the frontage-to-depth ratio for non-farm lots shall be a maximum of 1:3 and the lot shall conform to the appropriate zoning by-law in reference to minimum lot frontage and other applicable provisions. Justification to go beyond the 1:3 frontage-to-depth ratio shall be justified in a development application. Clustering of rural non-farm consents is encouraged
subject to meeting the rural lot density provisions as well as satisfying the development criteria policies in Section 2.3.3(1).

| 2.8.2 Hazard Lands Designation | The subject lands have some environmentally hazardous land designated in the southeastern section of Lot 3. This area is currently covered by forest with a small watercourse and has no buildings or dwellings located upon it. No residential development would be permitted in the area.

| 2.8.2 Hazard Lands Designation | There is also a required 50 m buffer setbacks from the Significant Woodland Designated areas.

| 2.8.2 Hazard Lands Designation | This application has identified two (2) appropriate buildings envelopes beyond this required buffer (see appendix 1).

| 2.8.4 Significant Woodlands | As noted above, a section of the severed property is covered by significant woodlands. As per the GCOP, no development is allowed within 50 m of the area without an EIS demonstrating that it will not impact the woodland. There is no plan for development within or near the significant woodlands. All future development will occur on the northern section of the property.

| 2.8.4 Significant Woodlands | There are no plans to develop within the area of land covered by the significant woodlands. Should development be considered it will need to conform to section 6.19 thereby ensuring that all dwellings and accessory buildings are created with appropriate buffers from the on-site natural heritage feature.

| 6.19 Definitions | Significant Woodlands will require a 50 m buffer for adjacent land uses.

| 6.19 Definitions | There are no plans to develop within the area of land covered by the significant woodlands. Should development be considered it will need to conform to section 6.19 thereby ensuring that all dwellings and accessory buildings are created with appropriate buffers from the on-site natural heritage feature.

| 6.0 Implementation | Significant Woodlands will require a 50 m buffer for adjacent land uses.

| 6.0 Implementation | There are no plans to develop within the area of land covered by the significant woodlands. Should development be considered it will need to conform to section 6.19 thereby ensuring that all dwellings and accessory buildings are created with appropriate buffers from the on-site natural heritage feature.

| 6.12 Lot Creation | The land division is permitted by the appropriate land use policies of Section 2;

| 6.12 Lot Creation | This proposal does not contradict the provisions of Section 2 of the Planning
Act. It will serve to enhance the assessment base, protect agricultural resources and present no new risk to the natural environment in its vicinity.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>b</td>
<td>The land division shall promote development in an orderly and contiguous manner, and shall not conflict with the established development pattern of the area;</td>
</tr>
<tr>
<td>e</td>
<td>Direct access from a Provincial Highway or a County Road shall be restricted as outlined in Section 5.2. Where possible, residential lots shall not be approved where access from a road would create a traffic hazard because of limited sight lines, curves or grades;</td>
</tr>
<tr>
<td>g</td>
<td>The size of any parcel of land created shall be appropriate for the proposed use, and in no case, shall any parcel be created which does not conform to the minimum provisions of the Zoning By-law</td>
</tr>
</tbody>
</table>

The proposed severance meets the intent and purpose of the policy requirements identified in the Grey County Official Plan for Rural areas. As shown in the attached site plan, the proposed parcel sizes are large enough to support agricultural and limited residential uses. The new lot will modestly increase the tax base in the area, allow for an increase in the rural housing stock, and have no impacts related to municipal services, agricultural uses or natural heritage features.

2.3 Municipality of West Grey Comprehensive Zoning By-law

The subject property is presently zoned A2 – Rural. All other provisions are maintained by the proposal for both the severed and retained lots. Relief from the minimum lot area will be required for the severed and retained lots.
Table 4 – Township of West Grey Comprehensive Zoning By-law
Rural Zone (A2) Provisions

<table>
<thead>
<tr>
<th>Provisions</th>
<th>Required Rural Lot</th>
<th>Proposed Retained Lot</th>
<th>Proposed Severed Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Area</td>
<td>20 ha (50 ac)</td>
<td>15.2 ha (37.6 ac)</td>
<td>15.7 ha (38.8 ac)</td>
</tr>
<tr>
<td>Min. Lot Frontage</td>
<td>122 m</td>
<td>±139 m</td>
<td>403 m</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>20 m</td>
<td>20 m</td>
<td>20 m</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>6 m</td>
<td>6 m</td>
<td>6 m</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>7.5 m</td>
<td>&gt;7.5 m</td>
<td>&gt;7.5 m</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>15%</td>
<td>&lt;15%</td>
<td>&lt;15%</td>
</tr>
<tr>
<td>Floor area minimum</td>
<td>83.6 m²</td>
<td>&gt; 83.6 m²</td>
<td>&gt; 83.6 m²</td>
</tr>
</tbody>
</table>

**Figure 4:** Municipality of West Grey Comprehensive Zoning By-law

### 3.0 SUMMARY & CONCLUSIONS

The proposed severance represents an opportunity to maintain the existing on-site agricultural activity and natural heritage features while permitting limited residential development as permitted by the PPS and GCOP.

Based on the foregoing report, the following is concluded:
1) This proposal is consistent with the Provincial Policy Statement as limited residential development is permitted in Rural areas, MDS 1 can be met, and natural heritage features will be protected;

2) This proposal conforms to the intent and purpose of the Rural policies of the Grey County Official Plan, meeting lot density and future development requirements;

3) The creation of the second lot will not impact the rural nature of the property and surrounding area;

4) This proposal represents appropriate rural land use planning principles.

Respectfully Submitted,

Prepared by Maria Wood
Cuesta Planning Consultants Inc.

Approved By Don Scott
Cuesta Planning Consultants Inc.
Planning Report
for the Municipality of West Grey
Planning Advisory Committee

Date: November 12, 2018
File No: ZA-16-18
Owner: Scott Murray
Applicant: Cuesta Planning Consultants Inc.
Legal Description: Part Lot 2, Lot 3, Concession 15, Geographic Township of Glenelg, Municipality of West Grey

Purpose of Application:

The purpose of the rezoning application is to reduce the 'minimum lot area' requirement of the 'A2' zone as required to facilitate the severance of an existing property into 15.7 hectare and 14.9 hectare parcels. The severance application will be considered by the Committee of Adjustment on November 12, 2018.

Subject Lands:

The subject property is located along the south side of Glenelg-Holland Townline, approximately 4.5 kilometres east of Dornoch. The site comprises 30.2 hectares of land of which approximately 20 hectares appear to be cash-cropped. The lands on the east side of the property are forested and a watercourse traverses this treed area.

Adjacent Lands:

The lands in the general vicinity of the subject property are represented by a mixture of agricultural activity, forested hazard lands and non-farm residential lots.
**Official Plan Conformity:**

The subject lands are designated predominantly 'Rural' on Schedule A to the County of Grey Official Plan, with approximately six hectares adjacent to the watercourse on the east side of the property being designated 'Hazard Lands'.

The proposed lot creation would comply with the relevant policies of the Official Plan subject to confirmation from the Saugeen Valley Conservation Authority that the proposal conforms to the 'Significant Woodland' policies of the Official Plan and Provincial Policy Statement, and therefore the associated Zoning By-law Amendment would also conform to the Official Plan.

**Provincial Policy Statement:**

The consent application has been deemed consistent with the Provincial Policy Statement (PPS) in regard specifically to lot creation and natural heritage features, subject to confirmation from the SVCA regarding the 'Significant Woodland' matter, and therefore the proposed rezoning should be also be deemed to be consistent with the PPS.

**Discussion and Recommendation:**

The requested rezoning is intended to facilitate a severance of a rural property into two parcels. Provided the SVCA is satisfied that development on both the severed and retained parcels can occur without impacting the various pockets of 'Significant Woodlands' on the subject lands and surround properties, this amendment would have merit and should be approved.

Please note that this Report was prepared before all of the agency comments had been received and prior to the Public Meeting. It is possible that comments received after the writing of this Planning Report could warrant a reconsideration of the aforementioned recommendation.

Respectfully submitted,

Ron Davidson, BES, RPP, MCIP
November 6th, 2018

Mark Turner, Clerk
Municipality of West Grey
402813 Grey Road 4, RR2
Durham, Ontario
N0G 1R0
*Sent via E-mail

RE: Consent Application B11/2018 and Zoning By-law ZA-16-18

Insert Address of Subject lands
Insert Municipality
Applicant/Owner:

Dear Mr. Turner,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of Consent application B11/2018 is to sever a Rural lot and retain a Rural lot.

The purpose of the Zoning By-law Amendment ZA-16-18 is to rezone the subject lands described as Part Lot 2, Lot 3, Concession 15, Geographic Township of Glenelg, Municipality of West Grey, from 'A2' (Rural Zone) and 'NE' (Natural Environment Zone) to the 'A2-395' (Rural Exception Zone) and 'NE' (Natural Environment Zone), for the severed parcel, and from the 'A2' (Rural Zone) to the 'A2-397' (Rural Exception Zone), for the retained parcel. Exceptions 'A2-395' and 'A2-397' recognizes the deficient lot area of the severed and retained parcels, respectively.

Schedule A of the County OP designates the subject property as 'Rural'. Section 2.3.4 of the OP states

(2) All consents for new lot development shall be no smaller than 0.8 hectares in area, and a maximum density of two lots may be considered (plus the retained lot), by the consent process, per 40 hectares.
Minimum lot size requirements within a Rural designation for newly created farm lots shall be 20 hectares. While the current lot is 30.9 hectares which would not met the required lot density requirement, County planning staff recognize that the severance would the return the lots to its Original Township lot size. Based on the Original Township lot, the proposed consent would not increase the lot density; therefore County planning staff have no concerns.

Schedule A of the County OP also indicates that the subject land contains a ‘Hazard Lands’ designation. Section 2.8.2 of the County OP states, new development and site alterations will only be considered if the hazards can be safely addressed and new hazards are not created or existing ones are not aggravated. County planning staff have no concerns with the above noted designation as the proposed severance will not occur in the Hazard Lands and no new development is proposed in the Hazard Land portion of the property.

Appendix B of the OP identifies the existence of ‘Significant Woodlands’ on the subject project. Policy 2.8.4 (1) states,

    No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study, as per section 2.8.7 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

Furthermore, Appendix B identifies a stream that meanders through the southeast portion of the subject property. Policy 2.8.6 (5) states no development shall be permitted within 30 metres of the banks of a stream, lake, or Georgian Bay.

County planning staff have no concerns with the identified Significant Woodlands and the identified stream because no development is being proposed and the severance will occur outside of these natural heritage features.

Section 4, #8 of the Minimum Distance Separation (MDS) document states that where lot creation is proposed, including new lots for agricultural uses, an MDS I setback is required for both the severed and retained lot. MDS calculations were included and MDS can be met.

County planning staff have no further concerns with the subject application.

The County requests notice of any decision rendered with respect to these applications.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Grey County: Colour It Your Way
Hiba Hussain
Planner
(519) 372-0219 ext. 1241
hiba.hussain@grey.ca
www.grey.ca
Good Afternoon Mark,

RE: Application for Consent B11/2018; and
    Proposed Zoning By-law Amendment ZA-16-18
    Part Lot 2 and Lot 3, Concession 15
    Roll No. 42052200014400 and 42052200014500
    Geographic Township of Glenelg
    Municipality of West Grey

Please find attached SVCA staff’s comments regarding the subject files. If you have any questions please do not hesitate to contact this office.

Regards,

Emily

PRIVACY DISCLAIMER: This e-mail (including any attachments) may contain confidential, proprietary, and privileged information and unauthorized disclosure or use is prohibited. If you received this e-mail in error, please notify the sender and delete this e-mail from your system. SAUGEEN VALLEY CONSERVATION AUTHORITY. Thank You!
ATTENTION: Mark Turner, Secretary-Treasurer/Clerk

Dear Mr. Turner,

RE: Application for Consent B11/2018; and Proposed Zoning By-law Amendment ZA-16-18
Part Lot 2 and Lot 3, Concession 15
Roll No. 420522000414400 and 420522000414500
Geographic Township of Glenelg
Municipality of West Grey (Murray c/o Cuesta Planning Consultants Inc.)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed these applications in accordance with the SVCA’s mandate, the SVCA Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the SVCA and the Municipality of West Grey relating to plan review. The purpose of the Application for Consent is to sever a Rural lot and retain a Rural lot. The purpose of the Zoning By-law Amendment is to rezone the subject lands from the ‘A2’ (Rural Zone) and ‘NE’ (Natural Environment Zone) to the ‘A2-395’ (Rural Exception Zone) and ‘NE’, for the severed parcel, and from the ‘A2’ to the ‘A2-397’ (Rural Exception Zone), for the retained parcel. Exceptions ‘A2-395’ and ‘A2-397’ recognize the deficient lot area of the severed and retained parcels, respectively. These applications are acceptable to SVCA staff, and the following comments are offered.

Natural Hazards

Portions of the proposed severed parcel of the property are designated as Hazard Lands in the County of Grey Official Plan (OP), and zoned NE in the Municipality of West Grey Zoning By-law No. 37-2006, as amended. In general, no new buildings or structures are permitted within the Hazard Lands designation or the NE Zone. In the opinion of SVCA staff, the Hazard Lands designation and the NE zone generally coincides with the hazardous lands mapping originally plotted by SVCA staff for the proposed severed parcel. There appears to be an additional watercourse on the proposed severed parcel that has not been designated as Hazard Land and not zoned NE. However, in the opinion of SVCA staff, the Watercourse Setbacks outlined in Section 6.20.3 of the Zoning By-law satisfactorily address any natural hazard concerns SVCA staff has in relation to this watercourse feature. For the proposed retained parcel, SVCA staff note that there is a small portion of the
parcel that SVCA staff recommend be designated Hazard Lands and zoned NE at the next available opportunity. Please see enclosed map prepared by SVCA staff, dated October 30, 2018.

In the opinion of SVCA staff, the NE zone and the watercourse setbacks address the natural hazards for the property.

Natural Heritage

The Significant Natural Heritage features affecting the subject property are Significant Woodlands, Fish Habitat, Significant Wildlife Habitat and potentially the Habitat of Endangered Species and Threatened Species. In addition, Other Identified Wetlands are located on the adjacent lands.

Significant Woodlands

The woodlands located on portions of the property and adjacent lands are shown as Significant Woodlands in the Grey County OP Constraint Mapping. The Grey County OP states that no development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the natural features or their ecological functions. In the opinion of SVCA staff, the impacts to the Significant Woodlands as a result of this proposal will be negligible, and we are not recommending the completion of an EIS to address potential Significant Woodlands as part of this proposal.

Fish Habitat

Unnamed tributaries of the Styx River are located on the proposed severed parcel of the property and unnamed tributaries are located on the adjacent lands. These watercourses are considered to be fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions. SVCA staff is of the opinion that the negative impacts to the lands adjacent to fish habitat as a result of this proposal will be negligible, and we are not recommending the preparation of an EIS.

Other Identified Wetlands

According to the County of Grey OP Appendix B Constraint Mapping, Other Identified Wetlands exist on the adjacent lands. The Grey County OP states in part that development and site alteration shall not be permitted within Other Identified Wetlands, unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. In the opinion of SVCA staff, the impacts to the Other Identified Wetlands as a result of this proposal will be negligible, and an EIS is not required at this time as part of this proposal.

Significant Wildlife Habitat

While there is no County-wide mapping of significant wildlife habitat, it has come to the attention of SVCA staff that significant wildlife habitat may be located on or adjacent to the property. The Grey County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat, unless it has
been demonstrated that there will be no negative impacts to the habitat or its ecological functions. It is the opinion of SVCA staff that an EIS regarding Significant Wildlife Habitat is not required at this time.

Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that the habitat of endangered and threatened species may be located in the area of the proposed development. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy. MNRF inquires in Grey County can be directed to Jody Scheifley, Management Biologist, phone: 519-371-8471, email: jody.scheifley@ontario.ca.

SVCA Regulation

Please be advised that portions of the proposed severed parcel and a small portion of the proposed retained parcel are subject to the SVCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O. 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any “development” in a Regulated Area or alteration to a wetland or watercourse.

“Development” and Alteration

Subsection 28(25) of the Conservation Authorities Act defines “development” as:

a) the construction, reconstruction, erection or placing of a building or structure of any kind;
b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
c) site grading; or,
d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

In order to determine where the SVCA’s area of interest is located associated with our Regulation on the subject property please refer the SVCA’s online mapping program, available via the SVCA’s website at http://eprweb.svca.on.ca.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation is proposed within SVCA’s areas of interest on the proposed retained and/or severed parcels, the SVCA should be contacted as permission may be required.
Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to these applications. The Application for Consent and proposed Zoning By-law Amendment are acceptable to SVCA staff.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Emily Payton
Environmental Planning Technician
Saugeen Conservation

EP/
Encl.

cc: John Bell, Authority Member, SVCA (via email)
    Kevin Eccles, Authority Member, SVCA (via email)
Good Afternoon Mr. Turner,

The Historic Saugeen Metis (HSM) Lands, Resources, and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, rezoning, land severance, Official Plan and/or Zoning By-law Amendments.

I trust this may be helpful.

Regards,

George Govier

Co-ordinator Lands, Resources, and Consultation

Historic Saugeen Metis
204 High Street
Southampton, Ontario
N0H 2L0
Direct Line (519) 483-4001
Fax (519) 483-4002
Email HSMLRCC@bmts.com

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Thank you for your correspondence with regard to the proposed Severance. Union Gas Limited ("Union") may have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, please ensure that an application for gas service is submitted through the Union Gas on line application tool ‘Get Connected’. A link is attached for your reference.

https://www.uniongas.com/business/account-services/get-connected

Should you require any further information, please contact the undersigned.

Mary Jane Patrick
Analyst, Land Services
Union Gas Limited | An Enbridge Company
50 Keil Drive North | Chatham, ON N7M 5M1
Tel: 519.436.4600 ext 500478
email: mpatrick@uniongas.com

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Good afternoon Mark

Council passed the following resolution at today’s Council meeting.

 Resolution 2018-28-19
 Moved by: Councillor Brian Gamble
 Seconded by: Councillor Shawn Greig

THAT Township of Chatsworth Council has no objection to the Application for Consent – File No: B11/2018 or Proposed Zoning Amendment ZA-16-18 in the Municipality of West Grey. Carried

Let me know if you require anything further.

Carolyn

Carolyn Vlielander-Marx, Dipl.M.A.
Deputy Clerk – Water Coordinator
Township of Chatsworth
316837 Highway 6, RR 1
Chatsworth ON N0H 1G0
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