

<b>To:</b>	Warden McQueen and Members of Grey County Council
<b>Committee Date:</b>	June 11 <sup>th</sup> , 2020
<b>Subject / Report No:</b>	PDR-CW-25-20 County Official Plan Amendment 42-10-510-OPA-4 / PDW-CW-25-20
<b>Title:</b>	423020 Harbour Drive Official Plan Amendment Merit Report
<b>Prepared by:</b>	Hiba Hussain
<b>Reviewed by:</b>	Randy Scherzer
<b>Lower Tier(s) Affected:</b>	Municipality of Meaford
<b>Status:</b>	Recommendation adopted by Committee as presented per Resolution CW116-20; Endorsed by County Council June 25, 2020 per Resolution CC61-20

## Recommendation

1. That Report PDR-CW-25-20 regarding proposed County Official Plan Amendment 4 be received; and
2. That the proposal proceeds to a joint public meeting to consider an amendment to the County of Grey Official Plan on lands designated 'Rural' and 'Hazard Lands', to permit a severance where the retained lands gain access from an unopened road allowance on lands legally described as Part Lots 5 and 6, Broken Front Concession, in the geographic Township of Sydenham, now in the Municipality of Meaford, provided the Municipality 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 (42-10-510-OPA-4) has been submitted to amend the policies in Move Grey and the Rural sections of the Plan regarding unopened road allowance. The amendment proposes to allow a severance to recreate lots that inadvertently merged on title. The severed lot would have access off Queens Bush Road (an open municipal road), while the retained lot would continue to gain access from a seasonal access via the municipal unopened Harbour Drive road allowance. A new dwelling would be permitted on the severed lot, while no new development would be permitted on the retained lot until such time that the road is upgraded to municipal standards and maintained by the Municipality. Policies within Recolour Grey do not allow for new lot creation on an unopened

road allowance unless the roads are established through a plan of condominium. This development also requires a zoning amendment from the Municipality of Meaford.

## Background and Discussion

The County has received an application to amend the County's Official Plan to permit a severance, where the retained lot would not have frontage on an open and maintained public road. An amendment is being requested because the property owners are interested in selling the western portion of the property to a third party. The landowners were unaware that the two lots had merged on title. The landowners are looking to recreate the previously existing lots in order to proceed with the conditional sale. The amendment would allow exemption to the transportation policies within Move Grey and the Rural sections of the Plan, which normally only allow for lot creation to occur on an unopened road allowance via a plan of condominium. More specifically this proposal would allow for a severance where the severed lot gains access off Queens Bush Road (an open municipal road), and the retained lot continues to gain access via the municipal unopened Harbour Drive road allowance. A new dwelling would be permitted on the severed lot, but no new development would be permitted on the retained lot.

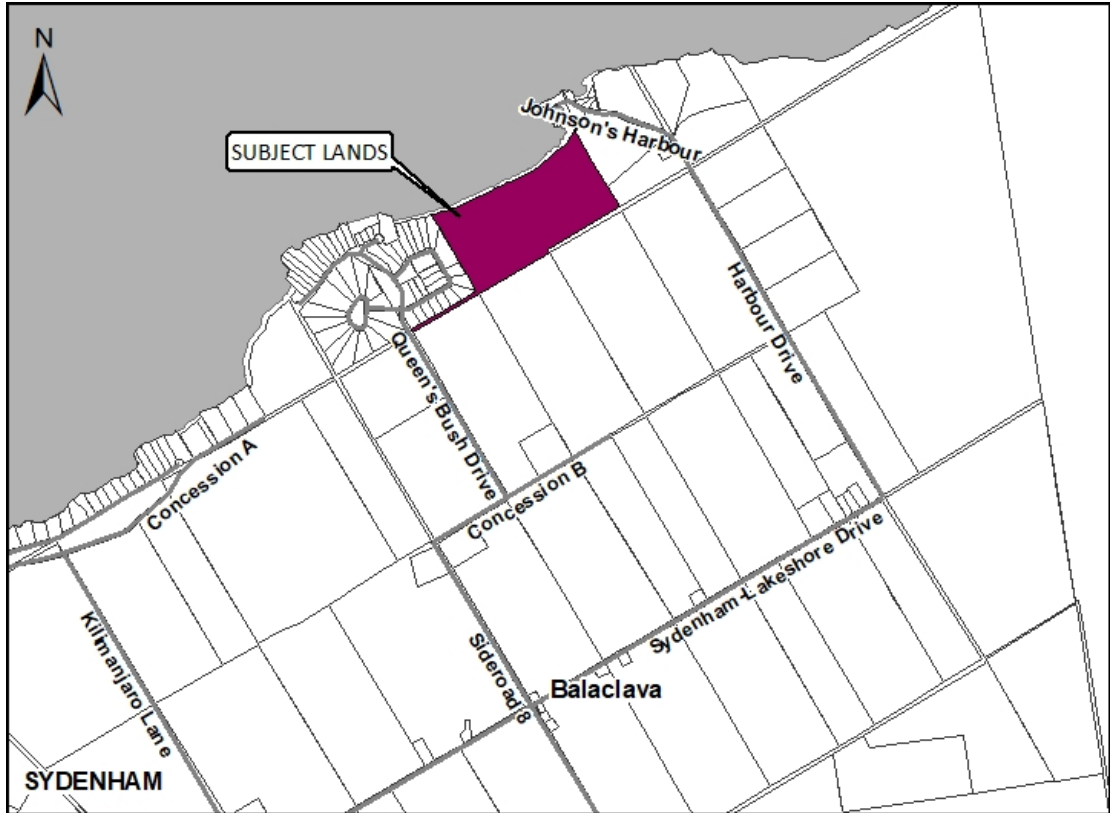
The subject property is approximately 37.6 hectares in size. The subject property is surrounded by a mixture of farms, residential properties, treed lands and Georgian Bay.

The subject lands are located at Part Lots 5 and 6, Broken Front Concession, in the geographic Township of Sydenham, now in the Municipality of Meaford, also known as 423020 Harbour Drive. Map 1 shows the subject lands and surrounding area, while Map 2 outlines the proposed severance.

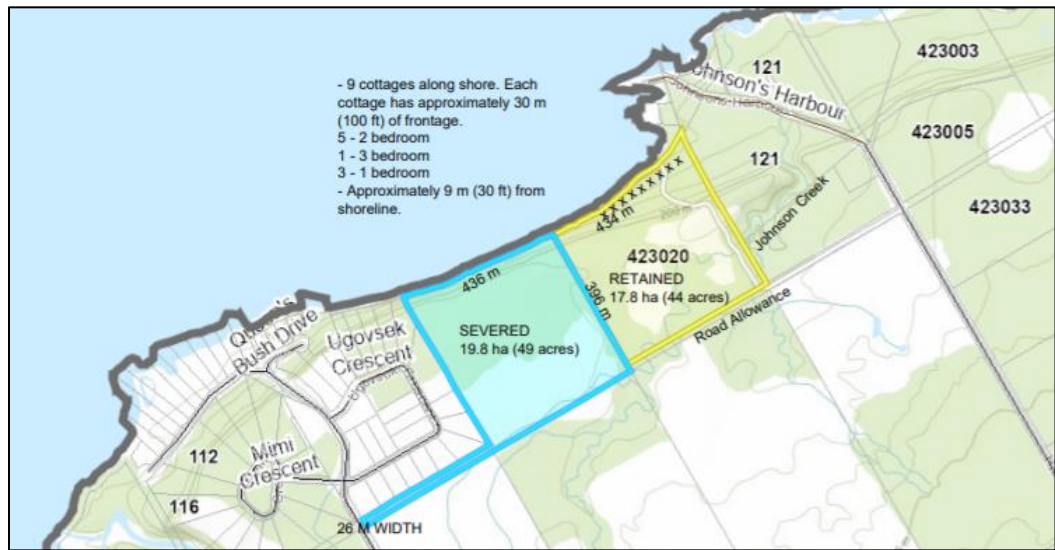
The severed portion of the subject property does not contain any buildings and is primarily treed. The retained parcel currently contains nine (9) seasonal cottages. No changes are proposed to these existing cottages nor is further development proposed on the retained lot. Access to the retained parcel from severed lands is not feasible.

The proposed development also requires an amendment to Municipality of Meaford Zoning By-law and a consent application. Both of these applications have now been submitted to Meaford. A joint public meeting has been scheduled with the Municipality of Meaford for June 29, 2020, to gather input on these applications.

The subject property is designated 'Rural' and 'Hazard Lands' in the County Official Plan.



Map 1: Location of the Subject Lands



Map 2: Sketch of the Proposed Severance

Kristine Loft, of Loft Planning Inc. has submitted a Planning Justification Report in support of the proposal. The applicant did engage the Municipality, County and the Grey Sauble Conservation Authority in pre-submission consultation for this proposal. A copy of the Report and background materials can be found at this [link](#).

## 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, the Municipality of Meaford Official Plan, and any Provincial plans in force and effect. The subject lands are outside of the Niagara Escarpment Plan area.

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 matters of provincial interest from the *Planning Act*, which will need to be considered.

- (a) The protection of ecological systems, including natural areas, features and functions,
- (f) the adequate provision and efficient use of communication, transportation, sewage, and water services and waste management systems,
- (h) the orderly development of safe and healthy communities, and
- (p) the appropriate location of growth and development.

### *Provincial Policy Statement (PPS), 2020*

Section 1.1 of the PPS generally outlines how to manage and direct land use in order to build healthy, liveable and safe communities. Section 1.1.1 of the PPS states that development should be avoided that may cause environmental or public health and safety concerns. Further, section 1.1.5.5 of the PPS states that development in rural lands should be appropriate to the infrastructure available and planned.

Lastly, section 1.6.7.1 outlines the need for transportation systems that are safe, energy efficient, and facilitate the movement of people and goods, and are appropriate to address the needs of the community.

### *County of Grey Official Plan*

This subject application will be reviewed under the policies of Recolour Grey.

County Official Plan policies generally mimic the PPS, and the matters of Provincial interest under the *Planning Act*.

As noted above, Transportation policies outlined in Move Grey state that no lot creation can occur on an unopened road allowance within the County unless achieved through a plan of condominium. Policy 5.4.6 (2) in the Rural section and policy 5.2.2 (22) in the Agricultural section state that access to the property must be from a public road and the road must be open and maintained on a year-round basis. The proponent has provided their rationale, along with a planning opinion on why their proposed lot creation would not create issues of safety and liability. The proposed severance would re-create lots that existed historically and would restrict further development on the retained lot until such a time that the road is upgraded to municipal

standards and maintained by the Municipality. The proposed severance does meet the Rural lot density provisions of the Plan.

### *Municipality of Meaford Official Plan*

The Municipality's Official Plan is very similar to the County Plan and designates the subject lands as 'Rural' and 'Environmental Protection'.

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: The Public, Municipality of Meaford, required agencies under the *Planning Act*.

## Appendices and Attachments

*None*