

Staff Report

Report To: Committee of Adjustment
Report From: David Smith, RPP, MCIP Manager Planning and Development
Meeting Date: December 2, 2025
Subject: B17.2025 and B18.2025 – McAlpine and Hood (Ford)

Recommendations:

THAT in consideration of staff report 'B17.2025 and B18.2025 – McAlpine and Hood (Ford)' the Committee of Adjustment hereby grants provisional approval to consent applications B17.2025 and B18.2025 for the creation of new lots subject to the following conditions:

1. For file B17.2025:
 - 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 the 'Proposed Severance #1' 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/or 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 or minor variance is in force and effect permitting a reduced lot area and/or reduced lot frontage.
2. For file B18.2025:
- 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 the 'Proposed Severance #2' 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/or 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; and
 - vii. THAT the Clerk of the Municipality of West Grey provide written confirmation that a zoning bylaw amendment or minor variance is in force and effect permitting a reduced lot area and/or reduced lot frontage.

Highlights:

- The purpose of the application is to sever two lots (Proposed Severance #1 approx. 0.81 ha; Proposed Severance #2 approx. 0.81 ha.) and retain approx. 45.3 ha.

- Municipal address: 112875 Grey Road 3.
- The two new lots would have road access onto West Grey Concession 18.
- The property is designated 'Rural Land Use Type' and 'Hazard' in the County of Grey Official Plan with 'Aggregate Resource Area', 'Significant Woodlands' and 'Stream' constraint features.
- The property is zoned 'A2 Rural' and 'NE Natural Environment'. A zoning bylaw amendment application is required for both severed lots and is a condition of Provisional Consent.
- A small portion of 'Proposed Severance #2' would include land designated Hazard and zoned NE – Natural Environment.
- Grey County Planning Ecologist is of the opinion that an Environmental Impact Assessment is not required.
- A small portion of 'Proposed Severance #2' would include land within the SVCA Regulated Area.
- SVCA is of the opinion that the consents are acceptable.

Previous Report/Authority:

None.

Analysis:

Comments - Agencies

West Grey Public Works: Severed lots and retained to have an approved entrance permit and a civic address.

West Grey Building: No comment.

West Grey Fire: No concerns.

County of Grey Planning: *".... it is staff's opinion that the potential impact to natural heritage would be negligible and the requirement for an Environmental Impact Study can be waived.... County Planning staff have no concerns with the subject application."*

County of Grey Transportation: No concerns.

Saugeen Valley Conservation Authority: SVCA staff find the applications to be acceptable. The severed parcels are affected by hazard lands; however, there is room outside the hazard area on the retained and severed parcels for development if proposed.

Comments - Public

No comments from the public have been received as of November 19, 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(5) of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

The property is located on 'Rural' and 'Hazard' lands as defined in the PPS.

Policy 2.6.1c) of the PPS allows for residential development in a Rural area, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services. The severed and retained lots are of sufficient size to accommodate private septic and well.

Policy 5.2 directs that development shall generally be directed to areas outside of hazardous lands adjacent to rivers and streams and that development shall not be permitted within areas that could be rendered inaccessible during times of flooding. The two consents are not within, or include, lands designated as Hazard.

Proposed Severance #2 is within 120 metres of lands designated Hazard. The SVCA has indicated that they have no concerns.

The property includes a small area of Aggregate Resources. The consents are not within the Aggregate Resource Area and would have no impact on future extraction of the resource.

'Natural Heritage' areas (Significant Woodlands and Stream (Fish Habitat)) constraints are also identified on the property. Proposed Severance #2 is within 30 metres of the Stream (Fish Habitat). It is the opinion of the County Planning Ecologist that an Environmental Impact Study (EIS) is not required.

Policy 4.1.5 states that Natural Heritage features i.e., Significant Woodlands shall be protected for the long term and that development within, or adjacent to i.e., within 120 metres of the feature, shall be prohibited *unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions*. The consents are not in, nor within 120 metres, of the Significant Woodlands.

The Manager of Planning and Development is of the opinion that the consents are consistent with the policies of the PPS.

Grey County Official Plan (Grey OP)

The property is designated 'Rural' and 'Hazard Lands'.

There is a 'Significant Woodland' constraint and 'Aggregate Resource Area' constraint on a part of the retained lot. There is no development proposed within the 'Significant Woodland' or the 'Aggregate Resource Area'.

A small part of Proposed Severance #2 is within the Hazard Land area and within the Saugeen Valley Conservation Authority Regulated Area.

Section 5.4.3 Consent Policies (Rural) allow for limited lot creation provided the total number of parcels from the original 40-hectare, Crown-surveyed Township lot does not exceed four, including the retained parcel. The creation of two new lots would meet the Official Plan lot density limits.

New lots created in the 'Rural' area to be at least 0.8 hectares in size and to generally have a maximum of a 1:3 ratio of lot frontage to depth. The proposed lots will meet the minimum lot area requirement of at least 0.8 ha. The proposed lots will meet the maximum of a 1:3 ratio of lot frontage to depth being 52m frontage x 156m depth.

Section 5.4.2(5) Development Policies (Rural) require the severed lots to comply with the Minimum Distance Separation (MDS) Formula. There are seven livestock facilities located within 750 metres of the subject property. An MDS Report has been submitted and has demonstrated compliance with the MDS I requirements.

Section 7.2 states that development shall generally be directed away from Hazard Lands. A small part of Proposed Severance #2 will be within the Hazard Lands. There is sufficient development land outside of the Hazard. SVCA has reviewed the proposal and has no concerns.

Section 7.9 states that no development or site alteration may occur within Stream (Fish Habitat), or within 30 metres of the feature, unless it has been demonstrated through an environmental impact study that no negative impacts will occur. The Grey Planning Ecologist has determined that an EIS is not required for the proposed development.

The Manager of Planning and Development is satisfied that the general intent and purpose of the Official Plan is being maintained by this application.

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.

Proposed Severance #1 and Proposed Severance #2 will not meet the regulations of the 'A2' zone regarding 'Lot Area, Minimum' and 'Lot Frontage, Minimum':

9.1 Regulations	Required	Severed Lot #1	Severed Lot #2
9.2.1 'Lot Area, Minimum'	20 ha	0.81 ha	0.81 ha
9.2.2 'Lot Frontage, Minimum'	122 m	52 m	52 m

However, both consents would conform to the Reduced Lot Regulations of the A2 zone after severance:

9.3 Reduced Lot Regulations	Required	Severed Lot #1	Severed Lot #2
9.3.1 'Lot Area, Minimum'	0.8 ha	0.81 ha	0.81 ha
9.3.2 'Lot Frontage, Minimum'	30.5 m	52 m	52 m

A condition requiring a zoning bylaw amendment or minor variance to be in force has been included in the provisional conditions of consent.

The retained lot would be 45.3 ha in total lot area. There is approximately 22.5 ha. of 'A2' on the retained lot. The 'A2' zone sets a 'Lot Area, Minimum' of 20 hectares but does not allow 'NE' to be used in the total lot area calculation. The retained lot would meet the regulations of the 'A2' zone.

The Manager of Planning and Development is of the opinion, provided a minor variance or zoning bylaw amendment is in force and effect recognizing a reduced 'Lot Area, Minimum' and any other required exemptions, that the consents maintain the intent and purpose of the West Grey zoning bylaw and represents good planning.

Financial Implications:

Potential appeal to the Ontario Land Tribunal.

Climate and Environmental Implications:

As reviewed in this Report.

Communication Plan:

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

Consultation:


None.

Attachments:

1. Schedule 'A' – McAlpine and Hood (Ford)
2. Site Plan – McAlpine and Hood (Ford)
3. Aerial
4. Grey OP - Schedule A
5. Grey OP - Schedule B
6. Grey OP - Appendix B

7. SVCA Regulated Area
8. 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.