

Report PDR-PCD-22-15

To: Chair Wright and Members of the Planning and Community Development Committee

From: Alisha Buitenhuis, Planner

Meeting Date: May 19, 2015

Subject: **42-05-280-OPA-131 Escarpment Biosphere Conservancy Merit Report**

Status: Recommendation adopted by Committee as presented per Resolution PCD73-15; Endorsed by County Council June 2, 2015 per Resolution CC81-15; Also see Addendum Report of August 13, 2015;

Recommendations

THAT Report PDR-PCD-22-15 regarding a proposed County Official Plan Amendment be received;

AND THAT the proposal proceed to a Public Meeting to consider the Amendment to the County of Grey Official Plan to re-designate the subject lands from 'Rural' and 'Hazard Lands' to 'Rural with Exception' and 'Hazard Lands' to allow for a severance for conservation purposes for the lands described as Part Lot 8, Concession 8, geographic Township of Bentinck, in the Municipality of West Grey, provided the Municipality of West Grey is prepared to hold a joint public meeting in consideration of the necessary Zoning By-law Amendment requirements.

Background

The County of Grey has received an application to amend the County Official Plan to allow for the severance of a 4.2 hectare residential parcel containing a dwelling. The retained parcel would be used for conservation purposes. The reason for the application is that non-farm lot creation is not permitted within an Aggregate Resource Area by the County Official Plan (OP).

The subject property is approximately 20.2 hectares in size and is legally described as Part Lot 8, Concession 8, geographic Township of Bentinck in the Municipality of West Grey. The property contains a dwelling and two ponds, and is currently farmed.

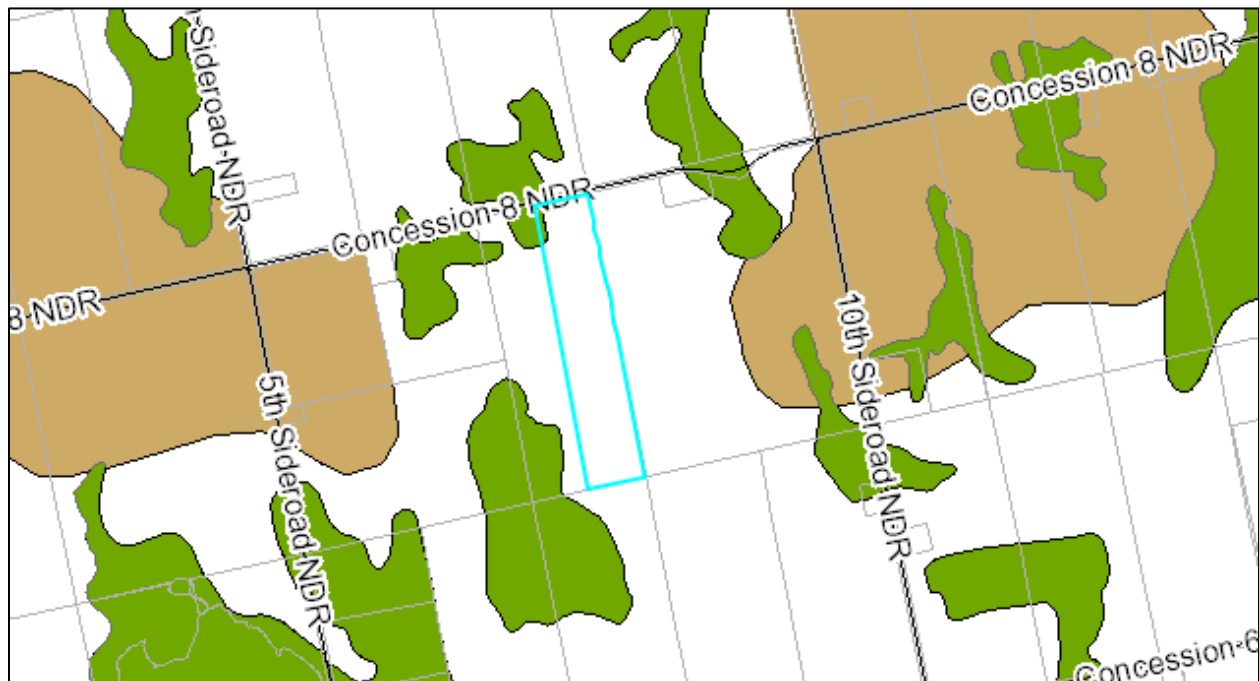
The subject property is located on Concession 8 NDR between 5th Sideroad NDR and 10th Sideroad NDR. It is approximately three kilometres southeast of the village of

Elmwood. The surrounding area consists primarily of agricultural uses and Hazard Lands, as well as a limited amount of residential uses.

Cuesta Planning Consultants Inc. has submitted a Planning Justification Report in support of the proposed amendment, which includes an Ecological Sensitivity Evaluation to justify the conservation easement. No other reports or studies were deemed necessary at the time of pre-submission consultation.

A Municipal Zoning By-law Amendment and Consent Application will be required from the Municipality of West Grey.

Map 1 – Location of the Subject Lands



Analysis of Planning Issues

Planning authorities must have regard to matters of Provincial Interest, the criteria of the Planning Act, and be consistent with the Provincial Policy Statement (PPS). Decisions must also conform to the County of Grey Official Plan and any Municipal Official Plans which are in force and effect.

Section 2 of the *Planning Act* sets out matters of Provincial Interest, which all land use decisions shall have regard for. Subsection (c), *'the conservation and management of natural resources and the mineral resource base'* is the most applicable to this application.

Section 2.4.1 of the PPS requires that minerals and petroleum resources be protected for long-term use.

Section 2.3.4(7) of the County Official Plan does not allow for non-farm lot creation within an Aggregate Resource Area. The lands proposed to be severed are within an Aggregate Resource Area.

Section 6.3 of the OP contemplates amendments to the plan, provided that the criteria of the relevant sections of the Plan can be addressed. Protection of Aggregate Resource Areas from incompatible uses is a major objective of the Plan.

The applicant has submitted a Planning Justification Report to address Provincial and Municipal land use policy.

Financial / Staffing / Legal / Information Technology Considerations

There are no expected financial, staffing or legal considerations beyond those normally encountered in processing an Official Plan Amendment application. The County has received an amendment application fee and peer review deposit with the file.

Link to Strategic Goals / Priorities

The subject application is a private development application. The processing of such applications in a timely and effective manner would fall under the Planning department's core business mandate.

Attachments

None

Respectfully submitted by,

Alisha Buitenhuis
Planner

Director Sign Off: *Randy Scherzer*