

Report PDR-PCD-42-16

To: Chair McQueen and Members of the Planning and Community Development Committee
From: Scott Taylor, Senior Planner
Meeting Date: November 10, 2016
Subject: Proposed Official Plan Amendment 137 Merit Report
Status: Recommendation adopted by Committee as presented per Resolution PCD134-16; Endorsed by County Council November 22, 2016 per Resolution CC150-16;

Recommendation(s)

That Report PDR-PCD-42-16 regarding proposed Official Plan Amendment Number 137 be received, to consider site specific exceptions on a Rural lot to allow for a seasonal dwelling on a road without year-round maintenance;

And that the proposal proceed to a Public Meeting to consider an amendment to the County of Grey Official Plan to re-designate the subject lands from the 'Rural' designation to the 'Rural with Exceptions' designation on Part of Lot 29, Concession 2 West of the Garafraxa Road, geographic Township of Bentinck, Municipality of West Grey, provided the Municipality of West Grey is prepared to hold a joint public meeting in consideration of the necessary Zoning By-law Amendment requirements.

Background

The County of Grey is in receipt of an application from John Spaleta to amend the County of Grey Official Plan to consider an exception to the 'Rural' designation to allow for the construction of a new seasonal dwelling on a municipal road which does not have year-round maintenance. The subject lands are located at Part of Lot 29, Concession 2 West of the Garafraxa Road (WGR), geographic Township of Bentinck, Municipality of West Grey, civic address 442830 12th Sideroad WGR. Mr. Spaleta's land holding is comprised of three parcels of land, two of which are south of 12th Sideroad WGR, which would constitute the building lot of approximately 1.3 hectares.

The purpose of this report is to formulate a recommendation to the Planning and Community Development Committee to determine if merit exists to support the above-noted amendment in principle, and to establish if the County should proceed with the holding of a joint public meeting and formal review of the application.

The subject lands are located approximately 1.1 kilometres west of Highway 6 on 12th Sideroad WGR, which does not have year-round maintenance. To the north of the subject properties is McCormick Lake, which is approximately 2.6 kilometres north of the Rocky Saugeen River. Surrounding the subject lands are a mixture of forested properties, the lake, farmlands, and some existing seasonal residences. An airphoto showing the subject lands and surrounding properties has been included as Map 1 below.



Map 1: Airphoto of the Subject Property and Surrounding Lands

The proposed development also requires a zoning by-law amendment application from the Municipality of West Grey.

Cuesta Planning Consultants Inc. have submitted a Planning Report, and AWS Environmental Consulting Inc. have submitted an Environmental Impact Study in support of the proposed development. Copies of all reports and background materials can be found at the below link.

[Link to Spaleta Background Materials](#)

Should the County Planning and Community Development Committee see merit in this application proceeding to a public meeting, a joint public meeting would be held with the Municipality of West Grey.

Analysis of Planning Issues

In rendering decisions, planning authorities must have regard to matters of Provincial interest and be consistent with the Provincial Policy Statement (PPS). Decisions within the County must also conform to the County of Grey Official Plan.

Provincial Interest – Legislation, Policy, Guidelines

Section 1.1.5 of the PPS speaks to permitted uses on rural lands. More specifically section 1.1.5.5 of the PPS states;

“Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.”

Section 2.1.5 of the PPS contains policies which protect significant woodlands.

The applicant has submitted a Planning Report and an Environmental Impact Study which are aimed at addressing the PPS and the criteria under the *Planning Act*. The County will be circulating the reports to the appropriate review agencies and the public to obtain comments on the specific matters contained within.

County of Grey Official Plan

All new development proposals within the County must conform to the purposes and policies of the Official Plan.

As noted above, the subject lands are currently designated as ‘Rural’ on Schedule A to the County Plan. An amendment is required for the proposed development as the lands are located on a municipal road which does not have year round access. Section 2.3.3(1)(e) of the County Plan states;

“That access to the site is from a public highway of reasonable construction and open and maintained on a year round basis and is appropriate for the use proposed. Access must not result in traffic hazards due to poor sight lines or proximity to an intersection and must conform to Section 5, Transportation and Utilities.”

Crucial to these applications will be the comments from the Municipality of West Grey on the road, and the ability to provide emergency access to the subject lands.

Appendix B to the County Plan also identifies the subject lands as being 'Significant Woodlands'.

Section 5 of the County Plan which deals with transportation matters, will also be important to assess for this application.

As per above, the submitted materials will be circulated to the appropriate agencies and the public for their input.

Financial / Staffing / Legal / Information Technology

Considerations

There are no anticipated financial, staffing or legal considerations associated with the proposed official plan amendment, beyond those normally encountered in processing an amendment. The County has collected the requisite application fee and peer review deposit for this application.

Should the application be appealed to the Ontario Municipal Board additional financial, legal, or staff resources may be required.

Link to Strategic Goals / Priorities

Action 2.10, under Goal 2 of the County's Strategic Plan, requires the continued management of development and the application of sound land use planning principles. Following the agency circulation and public process, staff will be in a position to make recommendations regarding the proposed exceptions with respect to whether or not the matter;

1. has regard for matters of Provincial Interest under the *Planning Act*,
2. is consistent with the Provincial Policy Statement, and
3. conforms to the goals and objectives of the County Official Plan.

Attachments

None

Respectfully submitted by,

Scott Taylor, MCIP, RPP
Senior Planner

Director Sign Off: *Randy Scherzer*