



Planning and Development

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November 5th, 2024

David Smith
Municipality of West Grey
402813 Grey Road 4
RR2 Durham, ON
N0G 1R0

**RE: Consent Application B21.2024
Concession 10, Lot 8, Concession 10, Part Lot 26, and Part Lot 27 (142239
Grey Road 9)
Municipality of West Grey
Roll: 420501000210300 and 420501000210000
Owners/Applicants: Mervin Martin, Stuart Brubacher, and Elvin Brubacher**

Dear Mr. Smith,

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 applications is to sever a 39.6-hectare agricultural lot the existing 110-hectare lot. The severed lot will be rezoned to A1-Exception to permit a reduced Lot Area of 39.6 ha, whereas the Zoning By-law requires 40 ha.

Schedule A of the County OP designates the subject lands as 'Agricultural'. Section 5.2.3(1) states,

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:

- a) *One lot severed to create a farm parcel of generally 40 hectares in size, provided both the severed and retained lots are 40 hectares in size and are both intended to be used for agricultural uses.*

The proposed severance would create a new 38-hectare Agricultural lot. The new lot would be considered to be generally farm sized. Therefore, County staff have no concerns

Section 8.9.1(4) of the County OP states,

The following hierarchy of water or sanitary servicing options will be used to evaluate any development applications within the County, except where specific exclusions are made through this Plan or where more detailed policies have been developed in a local official plan or secondary plan. The feasibility of the options will be considered in the following order of priority which will be assessed through a Servicing Options Study in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-5-3 Series Guidelines, or any subsequent update to these Guidelines:

d) Individual on-site sewage services and individual on-site water services in accordance with the policies contained in Section 8.9.1.

From a general planning perspective, it should be ensured that the subject property can safely provide on-site water and sewage servicing.

Schedule A of the County OP indicates that the subject lands contain 'Hazard Lands'. The proposed severance is partially located within the Hazard Lands. County Planning staff recommend receiving comments from the Conservation Authority regarding the Hazard Lands.

Schedule B of the County OP indicates that the subject lands contain 'Aggregate Resource Area'. Section 5.6.2(8) of the county OP states,

Non-farm sized lot creation of lots less than 20 hectares in size will not be permitted in Aggregate Resource Areas.

Further, Section 5.2.2(8) of the County OP states,

Non-farm sized lot creation is not permitted within an area identified as Aggregate Resource Area on Appendix B to this Plan.

In addition, the County OP defines farm sized as:

- *Agricultural = 40 hectares,*
- *Special agricultural = an agriculturally productive area of 10 hectares or greater,*
or
- *Rural = 20 hectares.*

County Planning staff acknowledge that there is an inconsistency regarding these policies within the County OP. County Planning staff would recommend applying the more conservative policies to the Aggregate Resource Area. County Planning staff also acknowledge that the impacts a 40-hectare parcel may have on the Aggregate

Resource Area would likely not differ greatly from the impacts of a 20-hectare parcel. However, the proposed severance is considered to be generally farm sized and would be permitted within the Aggregate Resource Area. Therefore, County Planning staff have no concerns.

County Planning Ecology staff have reviewed the subject application and have a comment stating,

Natural Heritage

The property contains and/or is adjacent to significant woodlands, significant wildlife habitat, potential habitat for threatened and/or endangered species, and fish habitat. It is Grey County staffs understanding that the proposed development will be located adjacent to the features on previously disturbed lands with sufficient developable area outside of the natural heritage features. As such, it is Grey County Staffs opinion that the potential impact to natural heritage would be negligible, and the requirement for an Environmental Impact Assessment (EIS) can be waived.

Stormwater Management

It is Grey County Staffs understanding stormwater management infrastructure is not needed for the proposal.

Source Water Protection

It is Grey County Staffs understanding that the property does not contain protection areas that are subject to policies of the Source Water Protection Act.

Should the applicant seek to injure or destruct trees on lands that extend more than 15 metres from the outer edge of which a Building Permit has been issued, staff recommend consulting the County's Forestry Management By-law <http://grey.ca/forests-trails>. An exemption to the by-law includes the injuring or destruction of trees required in order to install and provide utilities to the construction or use of the building, structure or thing in respect of which a Building Permit has been issued.

County Transportation Services have reviewed the subject application and have a comment stating,

No road widening is required as the County has it already. The existing field entrance will require a change of usage permit to change the status to residential.

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Provided positive comments are received from the Conservation Authority and County Transportation Services comments are addressed; County Planning staff have no 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 contact me.

Yours truly,

A handwritten signature in black ink that reads "Derek McMurdie". The signature is written in a cursive, slightly slanted style.

Derek McMurdie
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