

Corporation of the County of Grey

By-Law 4851-14

A By-law to Adopt Amendment No. 122 to the County of Grey Official Plan affecting lands described as Part Lots 8, 9, 10, 11, 12, 13 and 14 Concession 1 South of the Durham Road, (Geographic Township of Bentinck), Municipality of West Grey

The Council of the County of Grey, in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, as amended, hereby enacts as follows;

1. Amendment No. 122 to the County of Grey Official Plan is hereby adopted.
2. This By-law shall come into force and take effect on the day of final passing thereof, subject to the provisions of the *Planning Act*, R.S.O. 1990, as amended.

ENACTED AND PASSED this 1st day of April, 2014

WARDEN: Brian Milne

CLERK: Sharon Vokes

Certified that the above is a true copy of By-law 4851-14 as enacted and passed by the Council of the County of Grey on the 1st day of April, 2014.

CLERK: Sharon Vokes

Amendment No. 122 to the County of Grey Official Plan

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Amendment No. 122 to the County of Grey Official Plan

The Constitutional Statement

Part A – The Preamble does not constitute a part of the Amendment.

Part B – The Amendment consisting of the following text and Schedule, constitutes Amendment No. 122 to the County of Grey Official Plan

Part C- The Appendices attached hereto do not constitute part of this Amendment.

These Appendices contain background data, planning considerations and public involvement associated with this Amendment.

Part A- The Preamble

Purpose

The purpose and effect of the Official Plan Amendment (File # 42-05-28-OPA-122) is to establish a Secondary Plan for lands within the Municipality of West Grey adjacent to the Town of Hanover. Lands within the Secondary Plan will be re-designated to 'Highway Commercial' and 'Open Space', in addition to the identification of future arterial roads within these lands.

Location

The lands affected by the proposed Official Plan Amendment are the lands described as Part Lots 8, 9, 10, 11, 12, 13, and 14 Concession 1 South of the Durham Road (SDR), Geographic Township of Bentinck, Municipality of West Grey.

Basis

The Municipality of West Grey and the Town of Hanover, in support of the application, provided a Planning Report and a Comprehensive Review, including two addendums, to address the requirements of the *Planning Act*, Provincial Policy Statement (PPS), and the County Official Plan. The supporting reports were prepared to justify the proposed Secondary Plan, and can be found at Appendix A.

The County and the Municipality of West Grey held a joint Public Meeting on July 15, 2013. With respect to the proposed Secondary Plan, there were submissions received raising concern regarding;

- commercial development standards and the need for consistency in policies for the lands within the Secondary Plan and lands in Hanover; such that there is no preferential treatment for new commercial development in West Grey,
- prematurity of the applications until a commercial market study is completed,
- why the Town of Hanover bought lands in the Municipality of West Grey, and what is intended for those lands,
- concerns over a possible building supply or grocery store,

- the availability of some lands within the Secondary Plan for purchase for commercial purposes, as the present owners wish to continue to farm said lands,
- the addition of farm lands in the Secondary Plan that will not be sold for commercial purposes, which therefore will not add to the commercial land supply for Hanover or West Grey,
- the settlement on OPA 80, which spoke to the need for more employment lands, however no employment lands are being added in the Secondary Plan, and
- the proposed open space lands which are not practical or usable for the Town or the Municipality.

The minutes from the Public Meeting are attached as Appendix C. Public and Agency comments are detailed in the Addendum to Planning Report PDR-PCD-19-13, which can be found at Appendix D. Matters of Provincial, County, and Municipal interest have also been addressed in the Addendum to Planning Report PDR-PCD-19-13.

On the basis of the supporting material, the Official Plan Amendment was recommended for Approval to Grey County Council. The reports of the Planning Department (PDR-PCD-19-13 and its Addendum) are included in Appendices B and D, respectively.

Part B – The Amendment

All of this part of the document entitled “Part B – The Amendment” consisting of the following text and Schedules constitutes Amendment No. 122 to the County of Grey Official Plan.

Details of the Amendment

The Official Plan of the County of Grey Planning Area is amended as follows:

1. Schedule A – Land Use Designations – Map 3 and Secondary Schedule Map 3j – Land Use Designations – Hanover are hereby amended by removing the ‘Agricultural’ designation and ‘Future Secondary Plan Area’ overlay from portions of the lands described as Part Lots 8, 9, 10, 11, 12, 13, and 14 Concession 1 South of the Durham Road (SDR), Geographic Township of Bentinck, Municipality of West Grey and replacing them with the ‘Primary Settlement Area’ designation with a ‘Hanover / West Grey Secondary Plan’ overlay and adding the words “See Secondary Schedule Maps 3p and 3q and Section 8”, all as shown on Schedule A to this Amendment. The remainder of the lands designated ‘Agricultural’ with a ‘Future Secondary Plan Area’ overlay would remain as is.
2. Secondary Schedule Map 3p – Land Use Designations – Hanover / West Grey Secondary Plan affixed hereto is hereby added.
3. Secondary Schedule Map 3q – Servicing and Transportation – Hanover / West Grey Secondary Plan affixed hereto is hereby added.
4. Section 8 is hereby added as follows:

SECTION 8 – HANOVER / WEST GREY SECONDARY PLAN

8.1 Purpose

The purpose of the Hanover / West Grey Secondary Plan is to provide an opportunity for urban development on lands located adjacent to the designated Primary Settlement Area of Hanover. It has been demonstrated that a sufficient supply of land does not exist within Hanover to meet the long-term (i.e. 20 year) demand for certain land use activities, specifically commercial and open space.

8.2 Objectives

The objectives of this Secondary Plan are as follows:

- i) To provide for an adequate supply of land that cannot otherwise be provided within the Primary Settlement Area of Hanover in order to meet the long-term demand for commercial land and open space land within the urban centre.
- ii) To ensure that development within the Secondary Plan area is consistent with the goals, objectives and policies of the Town of Hanover Official Plan.
- iii) To ensure that new development within the Secondary Plan area is serviced with municipal water and sanitary sewers.
- iv) To ensure that new development within the Secondary Plan area is serviced by a transportation system that provides for the safe and efficient movement of vehicular traffic within the Secondary Plan area and adjacent areas.

8.3 Secondary Plan Boundaries

The outer boundary of the Secondary Plan is shown on Schedule A Map 3 and Secondary Schedule Map 3j, both as amended. Alterations to this exterior boundary will require an amendment to the County of Grey Official Plan supported by justification addressing the County of Grey Official Plan policies of Sections 2.6.2.5 and 2.6.3(10) and the Provincial Policy Statement.

8.4 Specific Land Use Designation Boundaries

The lands within the boundary of the Secondary Plan are designated either 'Highway Commercial' or 'Open Space' on Secondary Schedule Map 3p. Alterations to the internal boundaries between these land use designations will require an amendment to the County of Grey Official Plan, except where such alteration represents a minor adjustment. An amendment to the County Official Plan shall only be considered where the alteration to the internal boundaries can be justified.

8.5 Highway Commercial

- i) Permitted Uses

The 'Highway Commercial' designation is intended to provide opportunities for new commercial uses which are not suited to locate within the downtown of Hanover due to their size and/or nature, and which do not compete on a functional basis with Hanover's downtown.

Permitted uses shall include, but are not limited to: automotive uses; restaurants; motels; hotels; bulk sales establishments; garden centres; theatres; places of entertainment; and, building supply outlets, grocery

stores, wholesale outlets, pharmacies, retail stores, or combination thereof, provided such uses occupy a minimum of 929 square metres of floor area.

ii) General Policies

- a. The lands designated 'Highway Commercial' shall be zoned with a "h" (holding) suffix in the implementing amendment to the Municipality of West Grey Comprehensive Zoning By-law. The "h" suffix shall not be removed until all servicing issues have been addressed and a Site Plan Agreement has been registered on title. In addition, where the proposed development involves a building supply outlet, grocery store, pharmacy, retail store or other store representing a combination thereof, and such development occupies a floor area exceeding 2787 square metres, the "h" suffix shall not be removed until a retail market study justifying the need for the additional floor space based on the type of the commercial use within the Town of Hanover and this Secondary Plan Area has been prepared to the satisfaction of the respective Councils of the Town of Hanover and the Municipality of West Grey.
- b. Proposals for new development shall be subject to a Site Plan Control Agreement involving the property owner and the Municipality of West Grey, as well as the Town of Hanover and the County of Grey Transportation Services Department where deemed desirable.
- c. The creation of new lots along the east side of Grey Road 28 shall be strongly discouraged, and conversely, land consolidation involving the existing lots along the east side of Grey Road 28 shall be encouraged, in order to promote the best and efficient use of the lands and safe traffic patterns.
- d. Lot creation, where permitted, shall be considered in accordance with Section 6.12 Lot Creation of the County of Grey Official Plan.
- e. The utilization of mutual entrances will be required along the east side of Grey Road 28. Development and re-development of these lands shall require the entrances to be constructed in the locations shown on Schedule 3q. All Site Plan Agreements involving these lands shall require the approval of the County of Grey Transportation Services Department. Should land consolidation occur and/or other situations arise where it is more desirable from the County's perspective to construct an entrance in a different location than shown on Schedule 3q, such entrance may be considered without an amendment to Schedule 3q provided the entrance location and the entire Site Plan is satisfactory to the County of Grey Transportation Services Department.

- f. It is the intent of this Secondary Plan for all development along the west side of Grey Road 28 to gain its access from an internal road in order to eliminate entrances onto the County Road. Consideration for direct access onto Grey Road 28 may be considered where there is no internal road access and the entrance conforms to the County of Grey Transportation Services Department requirements.
- g. All developments may be subjected to the completion of a Traffic Impact Study and a subsequent peer review. All road modifications as recommended in the Traffic Impact Study shall be the responsibility of the developer.
- h. The minimum standards for 'Highway Commercial' development pertaining to, among other things, lot area, lot frontage, parking, lot coverage, outdoor storage, and open space, shall be included in the Comprehensive Zoning By-law for the Municipality of West Grey.
- i. Outdoor storage should be located to the rear of the main building or in an area of the lot where such storage is substantially screened from public view and where such storage will have the least impact on the adjacent land uses.
- j. Outdoor lighting shall direct light away from adjacent streets and properties.
- k. Adequate buffers between Highway Commercial development and adjacent non-commercial uses shall be provided in order to minimize potential land use conflicts.
- l. Re-development of the existing developed lots shall be subject to the policies of this Secondary Plan.
- m. All relevant policies of the County of Grey Official Plan shall apply to all land located within this Secondary Plan area. In the event of a conflict between the County Official Plan and this Secondary Plan, the most stringent policy shall apply.
- n. Notwithstanding section 8.5(i) and 8.5(ii) to this Plan, existing uses, which were legally established prior to the adoption of Official Plan Amendment # 122, shall be permitted to continue to be used for such purposes, including the continued use of agricultural properties, in accordance with section 8.9 of this Plan. No expansions will be permitted to livestock operations within these lands.

8.6 *Open Space*

i) Permitted Uses

The 'Open Space' designation is intended to provide opportunities for active and recreation activities.

Permitted uses shall be various forms of public and private open space including parks, playgrounds, picnic areas, sports fields, tennis courts, community trails and other recreational facilities.

ii) General Policies

- a. The establishment of open space activities shall be encouraged to locate adjacent to elementary and secondary school sites where possible.
- b. The development of open space activities shall take into consideration the Parks and Recreation Master Plan for the Town of Hanover.
- c. Proposals for new development may be subject to a Site Plan Control Agreement.
- d. Notwithstanding section 8.6(i) and 8.6(ii) to this Plan, existing uses, which were legally established prior to the adoption of Official Plan Amendment # 122, shall be permitted to continue to be used for such purposes, including the continued use of agricultural properties, in accordance with section 8.9 of this Plan. No expansions will be permitted to livestock operations within these lands.

8.7 *Municipal Servicing*

- i) All new development and re-development of land within the Secondary Plan area shall be serviced with municipal water and sanitary sewers.
- ii) Financial and other arrangements regarding the extension of such services will be determined through discussions involving the Municipality of West Grey and the Town of Hanover. The details of such arrangements will likely be carried forward into the individual Site Plan Control Agreements involving the owners of the respective properties.
- iii) Minor changes to the existing developed properties may be permitted utilizing the existing private or partial services until such time as the municipal services are available.

- iv) The required site plans for all new development and re-development of land shall include provisions for stormwater management. The County of Grey Transportation Services Department may be involved in the review of the site plan and may be a party in the Site Plan Control Agreement.
- v) The extension of municipal water and sanitary sewers shall generally be in accordance with Secondary Schedule Map 3q and to the satisfaction of the Town of Hanover and Municipality of West Grey.

8.8 Transportation

- i) The policies of Section 8.5 ii) shall apply.
- ii) Sidewalks shall be required along one side of all new roads where deemed appropriate by the Town of Hanover and Municipality of West Grey.
- iii) The visual impact of a development along a County Road shall be addressed in order to promote beautification along the main thoroughfares of Hanover and surrounding area.
- iv) The construction of new municipal roads within the Secondary Plan area may be required. In such instances, the road pattern shall be in the best interest of the Secondary Plan area, the Town of Hanover and the Municipality of West Grey. New arterial roads as shown in approximate locations on Secondary Schedule Map 3q will be required within the area adjacent to the Secondary Plan Area at some point in the future. An extension of 22nd Avenue southward from Grey Road 4 will also be required when new development within the area of the Secondary Plan located west of Grey Road 28 warrants such road construction.

8.9 Existing Land Uses

The Secondary Plan is intended to provide opportunities to private land owners to develop their respective properties. Notwithstanding the land use designations shown on Secondary Schedule Map 3p and the resulting opportunities, those land uses, buildings and structures legally existing on the date of adoption of this Secondary Plan may continue to be used for such purposes.

5. That Section 2.6.3 (10) is hereby deleted and replaced with the following:

Lands identified as Future Secondary Plan Area on Schedule A – Map 3 and Secondary Schedule Map 3j and described as Part Lots 8, 9, 10, 11, 12, 13 and 14, Concession 1 South of the Durham Road (SDR), Geographic Township of Bentinck, Municipality of West Grey shall be utilized primarily for uses existing as of the date of adoption of Official Plan Amendment No. 80 to the County of Grey

Official Plan (March 3, 2009). Limited infilling between existing uses on the existing lots may be permitted where the infill development would not contribute to future municipal servicing problems or would not prejudice future development.

A secondary plan entitled “Hanover / West Grey Secondary Plan” exists on the adjacent lands described as Part Lots 8, 9, 10,11, 12, 13 and 14, Concession 1 South of the Durham Road (SDR), Geographic Township of Bentinck, Municipality of West Grey, as shown on Schedule A – Map 3, Secondary Schedule Map 3j, Secondary Schedule Map 3p and Secondary Schedule Map 3q.

An expansion of this existing secondary plan onto lands identified as Future Secondary Plan Area shall only be permitted where it has been demonstrated that:

- a) the lands designated for new development, by land use type, shall not exceed the growth requirements of the Town of Hanover and the existing “Hanover / West Grey Secondary Plan” area for a 20 year planning horizon;
- b) any lands to be added to the “Hanover / West Grey Secondary Plan” shall not be designated or zoned for development purposes;
- c) a phasing plan has been established for new development, including future road and infrastructure;
- d) the subject lands can be serviced by municipal water and municipal sewer services within the planning horizon;
- e) the subject land uses cannot first be accommodated within the Town of Hanover or the Hanover / West Grey Secondary Plan through redevelopment or intensification of their existing land supply;
- f) impacts on agricultural operations adjacent or close to the Future Secondary Plan Area are mitigated to the extent possible, consistent with the Provincial Policy Statement; and,
- g) impacts on the Natural Environment are minimized, consistent with the Provincial Policy Statement.

In determining the amount of land to be designated for future development and included within the secondary plan expansion area, the supply and growth in the Town of Hanover shall be assessed. An update to the Comprehensive Review conducted for the existing Hanover / West Grey Secondary Plan, or a new Comprehensive Review, shall be required prior to the expansion of the existing secondary plan area.

Notwithstanding the above, lands which are outside of the Primary Settlement Area, Hanover / West Grey Secondary Plan area or the Future Secondary Plan

Area may be considered for growth, provided a Comprehensive Review has been completed and that the above-noted criteria have been met through the secondary plan process.

Implementation and Interpretation

The changes to the Official Plan described in this Amendment shall be implemented in accordance with the implementation policy of the Official Plan of the County of Grey as contained in Section 6 thereof.

Part C – The Appendices

The following Appendices do not constitute part of Amendment No. 122 but are included as information supporting the Amendment.

Appendix A Supporting Reports including; Planning Report, Comprehensive Review and Addenda, dated 2010– 2014.

Appendix B Initial Merit Report PDR-PCD-19-13

Appendix C Public Meeting Minutes – July 15, 2013

Appendix D Addendum to Planning Report PDR-PCD-19-13 and Planning and Community Development Committee Resolution