

To:	Warden Halliday and Members of Grey County Council
Committee Date:	January 11, 2018
Subject / Report No:	County Official Plan Amendment 42-07-060-OPA-141 / Report PDR-CW-03-18
Title:	Doug Woods Official Plan Amendment Merit Report
Prepared by:	Stephanie Lacey-Avon
Reviewed by:	Randy Scherzer and Scott Taylor
Lower Tier(s) Affected:	Township of Southgate
Status:	Recommendation adopted by Committee as presented per Resolution CW21-18; Endorsed by County Council January 25, 2018 per Resolution CC18-18;

Recommendation

1. That Report PDR-CW-03-18 regarding a proposed County Official Plan Amendment be received; and
2. That the proposal proceeds to a Public Meeting to consider an amendment to the County of Grey Official Plan on lands designated 'Agricultural', 'Rural' and 'Hazard Lands', to permit a lot addition of 4.8 hectares to the neighboring lands to the west, for the lands described as Part Lot 8, Concession 5 (043836 Southgate Road 4), geographic Township of Egremont, in the Township of Southgate, provided the Township is prepared to hold a joint public meeting in consideration of the necessary local amendment requirements.

Executive Summary

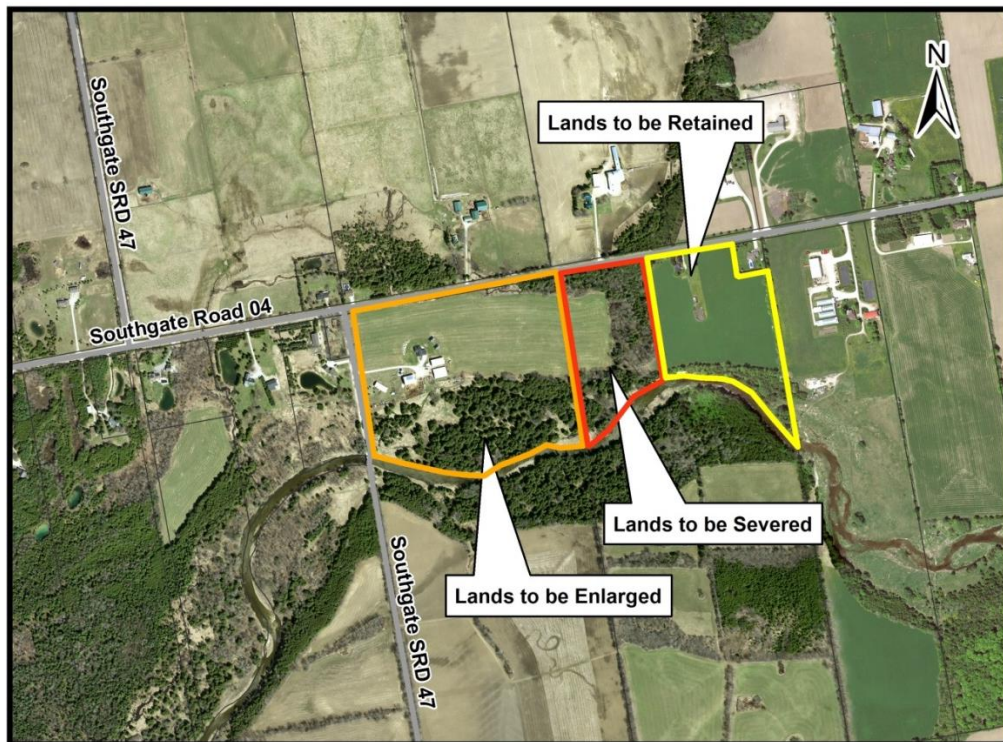
A proposed County official plan amendment application (42-07-060-OPA-141) has been submitted by Doug Woods, to amend the consent policies, to permit a lot addition for lands designated 'Agricultural', 'Rural', and 'Hazard Lands'. County Agricultural consent policies currently do not permit this exact type of lot adjustment, but consideration for this type of application is identified at the Provincial level. This amendment application would improve access to the severed parcel for farming purposes. This amendment would also involve applications to the Township of Southgate for a Township official plan amendment, a zoning by-law amendment, and a consent for lot addition purposes.

Background and Discussion

The County has received an application from Doug Woods to amend the Grey County Official Plan. The amendment would allow an exemption to the 'Agricultural' consent policies 2.1.4(1) and 2.1.4(2) to permit a lot addition. The subject lands are currently 10.9 hectares in size. This lot addition would result in the reduction of the subject property from 10.9 hectares of land to 6.1 hectares. Approximately 4.8 hectares will be added to the neighbouring property to the west. No new lot would result from this lot addition.

The proposed development also requires an amendment to the Township of Southgate Official Plan, an amendment to the Township of Southgate Zoning By-law, and a consent to sever.

The subject lands are located at Part Lot 8, Concession 5 (043836 Southgate Road 4), geographic Township of Egremont, Township of Southgate. Map 1 below shows the subject lands and surrounding area.



Map 1: Airphoto of the Subject Lands

The subject property is designated 'Agricultural', 'Rural', and 'Hazard Lands'. Of the 4.8 hectares of lands looking to be conveyed to the adjacent property, approximately 3.87 hectares are 'Hazard Lands' and 0.93 ha are 'Rural'. The reason for this lot addition is to increase access to the 'Rural' portion of the subject property for farming purposes. Due to the large forested area (designated as 'Hazard' lands) on site; farm machinery can only access the 1.4 hectare field by traversing the 13 hectare farm property to the West.

The surrounding lands appear to be predominantly used for agricultural operations, with the exception of a rural industrial operation, and some non-farm residential lots. The Saugeen River runs through the south side of the subject property. A reference plan was prepared identifying the Saugeen River as Crown Land and, by default, recognizing the lands on both sides of this

navigable watercourse as separate parcels of lands. Deeds to this effect have been recently prepared for both parcels and have been registered on title. Mr. Woods also owns the parcel on the south side of the river.

Ron Davidson, a land use planning consultant has submitted a Planning Justification Report in support of the proposal. The applicant did engage the Township, County, and Saugeen Valley Conservation Authority in pre-submission consultation, and no further reports or studies were requested. A copy of the Report and background materials can be found at the below link:

[Link to Background Materials](#)

Analysis of Planning Issues

In rendering decisions, planning authorities must have regard to matters of Provincial interest under the *Planning Act* and be consistent with the Provincial Policy Statement (PPS). Decisions within the County must also conform to the County of Grey Official Plan, and in this case the Township of Southgate local official plan, and any Provincial plans in force and effect.

A detailed planning analysis has not been undertaken at this stage. Following the public process, and agency comments, a thorough analysis and staff recommendation will be provided. Key Provincial and County policies have been flagged below for consideration.

Provincial Legislation – The Planning Act

Most notable to this proposed official plan amendment are the following clauses from the *Planning Act*, which will need to be considered.

(a) the protection of ecological systems, including natural areas, features and functions,

The Saugeen River is located on the southern boundary of the subject property. There are also identified woodlands near the subject property.

(b) the protection of agricultural resources of the Province,

The subject property is designated 'Agricultural', 'Rural', and 'Hazard' lands as per Schedule A of the County Official Plan. Within the 'Agricultural' designation, consents for new lot creation are generally discouraged except under a few circumstances. The County OP and the PPS contemplate lot boundary adjustments for this type of development.

Provincial Policy Statement (PPS 2014)

Section 2.3.1 of the PPS outlines that prime agricultural areas shall be protected for long-term use for agriculture. Lot creation in prime agricultural areas is generally discouraged and may only be permitted under a few circumstances including a scenario where the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

Furthermore, policy 2.3.4.2 of the PPS clarifies that lot adjustments in prime agricultural areas may be permitted for legal or technical reason. Legal or technical reasons are defined by the PPS, and include severances for purposes such as easements, corrections of deeds, quit

claims, and minor boundary adjustments, which do not result in the creation of a new lot. Minor boundary adjustments are not further defined in the PPS.

County of Grey Official Plan

Section 2.1.4(1) of the County Official Plan permits a consent for one lot provided the original farm parcel is a minimum of 40 hectares and no lot creation has been provided for in the past.

Furthermore, policy 2.1.4(2) states consents may be considered where land being conveyed is to be added to an existing use or to provide for minor lot line adjustments or correct lot boundaries. The granting of such a consent shall not be permitted if it results in the creation of an undersized remnant lot except in the case of a lot created for conservation purposes by an approved conservation organization. Justification shall be provided to demonstrate the appropriateness of the land area to be severed (i.e. land need, servicing, parking, etc.).

Section 6.3 of the County Plan contemplates amendments to the Plan, provided the criteria of the relevant sections of the Plan can be addressed.

As noted above, following the public and agency processes, a thorough planning analysis and staff recommendation will be provided.

Legal and Legislated Requirements

The application will be processed in accordance with the Planning Act.

Financial and Resource Implications

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

Relevant Consultation

- Internal: Planning Staff
- External: Township of Southgate, required agencies under the *Planning Act*, and the public

Appendices and Attachments

None