Agenda
Committee of Adjustment
Council chambers, West Grey municipal office
402813 Grey Rd 4, RR 2 Durham, ON N0G 1R0

September 8, 2020, 1 p.m.
electronically

This is an electronic meeting.
We are using ZOOM meeting software – audio only
To join the meeting through your computer (or smartphone with the ZOOM app) go to:
https://us02web.zoom.us/j/85652154785
If you prefer to phone in and listen live dial +1 647 558 0588 (long-distance charges to Toronto may apply)
If prompted, enter the meeting ID: 856 5215 4785

Accessibility of documents: Documents are available in alternate formats upon request. Please contact the Clerk's Department at 519-369-2200 or by email at gscharback@westgrey.com to discuss how best we can meet your needs if you require an accessible format or communication support.

Pages

1. Call to order

2. Appoint secretary-treasurer and deputy secretary-treasurer

   Recommendation:
   That West Grey Committee of Adjustment hereby appoints Genevieve Scharback to the position of Secretary-Treasurer and Lindsey Glazier to the position of Deputy Secretary-Treasurer for the Committee of Adjustment.

3. Purpose of meeting

4. Disclosure of pecuniary interest and general nature thereof

5. Approval of minutes

   5.1 July 14, 2020 Committee of Adjustment minutes

      Recommendation:
      That The Municipality of West Grey committee of adjustment hereby adopts the minutes of July 14, 2020, as circulated.

6.1 Application

6.2 Planner L. Spencer - report

Recommendation:
That West Grey Committee of Adjustment receives the report A02/20 – GOETZ, Kyle, wherein Planner L. Spencer recommends approval of minor variance application no. A02/2020

6.3 Written comments received

6.3.1 Grey County comments

6.3.2 Saugeen Valley Conservation Authority comments

6.4 Verbal comments

6.4.1 Committee members

6.4.2 Members of the public

6.5 Decision

Recommendation:
That Committee of Adjustment hereby _________(approves/denies) Minor Variance application no. A02/2020, Goetz.

7. Consent to sever no. B03/2020 – 1993934 Ontario Inc. – 502413 Concession 10 NDR

7.1 Application

7.2 Planner L. Spencer - report

Recommendation:
That West Grey Committee of Adjustment receives the report B03/20 193934 Ontario Inc., wherein Planner L. Spencer recommends provisional approval of consent application no. B03/2020.

7.3 Written comments received

7.3.1 Saugeen Valley Conservation Authority comments

7.4 Verbal comments

7.4.1 Committee members

7.4.2 Members of the public
7.5 Decision

Recommendation:
That Committee of Adjustment hereby __________(approves/denies) Consent application no. B03/2020 with conditions as set out in the decision sheet.

8. Consent to sever no. B05/2020 and B06/20 – Shamadon Resorts Ltd. – 231764 Concession 2 WGR

8.1 Application

8.2 Planner L. Spencer - report

Recommendation:

8.3 Written comments received

8.3.1 Grey County comments

8.3.2 Saugeen Valley Conservation Authority comments

8.4 Verbal comments

8.4.1 Committee members

8.4.2 Members of the public

8.5 Decision

Recommendation:
That Committee of Adjustment hereby __________(approves/denies) Consent application no. B05/2020 with conditions as set out in the decision sheet.

Recommendation:
That Committee of Adjustment hereby __________(approves/denies) Consent application no. B06/2020 with conditions as set out in the decision sheet.


9.1 Application
9.2 Planner L. Spencer - report

Recommendation:

9.3 Written comments received

9.3.1 Grey County comments

9.3.2 Saugeen Valley Conservation Authority comments

9.4 Verbal comments

9.4.1 Committee members

9.4.2 Members of the public

9.5 Decision

Recommendation:
That Committee of Adjustment hereby _________ (approves/denies) consent application no. B07/2020 with conditions as set out in the decision sheet.

10. Adjournment

Recommendation:
That Committee of Adjustment hereby adjourns at _____ p.m.
The Committee of Adjustment met electronically with the following members in attendance:

Members Present: Tom Hutchinson (Chair), Rebecca Hergert (Vice-Chair), Beth Hamilton, Doug Hutchinson, Christine Robinson, Geoffrey Shea, Stephen Townsend

Staff: Laura Johnston, CAO; Lorelie Spencer, Deputy Secretary-Treasurer/Manager, Planning & Development; Genevieve Scharback, Clerk; Kodey Hewlett, Recreation Supervisor

Other: Hiba Hussain

1. Disclosure of Pecuniary Interest - none

2. Approval of Minutes – June 2, 2020

COA 11/20 Moved by: Councillor Hamilton Seconded by: Councillor Shea

That, the Municipality of West Grey Committee of Adjustment hereby adopts the minutes of June 2, 2020, as printed.

Committee Members: Attending members present. All yea. Carried.

3. Public Meeting - none

4. Other

   i) Minor Variance Application A01/2020 – Lot 22 Louise Creek Crescent, Forest Creek Estates, Registered Plan 1097, Part lot 22. (Owners: Tammy and Karl Schipprack)

<table>
<thead>
<tr>
<th>File</th>
<th>Applicant</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>A01/2020</td>
<td>Tammy and Karl Schipprack</td>
<td>GRANTED</td>
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</tbody>
</table>

The Deputy Secretary-Treasurer / Manager of Planning and Development provided a verbal summation of the report provided for the application. Duly noted that the County Planner provided a Planning Report in light of the position as one of the applicants is employed by the Municipality.

The Deputy Secretary-Treasurer / Manager of Planning and Development outlined the purpose and effect of the application in addition to the comments provided by County Planner Hussain. Comments from authorities having jurisdiction were noted, including the Historic Saugeen Metis and Saugeen Valley Conservation Authority.
Clarification was requested by Councilor Townsend regarding ownership of the subject lands. Planner Spencer defined that the sale of the subject lands had not closed at the time of application. The closure of the property has now occurred. The previous owner provided authorization for the application to proceed in the interim.

Councilor Hergert requested clarification regarding the septic review under the current plan of subdivision and whether an update to this document was required. Planner Spencer defined that no legislative changes have occurred which would require an update at this time.

Councilor Hergert requested clarification regarding the update of hazard mapping within the draft updated zoning by-law. Planner Spencer identified that this task is currently underway.

**COA 12/20** Moved by: Mayor Robinson – Councillor Townsend

Resolved that, Minor Variance Application A01/2020 be approved under subsection 45(1) of the Planning Act to vary the requirements of subsection 15.2.4 to reduce the interior side setback from 6.0 metres to 3.0 metres to permit the construction of a single detached dwelling unit. To further vary the requirements of subsection 6.1.2(b) to permit the construction of an accessory structure in the front yard.

Committee Members: Attending members present. All yea. Carried.

5. **Next Meeting** – To be determined.

6. On motion of Councilor Hutchison – Councilor Hergert, the Committee adjourned at 1:25 p.m.

Tom Hutchinson, Chair Lorelie Spencer, Deputy Secretary-Treasurer
Corporation of the
Municipality of West Grey

Committee of Adjustment
Application for Minor Variance

Application is hereby made
to the approval authority:
The Municipality of West Grey
Committee of Adjustment
402813 Grey Road 4, RR 2
Durham, ON N0G 1R0

Phone: 519 369 2200 x 229
Email: mturner@westgrey.com
Fax: 519 369 5962

For Office Use Only

Date Accepted: July 23/20
File Number: A02/20/20
Roll Number(s): 005 7330
Municipal Fee Paid: Yes
Receipt Number: 

Minor Variance Application Fee - $770.00 (includes fee payable
to the Saugeen Valley Conservation Authority)
Part A  Applicant Information

1. (a) Registered Owner’s Name(s): Kyle Douglas Goetz
   Address ____________ R.R.3, Hanover, ON
   Postal Code N4N 3B9    Email ____________________________
   Phone __________________ Work ___________ Ext. ___________
   Fax ___________________ Cell ____________________________

(b) Authorized Applicant’s/Agent’s Name (If different than above)
   Brenda Goetz
   Address 21st Avenue, Hanover, ON
   Postal Code N4N 3H4    Email ____________________________
   Phone __________________ Work ___________ Ext. ___________
   Fax ___________________ Cell ____________________________

(c) Send all correspondence to (choose one):
   ☑ Applicant ☑ Agent

Part B  Property Information

2. Subject Land:
   Municipal Address 341013 Grey Road 28
   Former Municipality Bentinck Township
   Legal Description: Lot ________ Concession _____________
   Registered Plan Judges 55 Part(s) Pt. 1
   Date lands were acquired by current owner(s) May 2017
   Part 1, Reference Plan 17R-1881
3. Description:
   (a) Description of the Entire Property (in metric units)
       Lot Frontage 120' Lot Depth 320' Lot Area 0.88 ac
   (b) Description of the area affected if only a portion of the entire property is the subject of this application (in metric units)
       Lot Frontage ______ Lot Depth ______ Lot Area ______

4. Current Planning Status of Subject Lands:
   (a) Zoning: Restricted Rural (A3)

4. Current Planning Status of Subject Lands:
   (b) Official Plan Designation: _________________________________

5. Describe the nature and extent of relief from the zoning by-law:
   Increase building area for accessory structure

6. Reasons why the proposed use cannot comply with the provisions of the by-Law:
   Vary provisions of Zoning Bylaw for maximum gross building area for construction of an accessory building
   
<table>
<thead>
<tr>
<th>Section 6.1.4.(ii)</th>
<th>Bylaw</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>1,000 ft2</td>
<td>2,400 ft2</td>
</tr>
</tbody>
</table>

7. Indicate the existing uses of the subject land and how long the existing use has continued:
   Residential

Page 3 of 7
8. Indicate the proposed uses of the subject land:
   Residential

9. Indicate the Type of Road Access:
   - Open and Maintained Municipal Road Allowance
   - County Road
   - Provincial Highway Access
   - Non-maintained/Seasonally Maintained Municipal Road Allowance
   - Private Right-of-Way

10. Indicate the Applicable Water Supply and Sewage Disposal:
    | Existing | Proposed |
    |---------------|-----------|
    | Municipal Water |           |
    | Communal Water  |           |
    | Private Well    | X         |
    | Municipal Sewers|           |
    | Communal Sewers |           |
    | Private Septic  | X         |

11. Indicate the Storm Drainage:
    | Existing | Proposed |
    |---------------|-----------|
    | Sewers       |           |
    | Ditches      | X         |
    | Swales       |           |
    | Other (specify)|           |
12. Provide the following details for all buildings, both existing and proposed. (Use separate page if necessary):

<table>
<thead>
<tr>
<th>Building Type:</th>
<th>Single Detached Dwelling</th>
<th>Accessory Building</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Existing</td>
<td>Proposed</td>
</tr>
<tr>
<td>Date of Construction</td>
<td>Unknown</td>
<td></td>
</tr>
<tr>
<td>Ground Floor Area (m²)</td>
<td>146</td>
<td>No Change</td>
</tr>
<tr>
<td>Gross Floor Area (m²)</td>
<td>292</td>
<td>No Change</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>1</td>
<td>No Change</td>
</tr>
<tr>
<td>Width (m)</td>
<td>8.5</td>
<td>No Change</td>
</tr>
<tr>
<td>Length (m)</td>
<td>17</td>
<td>No Change</td>
</tr>
<tr>
<td>Height (m)</td>
<td>1 storey</td>
<td>No Change</td>
</tr>
<tr>
<td>Use</td>
<td>Residential</td>
<td>Residential</td>
</tr>
<tr>
<td>Setback from front lot line (m)</td>
<td>9.75</td>
<td>No Change</td>
</tr>
<tr>
<td>Setback from rear lot line (m)</td>
<td>79.25</td>
<td>No Change</td>
</tr>
<tr>
<td>Setback from side lot lines E (m)</td>
<td>6.1</td>
<td>No Change</td>
</tr>
<tr>
<td></td>
<td>13.4</td>
<td>No Change</td>
</tr>
</tbody>
</table>

13. Other Applications (if known, indicate if the subject land is the subject of an application under the Planning Act for):

Plan of Subdivision – File/Status (s.51): ____________________________
Consent – File/Status (s.53): ____________________________
Previous Minor Variance - File (s.45): ____________________________
14. Please provide a sketch showing the following:

(a) The boundaries and dimensions of the subject land;
(b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot line;
(c) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
(d) The current uses on the land that is adjacent to the subject land;
(e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
(f) The location and nature of any easement affecting the subject land.

(The Committee may also request the applicant to provide a photograph and/or survey of the lands or location for which this application is made.)

Part C Authorization/Declaration and Affidavit

15. Authorization for Agent/Solicitor to Act for Owner:

(If the Solemn Declaration is to be completed by other than the registered owner of the subject lands, the owner’s written authorization below (or letter of authorization) must be completed.)

I (We) Kyle Douglas Goetz

Name of Owner(s)
of the Municipality of West Grey in the County of Grey

city/town/municipality county/region

registered owner of Part of Lot 1, Judges Plan 55

property description

do hereby authorize Brenda Goetz

Name(s) of Authorized Agent(s)

to act as my (our) agent for the purposes of this application.
16. Declaration of Owner/Applicant:

Note: This Affidavit must be signed in the presence of a Commissioner of Oaths.

I/ (Mr.) Kyle Douglas Goetz  
Name of Owner(s)

of the Municipality of West Grey in the County of Grey  
city/town/municipality county/region

Declared before me at the Municipality of West Grey  
city/town/municipality

In the County of Grey  
county/region

this ______ day of ______ July ______, 2020.

Signatures of Owner(s)  
Date

Signature of Commissioner  
Date

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation. In submitting this application and supporting documentation, the Owner/Applicant/Agent hereby acknowledge the above-noted and consents, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.
Recommendation

That West Grey Committee of Adjustment receives the report A02/20 – GOETZ, Kyle, wherein Planner L. Spencer recommends approval of minor variance application no. A02/20.

Executive summary

The purpose and effect of this application is to vary the requirements of subsection 6.1.4(ii) of the municipality of West Grey comprehensive zoning By-law 37-2006 to increase the maximum permitted gross floor area of an accessory structure from 93 m² to 223 m². The effect of which will permit the construction of an accessory structure on the subject lands.

Background and discussion

The subject property is located just east of the intersection of Bruce Road 10 and Grey 28 on the north side of Grey Road 28. The property is municipally known as 341013 Grey Road 28.

The site is comprised of approximately 0.4 ha. of land. A single detached dwelling unit and two accessory structures are currently located on the subject lands. The applicant has identified that the accessory structure on the northeast corner of the property will be removed. The property was previously altered from a vacant state to accommodate the existing single detached dwelling unit. Although there is potential that significant habitat of threatened or endangered species exist adjacent and possible within the subject lands. However, the subject lands is located outside of the Saugeen Valley Conservation Authority (SVCA) screening area. Permission from SVCA is not required to develop the lands for the purposes of the accessory structure.

An application was submitted by the applicant’s agent requesting relief from the requirements of subsection 6.1.4(ii) of the zoning by-law to permit an increased gross floor area of the proposed accessory structure. The applicant’s agent has indicated that the accessory structure is proposed for storage purposes.

To determine if the application meets the four (4) tests of a minor variance staff have reviewed the file in addition to comments received from authorities having jurisdiction.
Legal and legislated requirements

Section 45 of the Planning Act gives the Committee of Adjustment the authority to grant relief from the provision(s) of the municipality’s zoning by-law provided it meets the four (4) tests of a minor variance.

1. Does the application maintain the intent and purpose of the official plan?

   The property is designated as ‘agricultural’ under the county of grey official plan. Section 5.2.1 of the official plan permits the use of the lands for all types, sizes and intensities of agricultural uses and normal farm practices, agricultural-related uses and on-farm diversified uses.

   SVCA staff have noted that although the site is located outside of their regulated area that it is the responsibility of the applicant to contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address the policies of the Provincial Policy Statement (PPS), specifically section 2.1.7.

   It is the opinion of planning staff the proposed accessory structure meets the intent and purpose of the official plan.

2. Does the Minor Variance maintain the general intent and purpose of the municipality’s comprehensive zoning by-law 37-2006?

   The subject lands are zoned A3 (restricted rural) within the municipality’s comprehensive zoning by-law 37-2006. Section 10.1 of the zoning by-law outlines the uses permitted within the A3 zone. Accessory structures are a permitted use within this zone provided they are in accordance with section 6.1.4(ii).

   The intent of subsection 6.1.4(ii) is to ensure that the accessory structure is not the predominant use of the lands and is compatible with the built form existing on the subject lands.

   On the basis that one (1) of the existing accessory structures will be removed and that the accessory structure is appropriately located in the rear yard, planning staff are satisfied that the proposal maintains the general intent and purpose of the municipality’s comprehensive zoning by-law.

3. Is the variance minor in nature?

   To assess the variance in this regard, it is necessary to review the potential impact of the request on adjacent lands.

   A single detached dwelling unit is located west of the subject lands and east of the subject lands. Commercial uses are also located east of the subject lands. The proposed accessory structure will be located in the northeast corner of the subject lands and will meet the required side and rear yard setbacks under the zoning by-law. The
proposed location is approximately 30 metres from the adjacent residential use to the east and is not anticipated to have a negative impact on the adjacent lands to the east.

The accessory structure will be located approximately 25 metres from the commercial lands to the west and is not anticipated to have a negative impact in this regard.

It is the opinion of planning staff that the request is minor in nature.

4. Would the minor variance represent an appropriate or desirable use of the land, buildings or structures?

The accessory structure meets the balance of the requirements under section 6.1 of the zoning by-law and is considered a permitted use. The requested variance to increase the size of the accessory structure is considered an appropriate use of the lands provided one (1) of the existing accessory structures is removed as indicated by the applicant and their agent.

Although not one of the four (4) tests of a minor variance, planning staff are required to identify if the application is consistent with the PPS.

The PPS does not regulate the size of buildings or structures. The PPS contains policies related to the protection of endangered or threatened species habitat. Staff concur that the applicant should confirm with MECP that the proposal is consistent with section 2.1.7 of the PPS. However, on the basis that alterations have occurred on the adjacent lands and the subject lands, it is not anticipated that further alteration will represent an issue for the proposed structure. Planning staff are satisfied that the application is consistent with the PPS.

Planning staff also note that comments were received from the County of Grey Transportation Department. The applicant is advised that only one (1) entrance is permitted to a County Road.

Financial and resource implications

None.

Staffing implications

None.

Consultation

- County of Grey Planning Department
- County of Grey Transportation 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 Department comments
- County of Grey Transportation Department comments (incl. with planning comments)
- Saugeen Valley Conservation Authority comments

Next steps

That Committee approve minor variance application A02/2020.

Respectfully submitted:

Lorelie Spencer, Ba.U.R.Pl, MCIP, RPP
Manager of Planning and Development
August 27th, 2020

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

RE: Minor Variance Application A02/20
341013 Grey Road 28
Municipality of West Grey
Applicant/Owner: Kyle Douglas Goetz

Dear Ms. Spencer,

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), Recolour Grey. We offer the following comments.

The purpose and effect of the application is to vary the requirements of subsection 6.1.4 (ii) to increase the maximum permitted gross floor area of an accessory structure from 93 m$^2$ to 223 m$^2$. The effect of which would permit the construction of an accessory structure.

Schedule A of the OP designates the subject lands as ‘Agricultural’. Section 5.2.1 of Recolour Grey states,

1) Permitted uses in the Agricultural land use type include:

   a) All types, sizes and intensities of agricultural uses, and normal farm practices, including accessory uses (see Table 7);

   b) Agricultural-related uses (see Table 7);

   c) On-farm diversified uses (see Table 7);

The subject application meets the above noted policy. County planning staff have no concerns.
County Transportation services has reviewed the subject application and has no objection to the variance. It should be mentioned that only one entrance per lot is allowed on a County Road.

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

The County requests notice of any decision rendered with respect to this application.

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

Yours truly,

Hiba Hussain
Planner
(519) 372-0219 ext. 1233
hiba.hussain@grey.ca
www.grey.ca
August 31, 2020

Municipality of West Grey
Committee of Adjustment
402813 Grey Road 4, RR#2
Durham ON, N0G 1R0

ATTENTION: Lorelie Spencer, Planner

Dear Ms. Spencer,

RE: Application for Minor Variance A02/2020
341013 Grey Road 28
Roll No. 42052800523300
Plan 55 PT LOT 1 RP 17R1881; PART 1
Geographic Township of Bentinck
Municipality of West Grey (Goetz)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA’s Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Municipality of West Grey representing natural hazards and natural heritage; and the application has been reviewed through SVCA’s role as a public body under the Planning Act as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of this application is to allow for an increase in the maximum permitted floor area of an accessory structure. The effect will permit the construction of the accessory structure.

Staff have received and reviewed the following documents submitted with this application:
1) Request for Agency Comments and attached Site Plan

Recommendation

SVCA staff find the application acceptable and elaborate in the following paragraphs.

Site Characteristics

This residential site is located on the north side of Grey Road 28, north of Hanover. There is an existing dwelling with attached garage, and two small detached accessory buildings.
Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Municipality of Grey Highlands in that we provide expert advice and technical clearance on Planning Act applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS 2020, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other natural hazard features of interest to SVCA or as per our MOA with the Municipality of West Grey. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard Policies of the PPS, 2020 and the County of Grey and West Grey Official Plans.

Natural Heritage:

In the opinion of SVCA staff, the subject property features potentially the Habitat of Threatened or Endangered Species.

Threatened and Endangered Species

It has come to the attention of SVCA staff that habitat of endangered or threatened species may be located on and adjacent to the property. Our role is to identify habitat through a screening process in consideration of PPS and local policies, however it is the responsibility of the applicant to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

Provincial Policy Statement – Section 2.1

Section 2.1.7 of the Provincial Policy Statement dictates that development and site alteration shall not be permitted within habitat of threatened or endangered species.

Grey County Official Plan Policies

Section 7.10 of the Grey County OP states that development and site alteration will not be permitted within the habitat of threatened or endangered species.

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA’s Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the Conservation Authorities Act, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake...
shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The parcel is not within the SVCA ‘Approximate Screening Area’ associated with Ontario Regulation 169/06. As such, development and/or site alteration within this area does not require the permission from SVCA, prior to carrying out the work.

**Summary**

SVCA staff has reviewed this application in accordance with our MOA with the Municipality of West Grey and as per our mandated responsibilities for natural hazard management, including our regulatory role under the Conservation Authorities Act.

The proposed minor variance is considered acceptable by SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:

1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.

2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated; with the exception of policy 2.1.7 of the PPS, Threatened and Endangered Species, which must be addressed by MECP.

3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated; with the exception of policy 2.1.7 of the PPS, Threatened and Endangered Species, which must be addressed by MECP.

Please inform this office of any decision made by the Municipality of West Grey with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned Megan Stansfield at m.stansfield@svca.on.ca.

Sincerely,

Megan Stansfield
Environmental Planning Technician
Saugeen Conservation

MS/

cc: Christine Robinson, Authority Member, SVCA (via email)
Tom Hutchinson, Authority Member, SVCA (via email)
Severance Application Form

Application Accepted (date) **JULY 17/20** Severance File No: **B3/2017**

**Note:** Questions 2, 3, 6, 7, 8, 9, 10, 11, 12 a & b, 14 a, b, c, d, & f, 15, 16, and 17 are minimum mandatory requirements as prescribed in the schedule to Ontario Regulation 41/95, Planning Act, and **must be completed.** The remaining questions are there to assist the Committee and Agencies in evaluating your application. You can help ensure a thorough evaluation is completed by answering all questions. Failure to provide adequate, correct information may result in your application being refused.

1. Approval Authority: **Municipality of West Grey Committee of Adjustment**

2. **Owner:** 1993934 Ontario Inc.
   - Address: [Redacted] Durham Rd. E. RR#1 Durham, On
   - Telephone Number: [Redacted] Postal Code NOG 1R0

3. **Applicant:** Kevin Tremble, Jason Tremble (if different from owner)
   - Address: [Redacted] RR#1 Durham, On
   - [Redacted] Number: [Redacted] Postal Code NOG 1R0

4. **Agent/Solicitor:**
   - Address: [Redacted]
   - Telephone Number: [Redacted] Postal Code

5. **Communications** should be sent to:
   - Owner ✓ Applicant/Authorized Agent Solicitor

**Note:** In this form "Subject Land" means the parcel to be severed and the parcel to be retained.
6. Subject Land (Legal Description):

Lot No. Part lot 30 Plan/Concession Concession 11 NDR Bentinck
Municipality West Grey Civic Addressing No. 502413
Part 1 Reference Plan No. 16R11234 Name of Street Concession 10 NDR

7. Description of Subject Land:

a) Existing use of the subject Land:
   Agricultural ✓ Residential ✓ Rural ✓
   Commercial/Industrial Other (explain) 

b) Existing Buildings: House on property

c) Is the "subject land" presently subject to any of the following: No
   Easement Restrictive Covenants Right of Way
   Describe:

Note: All existing easements and right of ways must be shown on the sketch.

8. Proposal

Dimensions of land intended to be Severed

Dimensions of land intended to be Retained

Frontage 396 ft Frontage 1,043 ft
Depth 515 ft Depth 2,769 ft
Area 4.7 acres Area 95.3 acres

These dimensions must be accurate.
9. Proposed Use of Land to be Severed

(a) i) New Lot ☑

- Non-farm residential ☑
- Agricultural
- Hobby Farm
- Surplus farm dwelling
- Agricultural related
- Commercial/Industrial
- Commercial/Industrial
- Other Specify

ii) Lot Addition

iii) Lease/Charge

iv) Easement/

- Right of Way
  - Bell Canada
  - Hydro
  - Water
  - Gas
  - Access

v) Correction of Title

(b) Name of person/s, if known, to whom land or interest in land is to be transferred, leased or charged: N/A

Address: 

(c) Buildings Proposed: None
10. **Proposed Use of Land to be Retained**

<table>
<thead>
<tr>
<th>Buildings Proposed</th>
<th>none</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-farm residential</td>
<td></td>
</tr>
<tr>
<td>Agricultural</td>
<td>✅</td>
</tr>
<tr>
<td>Agricultural related</td>
<td></td>
</tr>
<tr>
<td>Commercial/Industrial</td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
</tr>
</tbody>
</table>

11. **Road Access**

<table>
<thead>
<tr>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Highway</td>
<td></td>
</tr>
<tr>
<td>County Road (Provide Road Number)</td>
<td>Concession 10 NDR</td>
</tr>
<tr>
<td>Municipality Road</td>
<td></td>
</tr>
<tr>
<td>Non-maintained/seasonally maintained Municipal road allowance</td>
<td>Sideroad 30</td>
</tr>
</tbody>
</table>

If access is from a non-maintained or seasonally maintained road allowance has an agreement been reached with the Municipality regarding upgrading of the road?  

Yes ☑  No ✗

Private Right-of-Way

<table>
<thead>
<tr>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
</table>

12. **Servicing**

**a) What type of water supply is proposed?**

<table>
<thead>
<tr>
<th>Type</th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipally owned and operated pipe water supply</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Lake/River</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Well</td>
<td>✅</td>
<td></td>
</tr>
</tbody>
</table>

If proposed water supply is by well, are the surrounding water well records attached?  

Yes ☑  No ✗

**b) What type of sewage disposal is proposed?**

<table>
<thead>
<tr>
<th>Type</th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipally owned and operated sanitary sewers</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Septic Tank</td>
<td>✅</td>
<td></td>
</tr>
<tr>
<td>Other - Specify</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**c) Other Services** (check if any of these services are available to the "subject land")

<table>
<thead>
<tr>
<th>Service</th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Bus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garbage Collection</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
13. Agricultural Property History

i) What type of farming has been or is currently being conducted? Cash cropping

(Please indicate the type of farming on the form on the proceeding page by circling the Animal Type, a description, and a Barn Type. Please label each barn with a number on the sketch and the form.)

ii)  a) How long have you owned the farm? 1 month

b) Are you actively farming the land (or - do you have the land farmed under your supervision)? No

   yes - for how long? 

   no - when did you stop farming? previous owner farmed the land

   For what reason did you stop farming? 

iii)  a) Area of total farm holding: Hectares 

b) Number of tillable hectares (acres) 65 acres

   c) Do you own any other farm properties? Yes No ✓

   If yes indicate: Lot Concession

                       Township Acres

   d) Do you rent any other land? Yes No ✓

   If yes indicate: Lot Concession

                       Township Acres

iv)  a) Is there a barn on the parcel to be severed?

   Yes No ✓ Condition of barn

       Present Use Capacity of barn in terms of livestock

   b) Is there a barn on the parcel to be retained?

   Yes No ✓ Condition of barn

       Present Use Capacity of barn in terms of livestock

   c) Manure storage facilities on subject lands (check appropriate type):

Type:
Solid, inside, bedded pack (V1) Liquid, inside, Underneath Slatted Floor (V5)
Solid, outside, Covered (V2) Liquid, outside, with a tight fitting cover (V6)
Solid, outside, no cover (V3) Liquid, outside, no cover, anaerobic digester (V7)
    (greater than or equal to 30% dry matter) Liquid, Outside, Permanent Floating Cover (L2)
Solid, outside, no cover (V4) Liquid, Outside, No Cover, Straight-wall(M1)
    (18 to 30% dry matter with covered liquid runoff storage) Liquid, Outside, Roof, Open sides (M2)
Solid, outside, no cover (L1) Liquid, outside, no cover, sloped-sided (H1)
    (18 to 30% dry matter with uncovered liquid runoff storage)

v)  a) Are there any barns on other properties within 450 metres (1,500 feet) of the proposed lot? Yes ✓ No

If the answer is yes, these barns and distances to the subject property must be shown on the sketch as well as the following details. Please show the locations of the manure storage facilities on the sketch as well.
b) What type of farming has been or is currently being conducted? cash cropping

(Please indicate the type of farming on the form on the proceeding page by circling the Animal Type, a description, and a Barn Type. Please label each barn with a number on the sketch and the form.)

c) Number of tillable hectares (acres) on other property: Hectares _____ Acres 50

**NOTE: Please indicate each farm with a number to distinguish between the various farms if there is more than one**

d) Capacity of barn on other property in terms of livestock units 12 beef cattle

**NOTE: Please indicate each farm with a number to distinguish between the various farms if there is more than one**

e) Manure storage facilities on other property No liquid manure storage facilities

**NOTE: Please indicate each farm with a number to distinguish between the various farms if there is more than one**

Type:

<table>
<thead>
<tr>
<th>Solid, inside, bedded pack (V1)</th>
<th>Liquid, inside, Underneath Slatted Floor (V5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solid, outside, Covered (V2)</td>
<td>Liquid, outside, with a tight fitting cover (V6)</td>
</tr>
<tr>
<td>Solid, outside, no cover (V3)</td>
<td>Liquid, outside, no cover, anaerobic digester (V7)</td>
</tr>
<tr>
<td>(greater than or equal to 30% dry matter)</td>
<td>Liquid, Outside, Permanent Floating Cover (L2)</td>
</tr>
<tr>
<td>Solid, outside, no cover (V4)</td>
<td>Liquid, Outside, No Cover, Straight-wall (M1)</td>
</tr>
<tr>
<td>(18 to 30% dry matter with covered liquid runoff storage)</td>
<td>Liquid, Outside, Roof, Open sides (M2)</td>
</tr>
<tr>
<td>Solid, outside, no cover (L1)</td>
<td>Liquid, outside, no cover, sloped-sided (H1)</td>
</tr>
<tr>
<td>(18 to 30% dry matter with uncovered liquid runoff storage)</td>
<td></td>
</tr>
</tbody>
</table>

vi) Are there municipal drains on the subject property?

Yes  ____  No  x

(If the answer is yes, please enclose a sketch detailing layout of municipal drainage system)
Circle most appropriate type from each column (Information required based on new MDS):

**Note: Please indicate each farm with a number to distinguish between the various farms if there are more than one**

<table>
<thead>
<tr>
<th>Animal Type</th>
<th>Description</th>
<th>Barn Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beef</td>
<td>Cove, including calves to weaning (all breeds)</td>
<td>Confinement</td>
</tr>
<tr>
<td></td>
<td>Feeders (7 - 16 months)</td>
<td>Yard/Barn</td>
</tr>
<tr>
<td></td>
<td>Backgrounders (7-12.5 months)</td>
<td>Confinement Total Slats</td>
</tr>
<tr>
<td></td>
<td>Shortkeepers (12.5 - 17.5 months)</td>
<td>Confinement Bedded Pack</td>
</tr>
<tr>
<td>Dairy Cattle</td>
<td>Milking Age Cows (dry or milking)</td>
<td>Deep Bedded</td>
</tr>
<tr>
<td></td>
<td>Large-framed: 545kg - 636kg (e.g. Holsteins)</td>
<td>Free Stall</td>
</tr>
<tr>
<td></td>
<td>Medium-framed: 455kg - 545kg (e.g. Guernseys)</td>
<td>Manure Pack Outside Access</td>
</tr>
<tr>
<td></td>
<td>Small-framed: 384kg - 455 kg (e.g. Jerseys)</td>
<td>Pack Scrape 1 Side</td>
</tr>
<tr>
<td></td>
<td>Heifers (5 months to freshening)</td>
<td>Pack Scrape 2 Sides</td>
</tr>
<tr>
<td></td>
<td>Large-framed: 182kg - 545kg (e.g. Holsteins)</td>
<td>3 Row Free Stall</td>
</tr>
<tr>
<td></td>
<td>Medium-framed: 38kg - 148kg (e.g. Guernseys)</td>
<td>4 Row Free Stall (Head to Head)</td>
</tr>
<tr>
<td></td>
<td>Small-framed: 384kg - 455 kg (e.g. Jerseys)</td>
<td>4 Row Free Stall (Tail to Tail)</td>
</tr>
<tr>
<td></td>
<td>Calves (0 to 5 months)</td>
<td>6 Row Free Stall</td>
</tr>
<tr>
<td></td>
<td>Large-framed: 45kg - 162kg (e.g. Holsteins)</td>
<td>Sand</td>
</tr>
<tr>
<td></td>
<td>Medium-framed: 38kg - 148kg (e.g. Guernseys)</td>
<td>Tie Stall</td>
</tr>
<tr>
<td></td>
<td>Small-framed: 30kg - 125 kg (e.g. Jerseys)</td>
<td></td>
</tr>
<tr>
<td>Swine</td>
<td>Sows with litter, Segregated Early Weaning</td>
<td>Deep Bedded</td>
</tr>
<tr>
<td></td>
<td>Sows with litter, Non-Segregated Early Weaning</td>
<td>Full Slats</td>
</tr>
<tr>
<td></td>
<td>Breeder Gilts (Entire barn designed for this)</td>
<td>Partial Slats</td>
</tr>
<tr>
<td></td>
<td>Weaners (7kg - 27kg)</td>
<td>Solid Slats</td>
</tr>
<tr>
<td></td>
<td>Feeders (27kg - 105kg)</td>
<td>Non-Segregated Early Weaning</td>
</tr>
<tr>
<td></td>
<td>Sheep</td>
<td>Segregated Early Weaning</td>
</tr>
<tr>
<td></td>
<td>Ewes &amp; Rams (for meat)</td>
<td>Confinement</td>
</tr>
<tr>
<td></td>
<td>Ewes &amp; Rams (dairy operation)</td>
<td>Outside Access</td>
</tr>
<tr>
<td></td>
<td>Lambs (Dairy or Feeder lambs)</td>
<td></td>
</tr>
<tr>
<td>Chickens</td>
<td>Layer Hens (for eating eggs)</td>
<td>Cages</td>
</tr>
<tr>
<td></td>
<td>Layer pullets</td>
<td>Litter with Slats</td>
</tr>
<tr>
<td></td>
<td>Broiler breeder growers (transferred to layer barn)</td>
<td>Litter</td>
</tr>
<tr>
<td></td>
<td>Broiler breeder layers (transferred from grower barn)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 8 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 9 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 10 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 12 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on any other cycle</td>
<td></td>
</tr>
<tr>
<td>Turkeys</td>
<td>Turkey Pullets</td>
<td>Information not required</td>
</tr>
<tr>
<td></td>
<td>Turkey Breeder Layers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Breeder Tombs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hens</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turkeys (day old to over 10.6kg to 20kg)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turkeys at any other weights</td>
<td></td>
</tr>
<tr>
<td>Horses</td>
<td>Large-framed, mature; greater than 661kg</td>
<td>Information not required</td>
</tr>
<tr>
<td></td>
<td>Medium-framed, mature; 227kg - 661kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Small-framed, mature; less than 227kg</td>
<td></td>
</tr>
<tr>
<td>Other: (e.g. Goats, Ostriches, etc.)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
14. Parcel Data

a) Please indicate the existing Official Plan designation of the subject land:
   - Agricultural ✓  
   - Wetlands ___  
   - Special Agriculture ___  
   - Rural ___  
   - Urban ___  
   - Mineral Resource Extraction ___  
   - Urban Fringe ___  
   - Hamlet ___  
   - Space Extensive Commercial ___  
   - Hazard Lands ___  
   - Recreation ___  
   - Space Extensive Industrial ___  
   - NEC Area ___  
   - Inland Lakes & Shoreline ___

i) Does the application conform to the local Official Plan? Yes ✓ No ____ N/A ___

b) Please indicate whether any of the following environmental constraints apply to the subject land:
   - Primary Aggregate ___  
   - Special Policy ___  
   - Warm Water Streams ___  
   - Life ANSI ___  
   - Existing Land Fill Sites ___  
   - Cool/Warm Water Streams ___  
   - Earth ANSI ___  
   - Abandoned Land Fill Sites ___  
   - Cold Water Lake ___  
   - Earth Life ANSI ___  
   - Cold Water Streams ___  
   - Warm Water Lake ___  
   - Cool/Warm Water Lake ___

c) Has any land been severed from the parcel originally acquired by the owner of the subject land? Yes _____ No ✓

   If yes, and if known, provide for each parcel severed, the Grey County file number.

   ____________________________

   d) Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under the Planning Act?
   Yes _____ No ✓ Unknown ___

   If yes, and if known, provide for each parcel severed, the Ministry and/or Grey County file number.

   ____________________________

   e) Is the application being submitted in conjunction with a proposed Official Plan Amendment?
   Yes _____ No ✓

   If yes, and if known, specify the Ministry file number and status of the application.

   ____________________________

   f) Has an application for a Development Control Permit been submitted to/approved by, the Niagara Escarpment Commission?
   Yes _____ No ✓

   If yes, and if known, specify the Ministry file number and status of the application.

   ____________________________

   g) Has an application for a zoning by-law amendment, or minor variance, been submitted to/approved by the local municipality?
   No ✓ Submitted _____ Approved _____
15. Sketch – You Must Show All of the Required Information

The sketch must be submitted with the application on paper no larger than 8 1/2" x 14".  

a) OUTLINE THE Severed parcel in red and the retained parcel in green  
b) Clearly label which is the severed parcel and which is the retained parcel  
c) "North Arrow"  
d) "Subject Land" - all land owned by the applicant - boundaries and dimensions  
e) The distance between the applicant's land and the nearest township lot line or appropriate landmark (eg. bridge, railway crossing, etc.)  
f) The parcel of land that is the subject of the application, its boundaries and dimensions, the part of the parcel that is to be severed, the part that is to be retained and the location of all land previously severed  
g) The approximate location of all natural and artificial features on the subject land (eg. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, septic tanks) and the location of any of these features on adjacent lands which may affect the application  
h) The use of adjoining land (eg. residential, agricultural, cottage, commercial, etc.)  
i) The location, width and names of all road allowances, rights-of-way, streets, or highways within or abutting the property, indicating whether they are publicly travelled roads, private roads, rights-of-way or unopened road allowances.  
j) The location and nature of any easement affecting the subject land  
k) All barns and manure storage facilities on the subject property as well as on the adjacent lands. Please indicate the distance from the barns and the manure storage facilities to the proposed severance boundary. Please be sure to indicate the corresponding barn number and manure storage.
16. Use This Page For Your Sketch. Show All Required Information.
(see # 15)
17. Affidavit or Sworn Declaration

I/WE ____________________________

(Applicants names/s)

of the ____________________________

(City/Municipality)

In the County / District / Regional Municipality of ____________________________

make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application in respect of this application is true.

Sworn (or declared) before me at the

______________________________

Municipality of ____________________________

in the ____________________________

County of ____________________________

this ____________________________

day of ____________________________ 20__

______________________________

Signature - Commissioner of Oaths

______________________________

Signature of Applicant(s)

______________________________

Name in print

______________________________

Applicant(s) - Name in print

______________________________

Signature of Applicant(s)

______________________________

Applicant(s) - Name in print

RETURN THIS COMPLETE FORM TO:

Attention: Committee of Adjustment
Municipality of West Grey
402813 Grey Rd. 4, R.R. #2,
Durham, Ontario
N0G 1R0
Committee of adjustment report

<table>
<thead>
<tr>
<th>Meeting date:</th>
<th>September 8, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title:</td>
<td>B03/2020 – 193934 Ontario Inc.</td>
</tr>
<tr>
<td>Prepared by:</td>
<td>Lorelie Spencer, Manager of Planning and Development</td>
</tr>
<tr>
<td>Reviewed by:</td>
<td>Laura Johnston, CAO</td>
</tr>
</tbody>
</table>

Recommendation

That West Grey Committee of Adjustment receives the report B03/20 193934 Ontario Inc., wherein Planner L. Spencer recommends provisional approval of consent application no. B03/2020.

Executive summary

The applicant has applied for a consent to create a new rural lot and retain a rural lot. The severed parcel would be approximately 1.90 ha. in size and the retained parcel would be approximately 39 ha. in size.

The lots will have access on Concession 10 NDR.

Background and discussion

The subject property is located on the northwest corner of Concession 10 NDR and 30th Sideroad NDR. The property is municipally known as 502413 Concession 10 NDR

The site is comprised of approximately 40.46 ha. A single detached dwelling unit and accessory structures currently exist on the subject lands proposed to be severed as part of this application. The applicant has identified that the severed portion of the subject lands will contain approximately 120 metres of frontage along Concession 10 NDR with a depth of approximately 123 metres. The retained portion of the lands will have approximately 317 metres of road frontage along Concession 10 NDR with a depth of approximately 844 metres.

The subject lands were previously altered to accommodate the extension of the 30th Sideroad NDR along the southeast corner of the property.

The intent of the application is to sever the existing single detached dwelling unit as a rural lot.
The adjacent lands are mostly rural lands with identified areas of hazard lands and are mostly used for agricultural purposes.

Legal and legislated requirements

To determine the consistency of the proposal planning staff have conducted a review of the Provincial Policy Statement (PPS), County Official Plan and the Municipality’s Comprehensive Zoning By-law 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. However, in rural areas have limited agricultural capability, the creation of a limited amount of non-farm residential lots and small farm parcels may be considered.

Section 1.1.5 within the PPS provides guidelines as they relate to the development of rural lands within the municipality. Section 1.1.5.8 specifically requires that new land uses, including the creation of new lots, comply with minimum distance separation (MDS). Planning staff have reviewed aerial photography in combination with information provided by the applicant. Calculations have been completed and the proposed lot creation meets MDS requirements to the two (2) livestock facilities in proximity to the subject lands. Planning staff are further satisfied that the proposal is consistent with the balance of section 1.1.5 of the PPS.

The subject lands are considered a rural area in the municipality and the creation of limited non-farm lots is permitted subject to various factors. The southeast corner of the farm parcel is identified as hazard. The hazard lands are considered to be wetlands also contain identified significant woodlands. This portion of the property also accommodates the extension of 30th Sideroad NDR.

Section 2.1.5(b) of the PPS states that development and site alteration is not permitted within or adjacent to identified significant woodlands unless it has been demonstrated that no negative impacts will occur as a result of development. Although development through the creation of a new lot boundary will occur within the identified adjacent lands, planning staff are satisfied that significant impacts are not anticipated.

The Saugeen Valley Conservation Authority (SVCA) has identified the potential for significant wildlife habitat to exist in proximity to the subject lands. Section 2.1.5(d) of the PPS states that development and site alteration is not permitted within or adjacent to identified areas of significant wildlife habitat. The potential impact to significant wildlife habitat as a result of the creation of a new lot boundary is not anticipated.

Section 2.1.7 of the PPS states that development and site alteration shall not be
permitted within the habitat of threatened and endangered species. The SVCA has identified that the habitat of threatened or endangered species may exist in proximity to the subject lands. However, planning staff are satisfied that the creation of new lot boundary will not pose an adverse impact. It is the responsibility of the applicant however, to confirm with the Ministry of Environment, Conservation, and Parks (MECP) to ensure that no negative impacts will occur.

Based on the above, planning staff are satisfied that the proposed lot creation is consistent with the PPS.

2. County of Grey Official Plan

The subject lands are designated as ‘rural’ with a small portion of ‘hazard’ on the northeast corner under the County of Grey Official Plan.

Policy 5.4.3(1) of the County Official Plan permits the creation of three (3) farm parcels on an original 40 ha. farm parcel within the ‘rural’ designation. Policy 5.4.3(1) further states that new lot development shall be not less than 0.8 ha. in size. Planning staff are satisfied that the proposed lot creation meets the general intent and purpose of this policy in the Official plan.

Through policies 7.4(1) – significant woodlands and policy 7.10 – significant wildlife habitat, planning staff are satisfied that the policies of the Official Plan have been maintained as identified in section 1.

Planning staff are satisfied that the proposed consent maintains the general intent and purpose of the Official Plan.


The municipality of west grey comprehensive zoning by-law zones the subject lands as A2 (rural) and NE (natural environment). The NE zone covers the northwest portion of the subject lands. Comments from the SVCA note that the mapping within the County Official Plan should be adjusted as part of a housekeeping amendment in future to more accurately depict the hazard boundary. The SVCA is satisfied that the hazard boundary closely delineates a sufficient boundary at this time.

The A2 zone requires a minimum lot frontage of 122 metres and a minimum lot area of 20 ha. The proposed residential parcel has a lot frontage of approximately 120 metres and a lot area of 1.90 hectares. A zoning by-law amendment will be required to recognize the deficient lot area and frontage.

Planning staff are satisfied that the proposed lot creation meets the general intent and purpose of the municipality’s comprehensive zoning by-law no. 37-2006.
Financial and resource implications
None.

Staffing implications
None.

Consultation
- County of Grey Planning & 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 provide provisional consent for file B03/2020 based on the following conditions:
- Payment of the Zoning By-law Amendment Fee to the Municipality of West Grey
- Passing of a Zoning By-law Amendment
- Payment of Parkland Dedication Fee
- Payment and receipt of an Entrance Permit

Respectfully submitted,

Lorelie Spencer, Ba.U.R.Pl. MCIP, RPP
Manager of Planning and Development
Severance Application Form

Application Accepted (date) **JULY 17/20** Severance File No: **B-03/2020**

Note: Questions 2, 3, 6, 7, 8, 9, 10, 11, 12 a & b, 14 a, b, c, d, & f, 15, 16, and 17 are minimum mandatory requirements as prescribed in the schedule to Ontario Regulation 41/95, Planning Act, and must be completed. The remaining questions are there to assist the Committee and Agencies in evaluating your application. You can help ensure a thorough evaluation is completed by answering all questions. Failure to provide adequate, correct information may result in your application being refused.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Approval Authority:</strong></td>
<td>Municipality of West Grey Committee of Adjustment</td>
</tr>
<tr>
<td><strong>2. Owner:</strong></td>
<td>1993934 Ontario Inc.</td>
</tr>
<tr>
<td>Address:</td>
<td><strong>[Redacted]</strong> Durham Rd. E. RR#1 Durham, On</td>
</tr>
<tr>
<td>Telephone Number:</td>
<td><strong>[Redacted]</strong> Postal Code NOG 1R0</td>
</tr>
<tr>
<td><strong>3. Applicant:</strong></td>
<td>Kevin Tremble, Jason Tremble</td>
</tr>
<tr>
<td>(if different from owner)</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td><strong>[Redacted]</strong> RR#1 Durham, On</td>
</tr>
<tr>
<td><strong>[Redacted]</strong> Number:</td>
<td><strong>[Redacted]</strong> Postal Code NOG 1R0</td>
</tr>
<tr>
<td><strong>4. Agent/Solicitor:</strong></td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>Postal Code</td>
</tr>
<tr>
<td><strong>5. Communications</strong></td>
<td>should be sent to:</td>
</tr>
<tr>
<td>Owner</td>
<td>✓</td>
</tr>
<tr>
<td>Applicant/Authorized Agent</td>
<td></td>
</tr>
<tr>
<td>Solicitor</td>
<td></td>
</tr>
</tbody>
</table>

Note: In this form "Subject Land" means the parcel to be severed and the parcel to be retained.
6. **Subject Land (Legal Description):**

   Lot No.        Part lot 30        Plan/Concession  Concession 11 NDR Bentinck
   Municipality  West Grey         Civic Addressing No.  502413
   Part 1        Reference Plan No. 16R11234 Name of Street Concession 10 NDR

7. **Description of Subject Land:**

   a) Existing use of the subject Land:
      Agricultural  ✓  Residential  ✓  Rural  ✓
      Commercial/Industrial  Other (explain)

   b) Existing Buildings:  House on property

   c) Is the "subject land" presently subject to any of the following: No
      Easement  Restricive Covenants  Right of Way
      Describe:

   Note: All existing easements and right of ways must be shown on the sketch.

8. **Proposal**

   **Dimensions** of land intended to be **Severed**
   - Frontage 396 ft
   - Depth 515 ft
   - Area 4.7 acres

   **Dimensions** of land intended to be **Retained**
   - Frontage 1,043 ft
   - Depth 2,769 ft
   - Area 95.3 acres

   These dimensions must be accurate.
9. Proposed Use of Land to be Severed

(a) i) New Lot  

- Non-farm residential  
- Agricultural  
- Hobby Farm  
- Surplus farm dwelling  
- Agricultural related  
- Commercial/Industrial  
- Commercial/Industrial  
- Other  Specify  

ii) Lot Addition  

iii) Lease/Charge  

iv) Easement/Right of Way  

- Bell Canada  
- Hydro  
- Water  
- Gas  
- Access  

v) Correction of Title  

(b) Name of person/s, if known, to whom land or interest in land is to be transferred, leased or charged:  N/A  

Address:  

(c) Buildings Proposed:  None  

10. Proposed Use of Land to be Retained

<table>
<thead>
<tr>
<th>Buildings Proposed</th>
<th>Non-farm residential</th>
<th>Surplus Farm Dwelling</th>
<th>Agricultural</th>
<th>Agricultural related</th>
<th>Commercial/Industrial</th>
<th>Hobby Farm</th>
<th>Other (specify)</th>
<th>Commercial/Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>none</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

11. Road Access

<table>
<thead>
<tr>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Highway</td>
<td></td>
</tr>
<tr>
<td>County Road (Provide Road Number)</td>
<td>Concession 10 NDR</td>
</tr>
<tr>
<td>Municipality Road</td>
<td></td>
</tr>
<tr>
<td>Non-maintained/seasonally maintained Municipal road allowance</td>
<td>Sideroad 30</td>
</tr>
</tbody>
</table>

If access is from a non-maintained or seasonally maintained road allowance has an agreement been reached with the Municipality regarding upgrading of the road?

Yes [ ] No [✓]

Private Right-of-Way

12. Servicing

a) What type of water supply is proposed?

<table>
<thead>
<tr>
<th>Type</th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipally owned and operated pipe water supply</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lake/River</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Well</td>
<td>[✓]</td>
<td></td>
</tr>
</tbody>
</table>

If proposed water supply is by well, are the surrounding water well records attached?

Yes [✓] No [ ]

b) What type of sewage disposal is proposed?

<table>
<thead>
<tr>
<th>Type</th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipally owned and operated sanitary sewers</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Septic Tank</td>
<td>[✓]</td>
<td></td>
</tr>
<tr>
<td>Other - Specify</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

c) Other Services (check if any of these services are available to the "subject land"

<table>
<thead>
<tr>
<th>Service</th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Bus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garbage Collection</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
13. Agricultural Property History

i) What type of farming has been or is currently being conducted? Cash cropping

(Please indicate the type of farming on the form on the proceeding page by circling the Animal Type, a description, and a Barn Type. Please label each barn with a number on the sketch and the form.)

ii) a) How long have you owned the farm? 1 month

b) Are you actively farming the land (or - do you have the land farmed under your supervision)? No

   yes - for how long? ________________________________

   no - when did you stop farming? previous owner farmed the land

   For what reason did you stop farming? ________________________________

iii) a) Area of total farm holding: Hectares __________ Acres 100 acres

b) Number of tillable hectares (acres) 65 acres

c) Do you own any other farm properties? Yes ___ No ✓

   If yes indicate: Lot __________ Concession __________

   Township __________ Acres __________

d) Do you rent any other land? Yes ___ No ✓

   If yes indicate: Lot __________ Concession __________

   Township __________ Acres __________

iv) a) Is there a barn on the parcel to be severed?

   Yes ___ No ✓ Condition of barn ______________

   Present Use __________________________ Capacity of barn in terms of livestock _______

b) Is there a barn on the parcel to be retained?

   Yes ___ No ✓ Condition of barn ______________

   Present Use __________________________ Capacity of barn in terms of livestock _______

c) Manure storage facilities on subject lands (check appropriate type):

Type:
Solid, inside, bedded pack (V1) _______ Liquid, inside, Underneath Slatted Floor (V5) _______

Solid, outside, Covered (V2) _______ Liquid, outside, with a tight fitting cover (V6) _______

Solid, outside, no cover (V3) _______ Liquid, outside, no cover, anaerobic digester (V7) _______

   (greater than or equal to 30% dry matter) Liquid, Outside, Permanent Floating Cover (L2) _______

Solid, outside, no cover (V4) _______ Liquid, Outside, No Cover, Straight-wall(M1) _______

   (18 to 30% dry matter with covered liquid runoff storage) Liquid, Outside, Roof, Open sides (M2) _______

Solid, outside, no cover (L1) _______ Liquid, outside, no cover, sloped-sided (H1) _______

   (18 to 30% dry matter with uncovered liquid runoff storage)

v) a) Are there any barns on other properties within 450 metres (1,500 feet) of the proposed lot? Yes ✓ No _______

If the answer is yes, these barns and distances to the subject property must be shown on the sketch as well as the following details. Please show the locations of the manure storage facilities on the sketch as well.
b) What type of farming has been or is currently being conducted? Cash cropping

(Please indicate the type of farming on the form on the proceeding page by circling the Animal Type, a description, and a Barn Type. Please label each barn with a number on the sketch and the form.)

c) Number of tillable hectares (acres) on other property: Hectares _____ Acres 60

**NOTE:** Please indicate each farm with a number to distinguish between the various farms if there is more than one.

d) Capacity of barn on other property in terms of livestock units: 12 beef cattle

**NOTE:** Please indicate each farm with a number to distinguish between the various farms if there is more than one.

e) Manure storage facilities on other property: No liquid manure storage facilities

**NOTE:** Please indicate each farm with a number to distinguish between the various farms if there is more than one.

Type:

- Solid, inside, bedded pack (V1)
- Solid, outside, Covered (V2)
- Solid, outside, no cover (V3) (greater than or equal to 30% dry matter)
- Liquid, inside, Underneath Slatted Floor (V5)
- Liquid, outside, with a tight fitting cover (V6)
- Liquid, outside, no cover, anaerobic digester (V7)
- Liquid, Outside, Permanent Floating Cover (L2)
- Liquid, Outside, No Cover, Straight-wall (M1)
- Liquid, Outside, Roof, Open sides (M2)
- Liquid, outside, no cover, sloped-sided (H1)

vi) Are there municipal drains on the subject property?

Yes _____ No __/___

(If the answer is yes, please enclose a sketch detailing layout of municipal drainage system)
Circle most appropriate type from each column (Information required based on new MDS):

**Note: Please indicate each farm with a number to distinguish between the various farms if there are more than one**

<table>
<thead>
<tr>
<th>Animal Type</th>
<th>Description</th>
<th>Barn Type</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Beef</strong></td>
<td>Cove, including calves to weaning (all breeds)</td>
<td>Confinement</td>
</tr>
<tr>
<td></td>
<td>Feeders (7 -10 months)</td>
<td>Yard/Barn</td>
</tr>
<tr>
<td></td>
<td>Backgrounders (7-12.5 months)</td>
<td>Confinement Total Slats</td>
</tr>
<tr>
<td></td>
<td>Shortkeepers (12.5 - 17.5 months)</td>
<td>Confinement Bedded Pack</td>
</tr>
<tr>
<td><strong>Dairy Cattle</strong></td>
<td><strong>Milking Age Cows (dry or milking)</strong></td>
<td>Deep Bedded</td>
</tr>
<tr>
<td></td>
<td>Large-framed; 545kg - 638kg (e.g: Holsteins)</td>
<td>Free Stall</td>
</tr>
<tr>
<td></td>
<td>Medium-framed; 455kg - 545kg (e.g. Guernseys)</td>
<td>Manure Pack Outside Access</td>
</tr>
<tr>
<td></td>
<td>Small-framed; 384kg - 455 kg (e.g. Jerseys)</td>
<td>Pack Scrape 1 Side</td>
</tr>
<tr>
<td></td>
<td>Heifers (5 months to freshening)</td>
<td>Pack Scrape 2 Sides</td>
</tr>
<tr>
<td></td>
<td>Large-framed; 182kg - 545kg (e.g. Holsteins)</td>
<td>3 Row Free Stall</td>
</tr>
<tr>
<td></td>
<td>Medium-framed; 38kg - 148kg (e.g. Guernseys)</td>
<td>4 Row Free Stall (Head to Head)</td>
</tr>
<tr>
<td></td>
<td>Small-framed; 384kg - 455 kg (e.g. Jerseys)</td>
<td>4 Row Free Stall (Tail to Tail)</td>
</tr>
<tr>
<td></td>
<td>Calves (6 to 5 months)</td>
<td>6 Row Free Stall</td>
</tr>
<tr>
<td></td>
<td>Large-framed; 45kg - 182kg (e.g. Holsteins)</td>
<td>Sand</td>
</tr>
<tr>
<td></td>
<td>Medium-framed; 38kg - 148kg (e.g. Guernseys)</td>
<td>Tie Stall</td>
</tr>
<tr>
<td></td>
<td>Small-framed; 30kg - 125 kg (e.g. Jerseys)</td>
<td></td>
</tr>
<tr>
<td><strong>Swine</strong></td>
<td>Sows with litter, Segregated Early Weaning</td>
<td>Deep Bedded</td>
</tr>
<tr>
<td></td>
<td>Sows with litter, Non-Segregated Early Weaning</td>
<td>Full Slats</td>
</tr>
<tr>
<td></td>
<td>Breeder Gilts (Entire barn designed for this)</td>
<td>Partial Slat</td>
</tr>
<tr>
<td></td>
<td>Weaners (7kg - 27kg)</td>
<td>Solid Slat</td>
</tr>
<tr>
<td></td>
<td>Feeders (27kg - 105kg)</td>
<td>Non-Segregated Early Weaning</td>
</tr>
<tr>
<td><strong>Sheep</strong></td>
<td>Ewes &amp; Rams (for meat)</td>
<td>Segregated Early Weaning</td>
</tr>
<tr>
<td></td>
<td>Ewes &amp; Rams (dairy operation)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lambs (Dairy or Feeder lambs)</td>
<td></td>
</tr>
<tr>
<td><strong>Chickens</strong></td>
<td>Layer Hens (for eating eggs)</td>
<td>Confinement</td>
</tr>
<tr>
<td></td>
<td>Layer pullets</td>
<td>Outside Access</td>
</tr>
<tr>
<td></td>
<td>Broiler breeder growers (transferred to layer barn)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broiler breeder layers (transferred from grower barn)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 8 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 9 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 10 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on an 12 week cycle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broilers on any other cycle</td>
<td></td>
</tr>
<tr>
<td><strong>Turkeys</strong></td>
<td>Turkey Pullets</td>
<td>Cages</td>
</tr>
<tr>
<td></td>
<td>Turkey Breeder Layers</td>
<td>Litter with Slats</td>
</tr>
<tr>
<td></td>
<td>Breeder Toms</td>
<td>Litter</td>
</tr>
<tr>
<td></td>
<td>Broilers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hens</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tombs (day old to over 10.8kg to 20kg)</td>
<td>Information not required</td>
</tr>
<tr>
<td></td>
<td>Turkeys at any other weights</td>
<td></td>
</tr>
<tr>
<td><strong>Horses</strong></td>
<td>Large-framed, mature; greater than 661kg</td>
<td>Information not required</td>
</tr>
<tr>
<td></td>
<td>Medium-framed, mature; 227kg - 661kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Small-framed, mature; less than 227kg</td>
<td></td>
</tr>
<tr>
<td><strong>Other:</strong></td>
<td>(e.g. Goats, Ostriches, etc.)</td>
<td></td>
</tr>
</tbody>
</table>
14. Parcel Data

a) Please indicate the existing Official Plan designation of the subject land:

- Agricultural
- Wetlands
- Special Agriculture
- Rural
- Urban
- Mineral Resource Extraction
- Urban Fringe
- Hamlet
- Space Extensive Commercial
- Hazard Lands
- Recreation
- Space Extensive Industrial
- NEC Area
- Inland Lakes & Shoreline

i) Does the application conform to the local Official Plan? Yes ✓ No ___ N/A ___

b) Please indicate whether any of the following environmental constraints apply to the subject land:

- Primary Aggregate
- Special Policy
- Warm Water Streams
- Life ANSI
- Existing Land Fill Sites
- Cool/Warm Water Streams
- Earth ANSI
- Abandoned Land Fill Sites
- Cold Water Lake
- Earth Life ANSI
- Cold Water Streams
- Warm Water Lake
- Cool/Warm Water Lake

(c) Has any land been severed from the parcel originally acquired by the owner of the subject land? Yes _____ No ✓

If yes, and if known, provide for each parcel severed, the Grey County file number.

(d) Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under the Planning Act?

Yes _____ No ✓ Unknown _____

If yes, and if known, provide for each parcel severed, the Ministry and/or Grey County file number.

(e) Is the application being submitted in conjunction with a proposed Official Plan Amendment?

Yes _____ No ✓

If yes, and if known, specify the Ministry file number and status of the application.

(f) Has an application for a Development Control Permit been submitted to/approved by, the Niagara Escarpment Commission?

Yes _____ No ✓

If yes, and if known, specify the Ministry file number and status of the application.

(g) Has an application for a zoning by-law amendment, or minor variance, been submitted to/approved by the local municipality?

No ✓ Submitted ____ Approved ____
15. Sketch – You Must Show All of the Required Information

The sketch must be submitted with the application on paper no larger than 8 1/2” x 14”.

a) OUTLINE THE Severed parcel in red and the retained parcel in green
b) Clearly label which is the severed parcel and which is the retained parcel

c) "North Arrow"

d) "Subject Land" - all land owned by the applicant - boundaries and dimensions

e) The distance between the applicant's land and the nearest township lot line or appropriate landmark (e.g. bridge, railway crossing, etc.)

f) The parcel of land that is the subject of the application, its boundaries and dimensions, the part of the parcel that is to be severed, the part that is to be retained and the location of all land previously severed

g) The approximate location of all natural and artificial features on the subject land (e.g. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, septic tanks) and the location of any of these features on adjacent lands which may affect the application

h) The use of adjoining land (e.g. residential, agricultural, cottage, commercial, etc.)

i) The location, width and names of all road allowances, rights-of-way, streets, or highways within or abutting the property, indicating whether they are publicly travelled roads, private roads, rights-of-way or unopened road allowances.

j) The location and nature of any easement affecting the subject land

k) All barns and manure storage facilities on the subject property as well as on the adjacent lands. Please indicate the distance from the barns and the manure storage facilities to the proposed severance boundary. Please be sure to indicate the corresponding barn number and manure storage.

SAMPLE SKETCH
16. Use This Page For Your Sketch. Show All Required Information. (see # 15)
17. Affidavit or Sworn Declaration

I/WE: Kevin Tremble

(Applicants names/s)

of the: West Grey

(City/Municipality)

In the County / District / Regional Municipality of: Grey

make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application in respect of this application is true.

Sworn (or declared) before me at the

Municipality of: West Grey

in the County of: Grey

this 29th day of July 2020

Signature of Commissioner of Oaths

Signature of Applicant(s)

Name in print

Applicant(s) - Name in print

Signature of Applicant(s)

Applicant(s) - Name in print

RETURN THIS COMPLETE FORM TO:

Attention: Committee of Adjustment
Municipality of West Grey
402813 Grey Rd. 4, R.R. #2,
Durham, Ontario
N0G 1R0
Application for Consent

Municipality of West Grey
402813 Grey Road 4
RR 2 Durham, ON N0G 1R0
Telephone No. 519-369-2200 Fax No. 519-369-5962

To be completed by the Municipality:

Application No. B05/2020
Assessment Roll No. ____________

Before completing this application and submitting it to the Municipality, please be advised of the following:

Prior to submitting an application for Consent, you are required to discuss the proposal with the Municipal Planner. Please contact the Municipal office to make this arrangement.

The application will only be accepted if: the application has been completed properly; a proper drawing has been submitted; the applicable fees have been submitted; and, the necessary background information in support of the proposed development, where deemed necessary by the Municipality, has been filed. The submission requirements will be outlined during the pre-submission discussions.

Your submission must include a cheque to cover the Consent application fee and a second cheque to cover the applicable Conservation Authority review fee. Please contact the Municipality to determine the exact amount to be paid.

The application must be signed by the applicant before a commissioner of oath. A Municipality staff member has been appointed this position. If the applicant is not the owner of the subject property, the applicant must have authorization from the owner to submit the application (see Question 24 of this application.) If two or more persons collectively own the property, all owners must sign the application form.

1. APPLICANT INFORMATION

a) Registered Owner’s Name(s): [Redacted]
Address: [Redacted]
Phone: Home ( ) Work ( ) Cell ( )
E-mail address: [Redacted]

b) Applicant’s or Agent’s Name(s): GREG FORA
Address: [Redacted]
Phone: Home ( ) Work ( ) Cell ( )
E-mail address: [Redacted]

c) Name, Address, Phone of all persons having any mortgage change on encumbrance on the property: ______________________

d) Send Correspondence to (check all applicable)? Owner [ ] Agent [ ] Other [ ]
2. **SUBJECT PROPERTY**
   Municipal Address (if applicable) 231764 Con 2 WGR, RR #3
   Assessment Roll Number No. ____________
   Lot 17-48 Concession 3 Registered Plan No. ____________
   Lot ____________ Reference Plan ____________

3. **DIMENSIONS OF SUBJECT PROPERTY** (in metric) (Part to be severed in separate application)
   Area: 31.8 hectares Frontage: 259.4 m Depth: 1398.8 m

4. **IS THERE AN EASEMENT(S) OR RESTRICTIVE COVENANT(S) THAT CURRENTLY APPLY TO THE PROPERTY? IF SO, PLEASE EXPLAIN AND SHOW ON SKETCH.** ____________

5. **WHAT IS THE EXISTING USE OF THE SUBJECT PROPERTY?** CAMP GROUNDA

6. **WHAT IS THE PURPOSE OF THIS CONSENT APPLICATION?**
   New lot ____________
   Lot addition ____________
   Lease / charge ____________
   Easement / Right of way ____________
   Other, specify ____________

7. **EXPLAIN THE CONSENT PROPOSAL AND INCLUDE THE INTENDED USE OF THE SUBJECT LANDS (BOTH PARCELS IF APPLICABLE):** TO CREATE A RIGHT-OF-WAY TO BOTH A CAMP GROUNDA AND RESIDENCE (BOTH EXISTING)

8. **IF APPLICABLE, STATE THE NAME OF THE PERSON TO WHOM THE LAND IS TO BE TRANSFERRED, CHARGED OR LEASED:**
   Name(s): MR. STEPHEN SHAM
   Address: Con 2 WGR
   Phone: Home (__________) Work (__________) Cell (__________) E-mail address: ____________

9. **PROVIDE A DESCRIPTION OF THE PROPOSED PARCEL** (in metric units)

<table>
<thead>
<tr>
<th></th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage (metres)</td>
<td>10.0 m</td>
<td></td>
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<tr>
<td>Depth (metres)</td>
<td>200.0 m +1-</td>
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<tr>
<td>Area (square metres or hectares)</td>
<td>0.2 ha</td>
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<tr>
<td>Current Use</td>
<td>LANEWAY ACCESS</td>
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<tr>
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<td>LANEWAY ACCESS</td>
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- Water Servicing
- Municipal, Communal, Private Well
- Sewer Servicing
- Communal, Private Septic
- Storm Servicing
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12. **PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS, EXISTING AND PROPOSED:**
(Use a separate page if necessary)

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14. WHAT IS THE ZONING OF THE SUBJECT LANDS ACCORDING TO THE MUNICIPALITY OF WEST GREY ZONING BY-LAW?  
   BY-LAW 76-2009 ⇒ OS-114/WE-114

15. IS THE CONSENT APPLICATION CONSISTENT WITH THE PROVINCIAL POLICY STATEMENT?  
   Yes ☑  No ☐

17. HAS THE SUBJECT LANDS EVER BEEN THE SUBJECT OF AN APPLICATION FOR A PREVIOUS PLAN OF SUBDIVISION OR SEVERANCE?  
   Yes ☐  No ☑


18. HAS THE APPLICANT OR OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Yes ☐  No ☑</th>
</tr>
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<tbody>
<tr>
<td>Official Plan Amendment</td>
<td></td>
</tr>
<tr>
<td>Zoning By-law Amendment</td>
<td>Yes ☑  No ☐</td>
</tr>
<tr>
<td>Minor Variance</td>
<td>Yes ☐  No ☐</td>
</tr>
<tr>
<td>Consent</td>
<td>Yes ☐  No ☐</td>
</tr>
<tr>
<td>Plan of Subdivision</td>
<td>Yes ☐  No ☐</td>
</tr>
<tr>
<td>Site Plan Control</td>
<td>Yes ☐  No ☐</td>
</tr>
</tbody>
</table>

   IF ANY ANSWER TO ANY OF THE ABOVE IS “YES”, PLEASE PROVIDE THE FOLLOWING INFORMATION:

   File No. of Application:  
   Approval Authority:  
   Purpose of Application:  
   Status of Application:  
   Effect on the Current Application for Consent:

19. LIST ALL PUBLIC AGENCIES TO WHICH YOU DISCUSSED THIS CONSENT APPLICATION PRIOR TO SUBMITTING THIS APPLICATION:  
   (Signature)

20. LIST THE TITLES OF ANY SUPPORTING DOCUMENTS SUBMITTED WITH THIS APPLICATION  
    (e.g. Planning Report, Environmental Impact Study, Traffic Study, Storm Water Management Report, etc.)  
    (Signature)

21. REQUIRED DRAWING

   A drawing prepared to scale on an 11” x 14” sheet of paper is required showing:
   • the north arrow;
   • the lands that are owned by the owner/applicant, including dimensions;
   • the lands that only subject to the application, if different from the above, including
dimensions;
- the location of all open and unopen roads that abut the subject property;
- the location of all buildings or structures on the subject property, including setbacks from lot lines;
- the location of the septic system and well, if applicable;
- the location of driveways and parking areas on the subject property;
- the location of other features on the property including forested areas, watercourses;
- the location of easements on the subject property, if applicable;
- the uses of the adjacent lands;
- the location of all barns and manure storage facilities on the subject property and on lands within 500 metres of the subject property;

Sample Drawing
22. PUBLIC CONSULTATION

To meet the minimum requirements for Public Consultation under the Planning Act, the Planning Department undertakes public consultation on your behalf for your proposed development. Do you propose to undertake any further public consultation (at your own expense) on behalf of your proposal?

☐ No

☐ Yes, I have or plan to speak with my neighbours to clarify any concerns they may have

☐ Other plans: (public open houses, radio or newspaper advertisements, etc; please discuss these plans with the Department prior to initiating them)

23. UNDERSTANDING OF OWNER:

The following shall be signed the owner(s) of the subject property:

[Signature of Owner]

Date: [July 31, 2020]

24. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER:

If the person applying for the Consent, as listed in Question 2, is not the owner of the property, as listed in Question 1, then the following must be completed and signed:

[Signature of Owner]

Date: [July 31, 2020]
25. **AFFIDAVIT**

The following must be signed in the presence of a Commissioner of Oath:

I (we), [Name] of the Township of [Name],

WELLSINGTON NORTH in the County/Region of WELLINGTON,

solemnly declare that all the statements contained in this application are true, and I (we) make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the Municipality of West Grey,

in the County/Region of Grey,

this 10th of August 2020.

---

**Name of Commissioner**

**Signature**

---

**Applicant name in Print**

**Signature of Applicant**

---

**Applicant name in Print**

**Signature of Applicant**

---

To be completed by the Municipality:

Application fee of $900.00 received by the Municipality.

Conservation Authority review fee of $____ received by the Municipality.

---

Municipality staff signature
Application for Consent

Municipality of West Grey

4B2013 Grey Road 4
RR 2 Durham, ON N0G 1R0
Telephone No. 519-369-2200 Fax No. 519-369-5962

To be completed by the Municipality:

Application No. 366/2020

Assessment Roll No. …

Before completing this application and submitting it to the Municipality, please be advised of the following:

Prior to submitting an application for Consent, you are required to discuss the proposal with the Municipal Planner. Please contact the Municipal office to make this arrangement.

The application will only be accepted if: the application has been completed properly; a proper drawing has been submitted; the applicable fees have been submitted; and, the necessary background information in support of the proposed development, where deemed necessary by the Municipality, has been filed. The submission requirements will be outlined during the pre-submission discussions.

Your submission must induce a cheque to cover the Consent application fee and a second cheque to cover the applicable Conservation Authority review fee. Please contact the Municipality to determine the exact amount to be paid.

The application must be signed by the applicant before a commissioner of oath. A Municipality staff member has been appointed this position. If the applicant is not the owner of the subject property, the applicant must have authorization from the owner to submit the application (see Question 24 of this application). If two or more persons collectively own the property, all owners must sign the application form.

1. APPLICANT INFORMATION
   a) Registered Owner's Name(s): SHAMADOON RESORT LIMITED, 60 MR. STEELE, RR#3
      Address: [Redacted]
      Phone: Home (___) Work (___) Cell (___)
      E-mail address: [Redacted]

   b) Applicant's or Agent's Name(s): GREG FORA
      Address: 100 KING ST EAST, MOUNT FOREST, ON N0G 2L0
      Phone: Home (___) Work (___) Cell (___)
      E-mail address: [Redacted]

   c) Name, Address, Phone of all persons having any mortgage change on encumbrance on the property: [Redacted]

   d) Send Correspondence to (check all applicable)? Owner [ ] Agent [ ] Other [ ]
2. SUBJECT PROPERTY
Municipal Address (if applicable) 231764 CON 2 NCR, RP 3
Assessment Roll Number No. ____________
Lot 47-48 Concession 3 Registered Plan No. ____________
Lot ____________ Reference Plan ____________

3. DIMENSIONS OF SUBJECT PROPERTY (in metric) (PORTION TO BE SEVERED IN SEPARATE APPL.)
Area: 31.8 hectares Frontage: 259.4 m Depth: 1398.8 m

4. IS THERE AN EASEMENT(S) OR RESTRICTIVE COVENANT(S) THAT CURRENTLY
APPLIESTO THE PROPERTY? IF SO, PLEASE EXPLAIN AND SHOW ON SKETCH. ____________

5. WHAT IS THE EXISTING USE OF THE SUBJECT PROPERTY? CAMPGROUND

6. WHAT IS THE PURPOSE OF THIS CONSENT APPLICATION?
New lot ____________
Lot addition ____________
Lease / charge ____________
Easement / Right of way ✓
Other, specify ____________

7. EXPLAIN THE CONSENT PROPOSAL AND INCLUDE THE INTENDED USE OF THE
SUBJECT LANDS (BOTH PARCELS IF APPLICABLE): TO CREATE A
RIGHT-OF-WAY TO BOTH A CAMPGROUND AND RESIDENCE
(BOOTH EXISTING)

8. IF APPLICABLE, STATE THE NAME OF THE PERSON TO WHOM THE LAND IS TO BE
TRANSFERRED, CHARGED OR LEASED:
Name(s): MR. STEPHEN SHAM
Address: _______CON 2 NCR
Phone: Home (_______) Work (_______) Cell ____________
E-mail address: ____________

9. PROVIDE A DESCRIPTION OF THE PROPOSED LOTS (in metric units)

<table>
<thead>
<tr>
<th>Description</th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage (metres)</td>
<td>10.0 m</td>
<td></td>
</tr>
<tr>
<td>Depth (metres)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area (square metres or hectares)</td>
<td>200.0 m</td>
<td>0.2 ha</td>
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<td></td>
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<td>Municipal Road, open year-round</td>
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RURAL / HAZARD LANDS

**WHAT IS THE LAND USE DESIGNATION OF THE SUBJECT LANDS ACCORDING TO THE**
14. WHAT IS THE ZONING OF THE SUBJECT LANDS ACCORDING TO THE MUNICIPALITY OF WEST GREY ZONING BY-LAW? 

BY-LAW 76-2009 \( \Rightarrow \) OS-114/NE-114

15. IS THE CONSENT APPLICATION CONSISTENT WITH THE PROVINCIAL POLICY STATEMENT? 

Yes [ ] No [ ]

17. HAS THE SUBJECT LANDS EVER BEEN THE SUBJECT OF AN APPLICATION FOR A PREVIOUS PLAN OF SUBDIVISION OR SEVERANCE? 

Yes [ ] No [ ]

IF THE ANSWER IS "YES", PLEASE PROVIDE THE FILE NUMBER AND THE STATUS OF THE APPLICATION:


18. HAS THE APPLICANT OR OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?

- Official Plan Amendment [ ] Yes [ ] No [ ]
- Zoning By-law Amendment [ ] Yes [ ] No [ ]
- Minor Variance [ ] Yes [ ] No [ ]
- Consent [ ] Yes [ ] No [ ]
- Plan of Subdivision [ ] Yes [ ] No [ ]
- Site Plan Control [ ] Yes [ ] No [ ]

IF ANY ANSWER TO ANY OF THE ABOVE IS "YES", PLEASE PROVIDE THE FOLLOWING INFORMATION:

- File No. of Application: 

  BY-LAW # 76-2009

- Approval Authority: 

  MUN. OF WEST GREY

- Purpose of Application: 

  TO AMEND BY-LAW # 37-2006

- Status of Application: 

  APPROVED OCT 5, 2009

- Effect on the Current Application for Consent: 

19. LIST ALL PUBLIC AGENCIES TO WHICH YOU DISCUSSED THIS CONSENT APPLICATION PRIOR TO SUBMITTING THIS APPLICATION:


20. LIST THE TITLES OF ANY SUPPORTING DOCUMENTS SUBMITTED WITH THIS APPLICATION (e.g. Planning Report, Environmental Impact Study, Traffic Study, Storm Water Management Report, etc.)


21. REQUIRED DRAWING

A drawing prepared to scale on an 11" x 14" sheet of paper is required showing:

- the north arrow;
- the lands that are owned by the owner/applicant, including dimensions;
- the lands that only subject to the application, if different from the above, including
dimensions;
- the location of all open and unopen roads that abut the subject property;
- the location of all buildings or structures on the subject property, including setbacks from lot lines;
- the location of the septic system and well, if applicable;
- the location of driveways and parking areas on the subject property;
- the location of other features on the property including forested areas, watercourses;
- the location of easements on the subject property, if applicable;
- the uses of the adjacent lands;
- the location of all barns and manure storage facilities on the subject property and on lands within 500 metres of the subject property;

Sample Drawing
22. PUBLIC CONSULTATION

To meet the minimum requirements for Public Consultation under the Planning Act, the Planning Department undertakes public consultation on your behalf for your proposed development. Do you propose to undertake any further public consultation (at your own expense) on behalf of your proposal?

☐ No

☐ Yes, I have or plan to speak with my neighbours to clarify any concerns they may have

☐ Other plans: (public open houses, radio or newspaper advertisements, etc; please discuss these plans with the Department prior to initiating them)

23. UNDERSTANDING OF OWNER:

The following shall be signed the owner(s) of the subject property:

I (we), ___________________________ of the Municipality of ___________________________

WEST GREY in the County/Region of ___________________________

understand and agree to the following:

1. I/we understand that the Application Fee / Deposit Agreement must be signed and submitted along with this application.

2. I/we agree to allow Municipality staff and its representatives to enter upon the premises for the purpose of performing inspections of the subject property.

3. I/we provide my/our consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters of reports issued by the Municipality.

Signature of Owner ___________________________ Date ___________________________

Signature of Owner ___________________________ Date ___________________________

24. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER:

If the person applying for the Consent, as listed in Question 2, is not the owner of the property, as listed in Question 1, then the following must be completed and signed:

I (we), ___________________________ of the Municipality of ___________________________

WEST GREY in the County/Region of ___________________________

hereby authorize ___________________________ to serve as my/our agent.

Signature of Owner ___________________________ Date ___________________________

Signature of Owner ___________________________ Date ___________________________
25. AFFIDAVIT

The following must be signed in the presence of a Commissioner of Oath:

I (we), ____________________________ of the ____________________________

_________________________ in the County/Region of ____________________________

solemnly declare that all the statements contained in this application are true, and I (we) make
this solemn declaration conscientiously believing it to be true, and knowing that it is of the same
force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the ____________________________ of ____________________________
in the County/Region of ____________________________

this __________ of ____________________________, 20__.

Name of Commissioner

___________________________

Applicant name in print

___________________________

Signature

___________________________

Signature of Applicant

___________________________

Applicant name in print

___________________________

Signature of Applicant

To be completed by the Municipality:

Application fee of $900.00 received by the Municipality.

Conservation Authority review fee of $_______ received by the Municipality

Municipality staff signature

Page 58 of 93
Committee of adjustment report

| Meeting date: | September 8, 2020 |
| Title: | B05/2020 and B06/2020 – Shamadon Resort Ltd. |
| Prepared by: | Lorelie Spencer, Manager of Planning and Development |
| Reviewed by: | Laura Johnston, CAO |

Recommendation


Executive summary

The applicant’s agent has applied for two (2) consent applications to sever a portion of an existing rural lot, retain a rural lot and create a right-of-way for the newly created parcel. The right-of-way is identified as part 1 on the applicant’s draft survey and will provide access to the newly created part 2.

Part 1 will have frontage on Concession 2 WGR and provide access through the right-of-way to Concession 2 WGR for part 2.

Background and discussion

The subject property is located on the north of the intersection of Concession 2 WGR and Road 49. The property is municipally known as 231764 Concession 2 WGR.

The site is comprised of approximately 53 ha. The subject lands are currently being used as a campground referred to as Shamadon Resort with 140 campsites. In addition three (3) single detached dwelling units exist on the subject lands, each with their own private services. File B05/2020 will create a new lot. The severed parcel as part of this application will have an approximate frontage of approximately 2294 metres and a depth of approximately 1397 metres. The retained parcel will have a frontage of approximately 56 metres and a depth of approximately 1397 metres. The severed parcel will be approximately 31 ha. in size with a retained parcel of approximately 20 ha. in size.

File B06/2020 will create a right-of-way for the newly created parcel. The severed portion of this file will have a frontage of approximately 10 metres with a depth of approximately 272 metres. The retained parcel will have an approximate frontage of 259 metres and a depth of 1397 metres. The area of the retained parcel will be approximately 20 ha. in size.
The intent of the application is to separate the campground component from two (2) of the single detached dwelling units on the subject lands.

The adjacent lands are mostly rural lands with identified areas of hazard lands and are mostly used for agricultural purposes with some smaller parcels being utilized for residential purposes.

Legal and legislated requirements

To determine the consistency of the proposal planning staff have conducted a review of the Provincial Policy Statement (PPS), County Official Plan and the Municipality's Comprehensive Zoning By-law 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. However, in rural areas have limited agricultural capability, the creation of a limited amount of non-farm residential lots and small farm parcels may be considered.

   Section 1.1.5 within the PPS provides guidelines as they relate to the development of rural lands within the municipality. Section 1.1.5.2(b) of the PPS states that resource-based recreational uses are permitted on rural lands. Campgrounds are considered a resource based recreational use.

   Section 1.1.5.8 specifically requires that new land uses, including the creation of new lots comply with minimum distance separation (MDS). Planning staff have reviewed aerial photography in combination with information provided by the applicant and an MDS calculation has been completed. One (1) livestock facility exists in proximity to the proposed lot creation and based on the information provided MDS is met. Planning staff are further satisfied that the proposal is consistent with the balance of section 1.1.5 of the PPS.

   The subject lands are considered a rural area within the municipality and the creation of limited non-farm residential lots is permitted subject to various factors. The southeast corner of the farm parcel is identified as hazard. The hazard lands are considered to be wetlands and also contain identified significant woodlands. This portion of the property also accommodates the extension of the 30th Sideroad NDR.

   Section 2.1.7 of the PPS states that development and site alteration shall not be permitted within the habitat of threatened and endangered species. The SVCA has identified that the habitat of threatened or endangered species may exist in proximity to the subject lands. However, planning staff are satisfied that the creation of a new lot boundary will not pose an adverse impact. It is the responsibility of the applicant
however, to confirm with the Ministry of Environment, Conservation, and Parks (MECP) to ensure that no negative impacts will occur. Based on comments provided by the SVCA planning staff have no concerns with this approach.

Hazard lands are identified under the Official Plan on the subject lands in various locations. The hazard designation contains woodlands, wetlands and ponds. Section 3.1.1 of the PPS echoes the policies of the County Official Plan discussed in section 2. Development and site alteration shall be directed outside of identified hazard areas. Planning staff are satisfied that the existing development on the subject lands is outside of the hazard designation, save and except for some existing development. Planning staff have not further concerns in this regard.

Based on the above, planning staff are satisfied that the proposed lot configurations are consistent with the PPS.

2. County of Grey Official Plan

The subject lands are designated as ‘rural’ with a small portion of ‘hazard’ on the northeast corner under the County of Grey Official Plan.

Policy 5.4.3(1) of the County of Grey Official Plan permits the creation of three (3) farm parcels on an original ha. farm parcel within the ‘rural’ designation. Policy 5.4.3(1) further states that new lot development shall not be less than 0.8 ha. in size. Planning Staff are satisfied that the proposed lot creation meets the general intent and purpose of this policy in the Official Plan.

Policy 7.2 of the Official Plan does not permit development or site alteration in the ‘hazard’ lands designation unless the use is associated with conservation of natural resources, agriculture, passive public parks or public utilities. Although portions of the existing access roads cross hazard lands, the impact of the new lot boundary is considered minimal by planning staff.

Planning staff are satisfied that the general intent and purpose of the Official Plan are being maintained by these applications.

3. The Municipality of West Grey Comprehensive Zoning By-law 37-2006

The municipality of west grey comprehensive zoning by-law zones the subject lands as OS-114 (open space with exception) and NE-114 (natural environment with exception). The exception for both the OS and NE zones states as follows:

114:

‘Notwithstanding section 29, open space zone, and section 31, natural environment zone, on those lands zoned OS-114 and NE-114 a tent and trailer campground comprising a maximum of 250 sites shall be permitted. Three detached dwellings used in conjunction with the campground shall also be permitted.’

There are no minimum lot frontage or area requirements within the OS zone. There are no provisions in the same regard within the NE zone and development of structures
within this zone is not permitted. Planning Staff are satisfied that the proposed lot creation meets the permitted uses within the OS and NE zones. Confirmation has also been provided that the NE zone is in line with the hazard boundaries provided by the SVCA. Planning staff are satisfied that the proposed lot creation meets the general intent and purpose of the municipality’s comprehensive zoning by-law no. 37-2006.

Financial and resource implications
None.

Staffing implications
None.

Consultation
- County of Grey Planning & 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 provide provisional consent for file B05/2020 based on the following conditions:
- Payment of Parkland Dedication Fee

That Committee provide provisional consent for file B06/2020 based on the following conditions:
- Payment of the Parkland Dedication Fee

Respectfully submitted,
Lorelie Spencer, Deputy Secretary-Treasurer Committee of Adjustment
Municipality of West Grey
402813 Grey Road 4, R.R. #2,
Durham, Ontario N0G 1R0

RE: Consent Applications B05 & B06.2020
231764 Concession 2 WGR (Concession 3, Lot 47 W, Part Lot 48)
Municipality of West Grey (geographic Township of Normanby)
Owner/Applicant: Shamadon Resort Limited (c/o Stephen Sham)
Agent: Greg Ford (Wilson – Ford Surveying & Engineering)

Dear Ms. Spencer,

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 and effect of the subject application is to sever a portion of an existing rural lot, retain a rural lot and provide a right-of-way for the newly created parcel. Part 1 will provide access to Part 2 through a right-of-way.

Schedule A of the County OP designates the subject property as ‘rural’ and ‘hazard lands’. Section 5.4.3(1) states,

> All consents for new lot development shall be no smaller than 0.8 hectares in area, and the maximum lot density shall not be exceeded as outlined in Table 9 below. The lot density is 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 of the original Township lot.

> Original Township lots 40 hectares are permitted up to a total of 4 lots (including the severed and retained).

In reviewing consent application B05.2020, Part 1 forms part of both Lot 47, Concession 3 and Lot 48 Concession 3. On the south westerly end of Part 1, where the property is intending to extend to include the pond, this would have the effect of creating an additional lot in Lot 48, Concession 3 (the original township lot being 40 hectares).
Through this proposal, the lot density in Lot 48, Concession 3 would exceed the permissions outlined under the County OP. There would be 5 lots recognized under Lot 48, Concession 3. Policy 5.4.3(3) further states, *consents are permitted for lot addition purposes, or to correct lot boundaries, where the land being added is to be added to an existing use provided the enlarged lot and retained lots are greater than 0.4 hectares each. The above-noted lot density provisions in Table 9 do not apply to lot additions.* The subject proposal could be achieved through a lot addition avenue, that would achieve a similar result. Therefore, County planning staff have no concerns with the above noted policies.

Schedule B of the County OP designates the subject lands almost entirely as an ‘aggregate resource area’. Section 5.4.2(4) states,

*Non-farm sized lot creation shall not be permitted within Aggregate Resource Areas on Schedule B to this Plan.*

The lots created as part of B05.2020 are both considered farm size, being 31.8 ha and 20.3 ha, County planning staff have no concerns with the above noted policy.

Consent application for B06.2020 is intended for right-of-way purposes, where Part 1 will provide access to Part 2. From a general planning perspective, County planning staff recommend considering separate access be created and provided for Part 1 and Part 2. There are instances in the County where obtaining right-of-way access is the ideal option should the lands abut a provincial highway or a County road. Although, in this case the subject property abuts a local municipal road which may generate less traffic and could be suitable for an additional entranceway. It will also be important to consider the types of use(s) that will be jointly utilizing the existing laneway, one being the campground that could generate a fair amount of traffic, and the other being a residential property. Should either of these properties change ownership at some point in the future, some of the inherent challenges that may arise could be disproportionate maintenance and upkeep of the laneway, hours of use and access of campground, etc.

Generally, staff recommend deferral of consent application B06.2020 until further review has been complete with reference to providing an additional, separate entranceway for both of properties forming Part 1 and Part 2.

Appendix B of the County OP identifies a ‘stream’, ‘other identified wetlands’, ‘ponds’ and ‘significant woodlands’ on the subject property. Section 7.9(2) states,

*No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with section 7.11 of this plan concludes setbacks may be reduced and/or where it has
been determined by the appropriate conservation authority these setbacks may be reduced.

Section 7.4(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 that there will be no negative impacts on the natural features or their ecological functions.

County planning staff recommend comments are received from the local conservation authority.

Section 5.4.2(5) states, the provincial minimum distance separation (MDS) formulae policies found in section 5.2.2 of this Plan shall also apply to the rural land use type.

Provided positive comments are received from the local conservation authority, consent application B06.2020 is reconsidered, and MDS can be effectively achieved, County planning staff have no further concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

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

Yours truly,

Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca
SENT ELECTRONICALLY (lspencer@westgrey.com)

August 31, 2020

Municipality of West Grey
Committee of Adjustment
RR#2
Durham, ON  N0G 1R0

ATTENTION:  Lorelie Spencer, Deputy Sec    Treasurer

Dear Ms. Spencer;

RE: Applications of Consent: B05/2020 & B06/2020
  231764 Concession 2 WGR
  Roll No. 420501000607100
  Lot 47 & Part Lot 48, Concession 3
  Geographic Township of Normanby
  Municipality of West Grey_________________________ [Shamadon c/o Ford]

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per ou
delegated responsibility from the Province to represent provincial interests regarding natural hazards identified
in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario
Regulation 169/06 (SVCA’s Development, Interference with Wetlands, and Alterations to Shorelines and
Watercourses Regulation).  SVCA staff has also provided comments as per our Memorandum of Agreement
(MOA) with the Municipality of West Grey representing natural hazards, natural heritage, and water resources;
and the application has also been reviewed through our role as a public body under the Planning Act as per our
CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018

The purpose of the applications are to sever a portion of an existing rural lot, retain a rural lot and to provide a
right-of-way  ROW) for the newly created parcel. Part 1 will be maintained as rural residential and will provide
access to Part 2 through the use of the ROW. Part 2 will be maintained as a campground, which is existing.

Staff have received and reviewed the following documents submitted with this application:
  1) Notice of Applications for Consent for B05 & B06/2020 and associated applications.

Recommendation

SVCA staff find the applications acceptable and we offer the following comments for your review.
Site Characteristics

The subject property is currently operating as a campground with approximately 140 campsites and features several accessory structures for park operations. The campground is largely located on the southern half of the property and there appears to be two residential structures with accessory structures located on the north half of the property. Environmental features located on the property are woodlands, wetlands, ponds, watercourses and open field.

Delegated Responsibility and Advisory Comment

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Stateme (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Municipality of West Grey in that we provide expert advice and technical clearance on Planning Act applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS 2020, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

SVCA hazard mapping indicates the subject property features hazardous lands (flooding and unstable organic soils) associated with the wetlands and watercourses on-site. It is SVCA staff’s opinion that the hazard mapping for the property in the Municipality of West Grey’s Zoning By-law and the County of Grey’s Official Plan (OP, Schedule A) is in conformance with the hazard mapping as originally plotted by SVCA staff. Based on our review of the hazard mapping, it appears all structures are located outside the hazard lands, with exception to one residence which may be partially located within the hazard land limit. There are also a few existing trailer lots located within the hazard lands limi

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states, in general, that development shall be directed to areas outside of hazardous lands and sites, which mean property or lands that could be unsafe for development and site alteration due to naturally occurring hazards, including flooding hazards and unstable soils such as organic soils typically associated with wetlands.

County of Grey Official Plan (OP)

It is SVCA staff’s interpretation that section 7.2 of the Grey County Official Plan (OP) does not permit new development within natural hazard lands unless the use is for forestry or the conservation of natural resources, agriculture, passive public parks, or public utilities and where the impacts to the hazards are negligible or for other uses such as forestry.

It is SVCA staff’s opinion, the applications are in general conformance with the above-noted policies. No new development is proposed at this time. However, there is sufficient room outside the hazard lands on both the retained and severed parcel should future development be proposed.
Safe Access

 Portions of the lane to the existing campsites on the west end of the property (proposed severed parcel) traverse hazardous lands. However, it is SVCA staff’s opinion the proposed severances would not increase the risk to public safety from exiting the property during a flooding hazard. However, safe access will need to be reviewed/addressed should the campground propose future increase in trailer sites. Both the natural hazard lands policies of the PPS, 2020 (Section 3.1.2) and Grey County OP (section 7.2) do not support development in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

Natural Heritage:

In the opinion of SVCA staff, the subject property features Significant Woodlands, Fish Habitat, potentially Significant Wildlife Habitat, Other Wetlands, and potentially Habitat of Endangered and Threatened Species. It is also our opinion the proposed applications should not have an increased impact on Significant Woodlands, Fish Habitat, Significant Wildlife Habitat, and Other Wetlands because no new development is proposed, at this time. Impacts to these features, if any, would have already been experienced because of the existing development.

Habitat of Endangered and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. The SVCA role is to identify habitat through a screening process in consideration of the PPS and local policies, however, it is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS and the local OPS have been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

Provincial Policy Statement – Section 2.1

Section 2.1.7 of the PPS states 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; and further that, section 2.1.8 states development and site alteration shall not be permitted on adjacent lands to habitat of endangered and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

County of Grey Official Plan (OP)

It is SVCA staff’s opinion, section 7.10 of the County’s OP does not permit development or site alteration within the Habitat of Threatened / Endangered Species; and that, development and site alteration proposed within adjacent lands is not permitted unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in Section 9.18 of this Plan and through provincial and federal requirements.
Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA’s Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the Conservation Authorities Act, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands, and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding erosion, dynamic beaches, pollution, or the conservation of land are not affected. VCA also regulates the alteration to or interference in any way with a watercourse or wetland.

Portions of the subject property are within the SVCA ‘Approximate Screening Area’ associated with Ontario Regulation 169/06. As such, development and/or site alteration within this area requires the permission from SVCA, prior to carrying out the work.

“Development” as defined under the Conservation Authorities Act means:

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.

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 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.

To determine the SVCA Approximate Regulated Area on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at http://eprweb.svca.on.ca. Should you require assistance, please contact our office directly.

SVCA Permission for Development or Alteration

Please contact SVCA staff directly to determine if a SVCA permit is required for future development or site alteration proposed within SVCA’s “Approximate Screening Area”, or if interference with a watercourse or wetland is proposed.

Summary

SVCA staff has reviewed this application in accordance with our MOA with the Municipality of West Grey and as per our mandated responsibilities for natural hazard management, including our regulatory role under the Conservation Authorities Act.
SVCA staff find the applications for consent acceptable, and given the above comments, it is the opinion of the SVCA staff that:

1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated, except for habitat of endangered species and threatened species policies, which the applicant must address.
3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated, except for habitat of endangered species and threatened species policies, which the applicant must address.

Please inform this office of any decision made by the Municipality regarding this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned

Sincerely,

Brandi Walter
Environmental Planning Coordinator
Saugeen Conservation

BW/

cc: Greg Ford, Agent (via emai
Christine Robinson, SVCA Member (via email)
Application for Consent

Municipality of West Grey
402813 Grey Road 4
RR 2 Durham, ON N0G 1R0
Telephone No. 519-369-2230 Fax No. 519-369-5962

To be completed by the Municipality:
Application No. 807/2020
Assessment Roll No. 4205.001.034 000

Before completing this application and submitting it to the Municipality, please be advised of the following:

Prior to submitting an application for Consent, you are required to discuss the proposal with the Municipal Planner. Please contact the Municipal office to make this arrangement.

The application will only be accepted if: the application has been completed properly; a proper drawing has been submitted; the applicable fees have been submitted; and, the necessary background information in support of the proposed development, where deemed necessary by the Municipality, has been filed. The submission requirements will be outlined during the pre-submission discussions.

Your submission must include a cheque to cover the Consent application fee and a second cheque to cover the applicable Conservation Authority review fee. Please contact the Municipality to determine the exact amount to be paid.

The application must be signed by the applicant before a commissioner of oath. A Municipality staff member has been appointed this position. If the applicant is not the owner of the subject property, the applicant must have authorization from the owner to submit the application (see Question 24 of this application.) If two or more persons collectively own the property, all owners must sign the application form.

1. APPLICANT INFORMATION

a) Registered Owner’s Name(s): Neil Ward
   Address: Concession B Aylton, ON N0G 1C0
   Phone: Home ( ) Work ( ) Cell ( )
   E-mail address: 

b) Applicant’s or Agent’s Name(s): same as owner
   Address: 
   Phone: Home ( ) Work ( ) Cell ( )
   E-mail address: 

c) Name, Address, Phone of all persons having any mortgage change on encumbrance on the property: none

   

d) Send Correspondence to (check all applicable)? Owner ☑ Agent ☐ Other ☐
2. SUBJECT PROPERTY
Municipal Address (if applicable) 031154 Side road 5
Assessment Roll Number No. 4205 010 00104100 0000
Lot 5 Concession 5 Registered Plan No. 17R 2691
Lot ____ Concession ____ Reference Plan ____

3. DIMENSIONS OF SUBJECT PROPERTY (in metric)
Area: 10.134 hectares Frontage: 445.54 metres Depth: 150.392 metres

4. IS THERE AN EASEMENT(S) OR RESTRICTIVE COVENANT(S) THAT CURRENTLY
APPLIESTO THE PROPERTY? IF SO, PLEASE EXPLAIN AND SHOW ON SKETCH. No

5. WHAT IS THE EXISTING USE OF THE SUBJECT PROPERTY? Agricultural

6. WHAT IS THE PURPOSE OF THIS CONSENT APPLICATION?
New lot ___
Lot addition ___
Lease / charge ___
Easement / Right of way ___ surpluss farm house
Other, specify ___

7. EXPLAIN THE CONSENT PROPOSAL AND INCLUDE THE INTENDED USE OF THE
SUBJECT LANDS (BOTH PARCELS IF APPLICABLE): Surplus farm house, several
and retained land will remain for agricultural purposes.

8. IF APPLICABLE, STATE THE NAME OF THE PERSON TO WHOM THE LAND IS TO BE
TRANSFERRED, CHARGED OR LEASED: N/A
Name(s): ______________________
Address: ______________________
Phone: Home ____ Work ____ Cell ____
E-mail address: ______________________

9. PROVIDE A DESCRIPTION OF THE PROPOSED LOTS (in metric units)

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<thead>
<tr>
<th></th>
<th>Severed Parcel</th>
<th>Retained Parcel</th>
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<tbody>
<tr>
<td>Frontage (metres)</td>
<td>74.966</td>
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<td>Depth (metres)</td>
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<td>118.30</td>
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<tr>
<td>Area (square metres or hectares)</td>
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<td>56952.4592</td>
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<tr>
<td>Current Use</td>
<td>Farm house</td>
<td>Agriculture</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Sever farm house</td>
<td>Agriculture</td>
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</table>
10. INDICATE THE TYPE OF ROAD ACCESS:

<table>
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<tr>
<th>Severed Parcel</th>
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<tbody>
<tr>
<td></td>
<td>Provincial Highway</td>
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<td></td>
<td>County Road</td>
</tr>
<tr>
<td>✓</td>
<td>Municipal Road, open year-round</td>
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<tr>
<td></td>
<td>Municipal Road, not maintained year-round</td>
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<td></td>
<td>Private Right of Way</td>
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11. INDICATE THE TYPE OF SERVICING:

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<thead>
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<th>Type of Servicing</th>
<th>Severed Parcel</th>
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<tbody>
<tr>
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<td>Existing</td>
<td>Proposed</td>
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<td>Water Servicing</td>
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<td>Municipal, Communal, Private Well</td>
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<td>Sewer Servicing</td>
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<td>Communal, Private Septic</td>
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<td>Storm Servicing</td>
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<tr>
<td>Storm Sewer, Ditches, Swales</td>
<td>Ditches, Swales</td>
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12. PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS, EXISTING AND PROPOSED:
(Use a separate page if necessary)

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<thead>
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<th>Buildings</th>
<th>Use of Building</th>
<th>Ground Floor Area (m²)</th>
<th>Total Floor Area (m²)</th>
<th>No. of Storeys</th>
<th>Height (m)</th>
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<td>Existing Building No. 1</td>
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<td>House</td>
<td>115.95</td>
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<td>Retained Parcel</td>
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13. WHAT IS THE LAND USE DESIGNATION OF THE SUBJECT LANDS ACCORDING TO THE COUNTY OF GREY OFFICIAL PLAN? Agriculture

WHAT IS THE LAND USE DESIGNATION OF THE SUBJECT LANDS ACCORDING TO THE
WEST GREY OFFICIAL PLAN? (IF APPLICABLE) Agriculture

14. WHAT IS THE ZONING OF THE SUBJECT LANDS ACCORDING TO THE MUNICIPALITY OF WEST GREY ZONING BY-LAW? Agriculture

15. IS THE CONSENT APPLICATION CONSISTENT WITH THE PROVINCIAL POLICY STATEMENT? Yes ☑️ No ☐

17. HAS THE SUBJECT LANDS EVER BEEN THE SUBJECT OF AN APPLICATION FOR A PREVIOUS PLAN OF SUBDIVISION OR SEVERANCE? Yes ☐ No ☑

IF THE ANSWER IS "YES", PLEASE PROVIDE THE FILE NUMBER AND THE STATUS OF THE APPLICATION:

18. HAS THE APPLICANT OR OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?

- Official Plan Amendment: Yes ☐ No ☑
- Zoning By-law Amendment: Yes ☑ No ☑
- Minor Variance: Yes ☑ No ☑
- Consent: Yes ☐ No ☑
- Plan of Subdivision: Yes ☑ No ☐
- Site Plan Control: Yes ☐ No ☑

IF ANY ANSWER TO ANY OF THE ABOVE IS "YES", PLEASE PROVIDE THE FOLLOWING INFORMATION:

- File No. of Application:
- Approval Authority:
- Purpose of Application:
- Status of Application:
- Effect on the Current Application for Consent:

19. LIST ALL PUBLIC AGENCIES TO WHICH YOU DISCUSSED THIS CONSENT APPLICATION PRIOR TO SUBMITTING THIS APPLICATION:

Planner at West Grey Municipal Office

20. LIST THE TITLES OF ANY SUPPORTING DOCUMENTS SUBMITTED WITH THIS APPLICATION (e.g. Planning Report, Environmental Impact Study, Traffic Study, Storm Water Management Report, etc.)

Survey

21. REQUIRED DRAWING

A drawing prepared to scale on an 11" x 14" sheet of paper is required showing:

- the north arrow;
- the lands that are owned by the owner/applicant, including dimensions;
- the lands that only subject to the application, if different from the above, including
22. PUBLIC CONSULTATION

To meet the minimum requirements for Public Consultation under the Planning Act, the Planning Department undertakes public consultation on your behalf for your proposed development. Do you propose to undertake any further public consultation (at your own expense) on behalf of your proposal?

☐ No

☐ Yes, I have or plan to speak with my neighbours to clarify any concerns they may have

☐ Other plans: (public open houses, radio or newspaper advertisements, etc; please discuss these plans with the Department prior to initiating them)

23. UNDERSTANDING OF OWNER:

The following shall be signed the owner(s) of the subject property:

I (we), Neil Ward ___________________________ of the Municipality of West Grey

print your name(s) here

______________________________ in the County/Region of West Grey

understand and agree to the following:

1. I/we understand that the Application Fee / Deposit Agreement must be signed and submitted along with this application.

2. I/we agree to allow Municipality staff and its representatives to enter upon the premises for the purpose of performing inspections of the subject property.

3. I/we provide my/our consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters of reports issued by the Municipality.

Signature of Owner ___________________________ Date: 10/01/2020

Signature of Owner ___________________________ Date ___________________________

24. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER:

If the person applying for the Consent, as listed in Question 2, is not the owner of the property, as listed in Question 1, then the following must be completed and signed:

I (we), ___________________________ of the ___________________________

print your name(s) here

______________________________ in the County/Region of ___________________________

hereby authorize ___________________________ to serve as my/our agent.

Signature of Owner ___________________________ Date ___________________________

Signature of Owner ___________________________ Date ___________________________
25. **AFFIDAVIT**

The following must be signed in the presence of a Commissioner of Oath:

I (we), ______________________________ of the Municipality of _______________,

West Grey in the County/Region of Grey

solemnly declare that all the statements contained in this application are true, and I (we) make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me at the Municipality of West Grey

in the County/Region of Grey

this ______________ day of ______________, 2020

*Name of Commissioner*

*Signature*

*Applicant name in Print*

*Signature of Applicant*

*Applicant name in Print*

*Signature of Applicant*

*Sworn before me at the Municipality of West Grey, in the County of Grey and the Province of Ontario, this ______________ day of ______________, 2020.*

*Name of Commissioner*

*Title*

*Position*

---

**To be completed by the Municipality:**

Application fee of $__________ received by the Municipality.

Conservation Authority review fee of $__________ received by the Municipality

Municipality staff signature
dimensions;
- the location of all open and unopen roads that abut the subject property;
- the location of all buildings or structures on the subject property, including setbacks from lot lines;
- the location of the septic system and well, if applicable;
- the location of driveways and parking areas on the subject property;
- the location of other features on the property including forested areas, watercourses;
- the location of easements on the subject property, if applicable;
- the uses of the adjacent lands;
- the location of all barns and manure storage facilities on the subject property and on lands within 500 metres of the subject property;

Sample Drawing
Committee of adjustment report

<table>
<thead>
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<th>Meeting date:</th>
<th>September 8, 2020</th>
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<tbody>
<tr>
<td>Title:</td>
<td>B07/2020 – Ward, Neil</td>
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<tr>
<td>Prepared by:</td>
<td>Lorelie Spencer, Manager of Planning and Development</td>
</tr>
<tr>
<td>Reviewed by:</td>
<td>Laura Johnston, CAO</td>
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</tbody>
</table>

Recommendation


Executive summary

The applicant has applied for a consent to sever a surplus farm dwelling. The balance of the lands would be added to the adjacent parcel under the farm's ownership immediately west of the subject lands (101162 Concession 6).

The severed surplus farm dwelling will have access on Sideroad 5.

Background and discussion

The subject property is located on the southwest corner of Concession 6 and Sideroad 5. The surplus farm dwelling is located along the eastern edge of the farm parcel. The subject lands are predominantly prime agricultural with some identified hazard lands toward the north or the property boundary.

The surrounding land uses in the area are predominantly prime agricultural with portions of hazard lands.

The site is currently comprised of approximately 10 ha. A single detached dwelling unit and accessory structures currently exist in the area proposed to be severed as a surplus farm dwelling. The applicant has identified that the severed portion of the subject lands will contain approximately 74 metres of frontage along Concession 5 with a depth of approximately 64 metres. The retained portion of the lands will be merged with the farm parcel owned by the applicant immediately west of the subject lands to create a newly merged parcel approximately 61 ha. in size with approximately 790 metres of frontage along Concession 6.
Legal and legislated requirements

To determine the consistency of the proposal planning staff have conducted a review of the Provincial Policy Statement (PPS), County Official Plan and the Municipality’s Comprehensive Zoning By-law 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. However, in rural areas have limited agricultural capability, the creation of a limited amount of non-farm residential lots and small farm parcels may be considered.

   Section 2.1.6 of the PPS states that development and site alteration are not permitted within or adjacent to fish habitat (section 2.1.8) unless it has been determined that no negative impacts will occur. The proposed consent is outside of the adjacent lands to identified fish habitat. Planning staff are satisfied that negative impacts are not anticipated.

   Section 2.1.7 of the PPS states that development and site alteration shall not be permitted within the habitat of threatened and endangered species. The SVCA has identified that the habitat of threatened or endangered species may exist on, and in proximity, to the subject lands. However, planning staff are satisfied that the severance of the surplus farm dwelling will not pose an adverse impact. It is the responsibility of the applicant however, to confirm with the Ministry of Environment, Conservation, and Parks (MECP) to ensure that no negative impacts will occur.

   Section 2.3.3.3 of the PPS states that all new land uses in prime agricultural areas must comply with minimum distance separation (MDS). In this case, the single detached dwelling unit and accessory structures are existing land use. Of note, there are no livestock facilities within proximity that would require MDS review regardless.

   Section 2.3.4.1(c) permits lot creation for a residence surplus to a farm operation as a result of farm consolidation under certain conditions. Section 2.3.4.1(c)(1) states that the new lot is to be a minimum size necessary to accommodate the use and appropriate sewage and water services. Section 2.3.4.1(c)(2) further requires that planning authorities ensure that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwelling units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.

   Based on the policies within the County of Grey Official Plan, planning staff are satisfied that the consolidation of the retained lands with the lands immediately west will ensure that the proposal is consistent with the PPS.

   Section 3.1 of the PPS dictates that development shall be directed away from identified hazard lands. The severance of the surplus farm dwelling is outside of the hazard lands and no further development is proposed as part of the application.
Based on the above, planning staff are satisfied that the proposed lot creation is consistent with the PPS.

2. County of Grey Official Plan

The subject lands are designated as ‘agricultural’ with a small portion of ‘hazard’ on the northern portion of the subject lands. The proposed lot creation is outside of the hazard land designation.

Policy 5.2 speaks to the permitted uses and policies within the ‘agricultural’ designation. Section 5.2.1.4 specifically speaks to surplus farm dwellings. As previously noted in section 1, MDS is not required for an existing surplus farm dwellings.

Schedule A to the County Official Plan identifies the ‘hazard’ designation along the north portion of the subject lands. Policy 7.2 further states that no buildings or structures will be permitted within the ‘hazard’ designation. Planning staff are satisfied as noted in section 1 that the ‘hazard’ designation is not in close proximity to the proposed lot line.

Policy 7.9 and Policy 7.10 of the County Official Plan states that development and site alteration is not permitted on or within the adjacent lands to natural heritage features or the habitat of threatened or endangered species unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the identified features. As identified in section 1, planning staff are satisfied that negative impacts in this regard are not anticipated.

Planning staff are satisfied that the proposed consent maintains the general intent and purpose of the Official Plan.


The municipality of west grey comprehensive zoning by-law zones the subject lands as A1 (agriculture) and NE (natural environment). The NE zone is located on the northern boundary of the subject lands and the balance of the property is zoned A1.

The adjacent lands receiving the retained portion of the lot addition are zoned A1 and NE. Due to the size of the merged lands, a zoning by-law amendment is not required to restrict the further development of the property for residential purposes.

The A1 zone requires a minimum lot frontage of 122 metres and a minimum lot area of 20 ha. The proposed surplus farm dwelling parcel has a lot frontage of approximately 74 metres and a lot area of 0.47 hectares. A zoning by-law amendment will be required to recognize the deficient lot area and frontage.

Planning staff are satisfied that the proposed lot creation meets the general intent and purpose of the municipality’s comprehensive zoning by-law no. 37-2006.

Financial and resource implications

None.
Staffing implications

None.

Consultation

- County of Grey Planning & 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 dated - ---------
- Saugeen Valley Conservation Authority comments dated August 31, 2020

Next steps

That Committee provide provisional consent for file B07/2020 based on the following conditions:
- Payment of the Zoning By-law Amendment Fee to the Municipality of West Grey
- Passing of a Zoning By-law Amendment
- Payment of Parkland Dedication Fee
- Confirmation of lot addition to adjacent lands

Respectfully submitted,

Lorelie Spencer, Ba.U.R.Pl. MCIP, RPP
Manager of Planning and Development
September 2\textsuperscript{nd}, 2020

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

RE: Consent Application B07/2020  
Lot 5, Concession 5, Plan 17R2691  
Municipality of West Grey  
Applicant/Owner: Neil Ward

Dear Ms. Spencer,

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), Recolour Grey. We offer the following comments.

The purpose of the Consent application B07/2020 is to sever a surplus farm dwelling.

Schedule A of Recolour Grey designates the subject lands as ‘Agricultural’. Section 5.2.3 of the OP states,

1) A consent for one new lot may be permitted provided the original farm parcel is a minimum of 40 hectares. The options for consent would be:

   b) New residential lots are not permitted in the Agriculture land use type. Where a house is deemed surplus to a farm operation as a result of farm consolidation, a lot may be severed provided that:

      1) The owner of the lands to be severed is a ‘bona fide farmer’, or as a condition of the consent application the lands will be sold to a ‘bona fide farmer’. For the purposes of this policy, the ‘bona fide farmer’ must have a farm business registration number. A ‘bona fide farmer’ is defined to include a limited company, sole proprietorship, incorporated company, numbered company, partnership, and other similar ownership forms.
2) The lot proposed for the *surplus farmhouse* (and accessory buildings if applicable) will be limited in area and shall only be of sufficient size to accommodate the *surplus farmhouse* to the farming operation, accessory buildings (where including accessory buildings does not make the lot excessively large), a well, and a sewage treatment and disposal system, while ensuring that as little land as possible is removed from the agricultural lands.

3) Unless added onto an abutting farm parcel that already contains a *dwelling*, the remnant farm parcel shall be rezoned to prohibit the future construction of a new residential *dwelling* of any type.

4) The severance of a *surplus farmhouse* shall comply with Provincial *MDS Formulae*. For the purposes of this section, only *livestock facilities* situated on the farm parcel from which the *surplus farmhouse* is being severed, shall be used in determining Provincial *MDS Formulae* compliance.

5) Given that no new house can be built as a result of the *surplus farmhouse* being severed from the land holding, the requirements for an *environmental impact study*, do not apply; however no new *surplus farmhouse* severances will be permitted in the *Aggregate Resource Areas* identified on Schedule B to this Plan; and,

6) The existing farmhouse is habitable at the time of application.

The proposed consent does not meet the above noted policies. The subject agricultural property is smaller than 40 hectares in size, therefore does not qualify for a surplus farm dwelling severance. In speaking with the Municipality of West Grey, their planner has indicated that the applicant would be willing to do a lot addition with the adjacent agricultural parcel, 420501000103700 which would bring the lot size of the lands to approximately 60 hectares. Provided that the lot addition is made a condition of the consent and it is ensured that the lands being removed are limited in area and only sufficient size to accommodate the surplus farmhouse operation, County planning staff would have no further concerns.

Schedule A also indicates that there are ‘Hazard Lands’ on the subject property. Section 7.2 states,

2) Permitted uses in the Hazard Lands land use type are forestry and uses connected with the conservation of water, soil, wildlife and other natural resources. Other uses also permitted are agriculture, passive public parks, public utilities and resource based recreational uses. The aforementioned uses will only
be permitted where site conditions are suitable and where the relevant hazard impacts have been reviewed.

County planning staff recommend receiving comments from the Conservation Authority regarding the Hazard Lands.

Provided that,

1. the adjacent lands are added as a condition of consent,
2. the proposed severance is kept as small as possible,
3. all other criteria in 5.2.3 1b) are met,
4. and positive comments are received from the Conservation Authority regarding the Hazard Lands.

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

The County requests notice of any decision rendered with respect to this application.

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

Yours truly,

Hiba Hussain
Planner
(519) 372-0219 ext. 1233
hiba.hussain@grey.ca
www.grey.ca
August 31, 2020

Dear Ms. Spencer,

RE: Application for Consent to Sever B07/2020
031154 Sideroad 5
Roll No. 42050100104100
Part Lot 5 Concession 5
Geographic Township of Normanby
Municipality of West Grey

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA’s Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Municipality of West Grey representing natural hazards and natural heritage; and the application has been reviewed through SVCA’s role as a public body under the Planning Act as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the proposed consent to sever a surplus farm dwelling.

Staff have received and reviewed the following documents submitted with this application:

1) Request for Agency Comments and attached Site Plan

**Recommendation**

SVCA staff find the application acceptable and elaborate in following pages.

**Site Characteristics**

The approximately 26 acre property is located on the west side of Sideroad 5, in former Normanby Township. The Normanby Municipal Drain #10 runs adjacent to the agricultural property. There is a single dwelling and several accessory buildings.
Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the Municipality of West Grey in that we provide expert advice and technical clearance on Planning Act applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS 2020, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

SVCA hazard mapping indicates areas of the property are affected by the flood and erosion hazard of the Normanby Municipal Drain #10. It is SVCA staff’s opinion that portions of the property are zoned Natural Environment (NE) in the Municipality of West Grey Zoning By-Law 37-2006 and designated Hazard lands in the Grey County Official Plan. In general, it is SVCA’s interpretation that no new buildings or structures are permitted within the NE Zone as per the West Grey Zoning By-Law 37-2006 Section 31. It appears all existing buildings and structures are outside the NE Zone. SVCA staff are of the opinion that the Grey County OP Hazard designation and NE Zone closely reflect SVCA Hazard mapping. The proposed severed lot will not contain any hazard lands.

Provincial Policy Statement – Section 3.1

Section 3.1 of the Provincial Policy Statement dictates that development shall be directed away from hazardous lands adjacent to rivers which may exhibit flood and erosion hazards, and hazard sites; and that development and site alteration shall not be permitted within areas that would be inaccessible during times of flooding or erosion hazards. The application generally appears to be consistent with Section 3.1 of the PPS.

Grey County Official Plan Policies

Organic or unstable soils, poorly drained areas, and floodplains are considered Hazard Lands and detailed in Section 7.2 of the Grey County Official Plan. Further, these policies state that no buildings or structures will be permitted within the Hazard lands. The application generally appears to be consistent with Section 7.2 of the Grey County OP.

Natural Heritage:

In the opinion of SVCA staff, the subject property features Fish Habitat, and potentially the Habitat of Endangered and Threatened Species. The NE Zone and Hazard designation encompass the fish habitat.

Fish Habitat

The Normanby Municipal Drain flows adjacent to the property. This river is considered fish habitat by SVCA staff. Our review of Fish Habitat is provided in consideration of the PPS and local policies but does not provide clearance on the required statutes or legislation from either the MNRF or the DFO.
Provincial Policy Statement – Section 2.1

Section 2.1.6 of the Provincial Policy Statement dictates that development and site alteration shall not be permitted within fish habitat nor shall it be permitted on adjacent lands (Section 2.1.8) to fish habitat unless it has been evaluated and demonstrated that there will be no negative impacts. The proposed consent to sever is not within the adjacent lands to fish habitat and SVCA staff are of the opinion that the impact to the habitat will be negligible. The application is generally consistent with Section 2.1 on the PPS.

Grey County Official Plan Policies

Section 7.9 of the Grey County OP states that development and site alteration may be permitted on and within lands adjacent to natural heritage features if it has been demonstrated through an environmental impact study that there will be no negative impact on the feature. The proposed consent to sever is not within the adjacent lands of fish habitat but SVCA staff are of the opinion that the impact to the habitat will be negligible. The application is generally consistent with the Grey County OP.

Threatened and Endangered Species

It has come to the attention of SVCA staff that habitat of endangered or threatened species may be located on and adjacent to the property. Our role is to identify habitat through a screening process in consideration of PPS and local policies, however it is the responsibility of the applicant to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

Provincial Policy Statement – Section 2.1

Section 2.1.7 of the Provincial Policy Statement dictates that development and site alteration shall not be permitted within habitat of threatened or endangered species.

Grey County Official Plan Policies

Section 7.10 of the Grey County OP states that development and site alteration will not be permitted within the habitat of threatened or endangered species.

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA’s Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the Conservation Authorities Act, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.
A portion of the proposed retained parcel is within the SVCA ‘Approximate Screening Area’ associated with Ontario Regulation 169/06. As such, development and/or site alteration within this area requires the permission from SVCA, prior to carrying out the work.

“Development” as defined under the Conservation Authorities Act means:

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.

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a rive, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine the SVCA Approximate Regulated Area on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at http://eprweb.svca.on.ca. Should you require assistance, please contact our office directly.

SVCA Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the Approximate Screening Area on the proposed retained parcel, the SVCA should be contacted, as permission may be required.

Summary

SVCA staff has reviewed this application in accordance with our MOA with the Municipality of West Grey and as per our mandated responsibilities for natural hazard management, including our regulatory role under the Conservation Authorities Act.

The proposed consent to sever is considered acceptable by SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:

1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.

2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated; with the exception of policy 2.1.7 of the PPS, Threatened and Endangered Species, which must be addressed by MECP.

3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated; with the exception of policy 7.10 of the Grey County OP, Threatened and Endangered Species, which must be addressed by the MECP.
Please inform this office of any decision made by the Municipality of West Grey with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned Megan Stansfield at m.stansfield@svca.on.ca.

Sincerely,

Megan Stansfield
Environmental Planning Technician
Saugeen Conservation
MS/

cc: Christine Robinson, Authority Member, SVCA (via email)
    Tom Hutchinson, Authority Member, SVCA (via email)