

Staff Report

Report To: Committee of Adjustment
Report From: David Smith, RPP, MCIP Manager of Planning and Development
Meeting Date: September 2, 2025
Subject: B32.2024 – Conte (Sprovieri)

Recommendations:

THAT in consideration of staff report 'B32.2024 – Conte (Sprovieri)', the Committee of Adjustment hereby grants provisional approval to consent application B32.2024 for the creation of one new lot subject to the following conditions:

- i. THAT the owner provides a property tax certificate or, correspondence from the West Grey finance department, indicating that all property taxes have been paid up-to-date with respect to the property that is subject to this decision;
- ii. THAT this decision applies only to 'Severed Lot' as indicated on Schedule 'A' attached to and forming part of this decision. The severed lot shall substantially conform with Schedule 'A';
- iii. THAT a Reference Plan (survey that is registered) be completed and a digital and hard copy be filed with the Secretary-Treasurer of the Committee of Adjustment, or an exemption from the Reference Plan be received from the Registrar. A draft copy of the Reference Plan shall be provided to the Secretary-Treasurer for review and approval prior to registration of the survey;
- iv. THAT, pursuant to Section 53(42) of the *Planning Act*, the 'Certificate of Consent' be affixed to the deed within two years of the giving of the Notice of Decision. (Note: Section 53(43) of the *Planning Act* requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed));
- v. THAT the owner provides a draft transfer prepared by a solicitor describing the legal description of the new lot;
- vi. THAT the owner pays a \$500 parkland dedication fee for the severed land in accordance with Section 51(1) of the *Planning Act* to the Municipality of West Grey;

- vii. THAT the Clerk of the Municipality of West Grey provides written confirmation that a zoning bylaw amendment is in force and effect for the severed and retained lots.

Highlights:

- The purposed of the application is to sever a new lot of 0.8ha and retain 19.73 ha property.
- Municipal address: 523507 Concession 12.
- The property is designated 'Rural', and 'Hazard Lands' in County of Grey Official Plan with 'Significant Woodlands' constraint and is zoned 'A2 Rural' and 'NE Natural Environment'.
- The severed lot would be on lands designated 'Rural' and 'Hazard Lands', subject to 'Significant Woodlands' constraint, and are zoned 'A2 Rural' and 'NE Natural Environment'.
- Grey County Planning Ecologist is of the opinion that an Environmental Impact Assessment is not required.
- A zoning bylaw amendment application is required for both the severed lot and retained lot and is a condition of Provisional Consent.

Previous Report/Authority:

None.

Analysis:

Comments - Agencies

West Grey Public Works: No comments received as of August 22, 2025.

West Grey Building: No concerns.

West Grey Fire: No concerns.

County of Grey: County Planning staff have no concerns with the subject application. County Ecology staff provided the following comments: *"Natural Heritage - The property contains and/or is adjacent to significant woodlands, significant wildlife habitat, potential habitat for threatened and/or endangered species, other wetlands, and fish habitat. It is staffs understanding that the proposed development will be located within and/or adjacent to the features on previously disturbed and developed lands and the proposed severed and retained parcels have sufficient developable area. As such, it is staffs opinion that the potential impact to natural heritage would be negligible and the requirement for an Environmental Impact Study (EIS) can be waived."*

Saugeen Valley Conservation Authority: SVCA staff the application to be acceptable.

Comments - Public

No comments from the public have been received as of August 21, 2025.

Provincial Planning Statement 2024 (PPS)

As of October 20, 2024, the new Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter.

Section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

The subject lands are designated as 'Rural' and 'Hazard' Lands' in the County of Grey Official Plan. Significant Woodlands constraint is also identified on the subject lands.

Policy 2.6.1(c) of the PPS permits lot creation for residential development where site conditions are appropriate to support the necessary infrastructures like sewage and water. In this case, the severed lot will contain the existing dwelling (cottage), which is serviced by a private septic system and well, while the retained lot is of sufficient size to accommodate future residential development.

Policy 2.6.5 of the PPS requires that new lot creation comply with the Minimum Distance Separation (MDS) formulae. Based on the calculated MDS I, the severed lot comply with MDS requirements.

Policy 4.1.5(b) of the PPS identifies Significant Woodlands as a Natural Heritage feature. The policy restricts development and site alteration within or adjacent to these areas unless it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions.

County Planning Ecologist is of the opinion that the potential impact to Natural Heritage feature would be negligible and the Environmental Impact Study (EIS) is not required.

Policy 5.2.2(b) of the PPS requires the development to be directed to areas outside of the hazardous lands adjacent to rivers and streams which are impacted by flooding hazards.

The SVCA staff is of the opinion that *'the application is consistent with the PPS as there are no proposed developments within the Hazard Lands designation or within the NE zone.'*

Overall, the Manager of Planning and Development is of the opinion that the consent is consistent with the policies of the PPS.

County of Grey Official Plan (Grey OP)

The subject lands are designated as 'Rural' and 'Hazard Lands'. There is a 'Significant Woodland' constraint on the subject lands. Parts of the lands are within the Saugeen

Valley Conservation Authority Regulated Area. There is no structural or building development proposed within the 'Hazard Land' or 'Significant Woodlands'.

Section 5.4.3 of the Grey County Official Plan sets out the consent policies for lands designated "Rural."

Policy 5.4.3(1) establishes the maximum lot density permitted for Rural severances, as outlined in the table below:

Original township Lot Size (in hectares)	Number of Severances Permitted	Total Lots Permitted including the Severed and the Retained
20	1	2
40	3	4
60	4	5
80	5	6

The subject property forms part of Original Township Lot 3, Concession 13, which is approximately 40 hectares in size and has previously been severed once, resulting in the creation of the current parcel. Under the lot density provisions of the Grey County Official Plan, this property remains eligible for up to two additional severances. The current application proposes the creation of one new lot and therefore complies with the lot density policy of the Official Plan.

In addition, Policy 5.4.3(1) requires new Rural lots to be no smaller than 0.8 hectares and to maintain a maximum frontage-to-depth ratio of 1:3, to avoid the creation of narrow or linear parcels. The proposed severed lot has a frontage of 61 metres, a depth of 131.3 metres, and an area of 0.8 hectares. This configuration meets both the minimum lot size requirement and the maximum frontage-to-depth ratio policy.

Policy 5.2.2(5) of the Grey County Official Plan requires that new lot creation comply with the Minimum Distance Separation (MDS) Formula. The proposed severed lot contains an existing dwelling, while the retained lot will remain vacant. An MDS report was prepared for the purpose of this application and the calculations demonstrates compliance with the MDS I requirements.

Policy 7.4(1) of the Grey County Official Plan restricts development and site alteration within Significant Woodlands, or within 120 metres of such features, unless an Environmental Impact Study (EIS) demonstrates that no negative impacts will result. For this application, the Grey County Planning Ecologist has reviewed the proposal and determined that an EIS is not required.

The Manager of Planning and Development is satisfied that the consent maintains the general intent and purpose of the Grey OP.

Municipality of West Grey Comprehensive Zoning Bylaw 37-2006

The subject lands are zoned 'A2 Rural' and 'NE Natural Environment' in West Grey zoning bylaw 37-2006.

The proposed severed lot does not meet the standard regulations of the A2 – Rural zone. However, following severance, the proposed lot and the existing dwelling will conform to the Reduced Lot Regulations of the A2 zone, as outlined below.

Proposed Severed Lot	Required	Proposed	A2 Zone with Reduced Lot regulations
Lot Area, Minimum	20 ha	0.8 ha	0.8 ha
Lot Frontage, Minimum	122 m	61 m	30.5 m

The retained lot will not meet the Lot Area, Minimum requirement of the A2 zone.

Proposed Retained Lot	Required	Proposed
Lot Area, Minimum	20 ha	19.73 ha

Section 6.20.2 Natural Environment Zone and Lot Area Calculation does not allow the 'NE Natural Environmental' zoned lands to be used in the calculation of the lot area.

The Severed Lot would have approximately 0.2 ha. of 'NE'.

The Retained Lot would have approximately 8.4 ha. of 'NE'.

West Grey has permitted lands zoned 'NE' to be used as part of the lot area minimum calculation on rural properties for many years on many consent applications. The 'NE' zoning indicates that the land is not suitable for building but may be suitable for forestry or other uses listed in the Zoning Bylaw.

A condition requiring a zoning bylaw amendment to be in force has been included in the provisional conditions of the consent. It will address the zoning requirements for both the retained lot and severed lot.

The Manager of Planning and Development is of the opinion, once the zoning bylaw amendment is approved and in force, the consent is consistent with the intent of the West Grey zoning bylaw.

Financial and Operational Implications:

Potential appeal to the Ontario Land Tribunal.

Communication Plan:

As required under the Planning Act, R.S.O. 1990, as amended.

Consultation:

As required under the Planning Act, R.S.O. 1990, as amended.

Attachments:

1. Schedule 'A' – Conte (Sprovieri)
2. Aerial
3. Grey OP - Schedule A
4. Grey OP – Appendix B
5. SVCA Regulated Area
6. West Grey Zoning

Recommended by:

David Smith, RPP, MCIP, Manager of Planning and Development



Submission reviewed by:

Michele Harris, Chief Administrative Officer

For more information on this report, please contact David Smith, Manager of Planning and Development at planning@westgrey.com or 519-369-2200 Ext. 236.