

DJ LAND DEVELOPMENTS LTD.

PLANNING JUSTIFICATION REPORT

**SADDLER STREET DEVELOPMENT
MUNICIPALITY OF WEST GREY**

FEBRUARY, 2024

COBIDE Engineering Inc
517 10th Street
Hanover, ON N4N 1R4
TEL: 519-506-5959
www.cobideeng.com

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- A- Draft Plan and Concept Plans
- B- Correspondence
- C- Proposed By-law and Schedule

1. INTRODUCTION

On behalf of our client, DJ Land Developments Ltd., Cobide Engineering Inc. is pleased to submit the Planning Justification Report in support of the Draft Plan of Subdivision and Zoning By-law Amendment applications for the property located at a municipally unaddressed location at Roll Numbers 420526000524901 and 420526000524907 in the Town of Durham (hereinafter called the subject lands).

The intent of this report is to analyze the land use planning merits of the requested applications to determine the appropriateness of the proposed uses. The request will be analyzed within the context of the surrounding community and the relevant planning documents, including the Provincial Policy Statement, the Grey County Official Plan, the West Grey Official Plan and the Municipality of West Grey's Comprehensive Zoning By-law.

Appended to this report are the following:

Appendix A: Draft Plan and Concept Plans

Appendix B: Correspondence

Appendix C: Draft By-law and Schedule

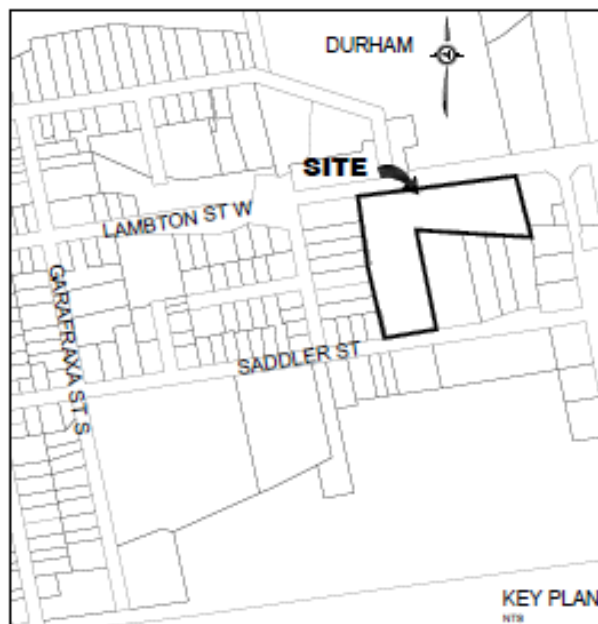


Figure 1: Key Map

1.1 PURPOSE AND SCOPE

The content of this Planning Justification includes:

- A description of the site, its existing physical conditions and its setting within the surrounding area; and
- A description of the Development Concept; and
- An overview of the other supporting reports and studies; and,
- An outline of and rationale for the subject application; and
- An overview of the relevant planning policy and regulations that affect the proposed planning application, including Provincial, County, and Municipal policy and regulations; and
- An assessment of the proposed planning application in respect to the relevant policy and regulatory framework, and a planning opinion and justification for the applications.

1.2 HOW TO READ THIS REPORT

Each section heading will reference the document from which the policy has been obtained. Each subsection heading will reference the policy number and policy, generally verbatim. The subsection will contain a discussion wherein the policy is spoken to in the context of the proposed development.

2. SITE CONTEXT

2.1 SITE DESCRIPTION

The subject lands are legally described as Part of Park Lots 13-15, Plan 500, North side of Saddler St., geographic Town of Durham, Municipality of West Grey, County of Grey.

A Site Location Map is included as Figure 1. The subject lands are approximately 2.658 ha in area and have frontage on Saddler Street and Lambton Street East. Currently, the subject lands are vacant and contain mature trees, manicured grass, and ornamental gardens.

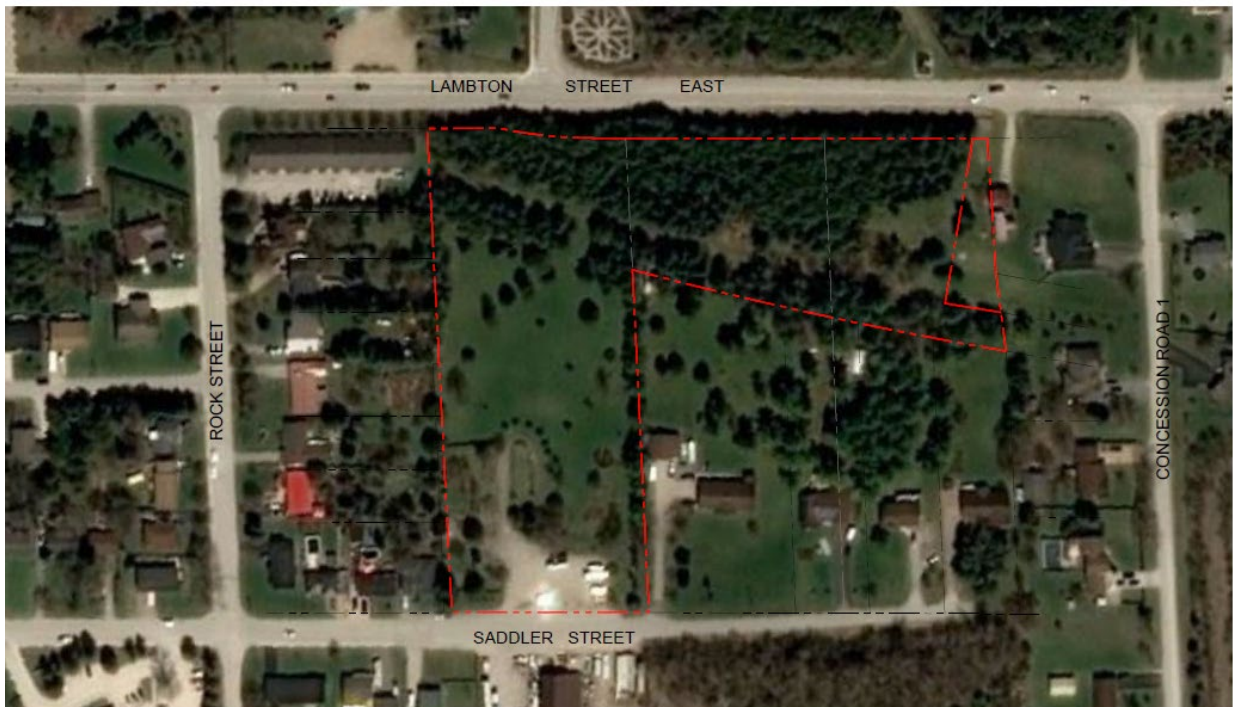


Figure 2: Aerial Photograph

2.2 SURROUNDING LAND USES

The subject lands are located on the Eastern side of the settlement area of Durham. The lands front onto Lambton St. E. (Grey Road 4), a main throughfare through Durham and a designated arterial road in the West Grey and Grey County Official Plans. The lands also front Saddler St. E, a dead- end road. The lands are largely flat, vacant and have some ornamental landscaping, walking trails and a parking area on the southern side. The lands are wooded with mature coniferous trees towards Grey Road 4.

The subject lands are approximately one and a half blocks from Spruce Ridge Community School, the public elementary school, and Rockwood Terrace Home for the Aged. The lands are well situated in the community to take advantage of natural and recreational opportunities being approximately two blocks from the Durham Curling Club to the southeast and across the road from the Durham tennis courts, McGowan Falls, the Saugeen River and Durham Conservation Area.

The subject lands are surrounded by variety of uses:

North: Lambton St. E., Tennis Courts, the Saugeen River and McGowan Falls

South: Residential and Light Industrial uses

East: Residential uses in the form of single-detached homes and townhouses

West: Residential uses in the form of single-detached homes

3. THE DEVELOPMENT CONCEPT

3.1 THE PROPOSED DEVELOPMENT

A 56- unit development is proposed with:

1. A Municipal Street that connects George St. E. through to Saddler St. E.;
2. A Plan of Subdivision including three semi-detached homes and four four-plexes and one large block;
3. A 30-unit Vacant Land Condominium “small home” development; and
4. A stormwater management pond.

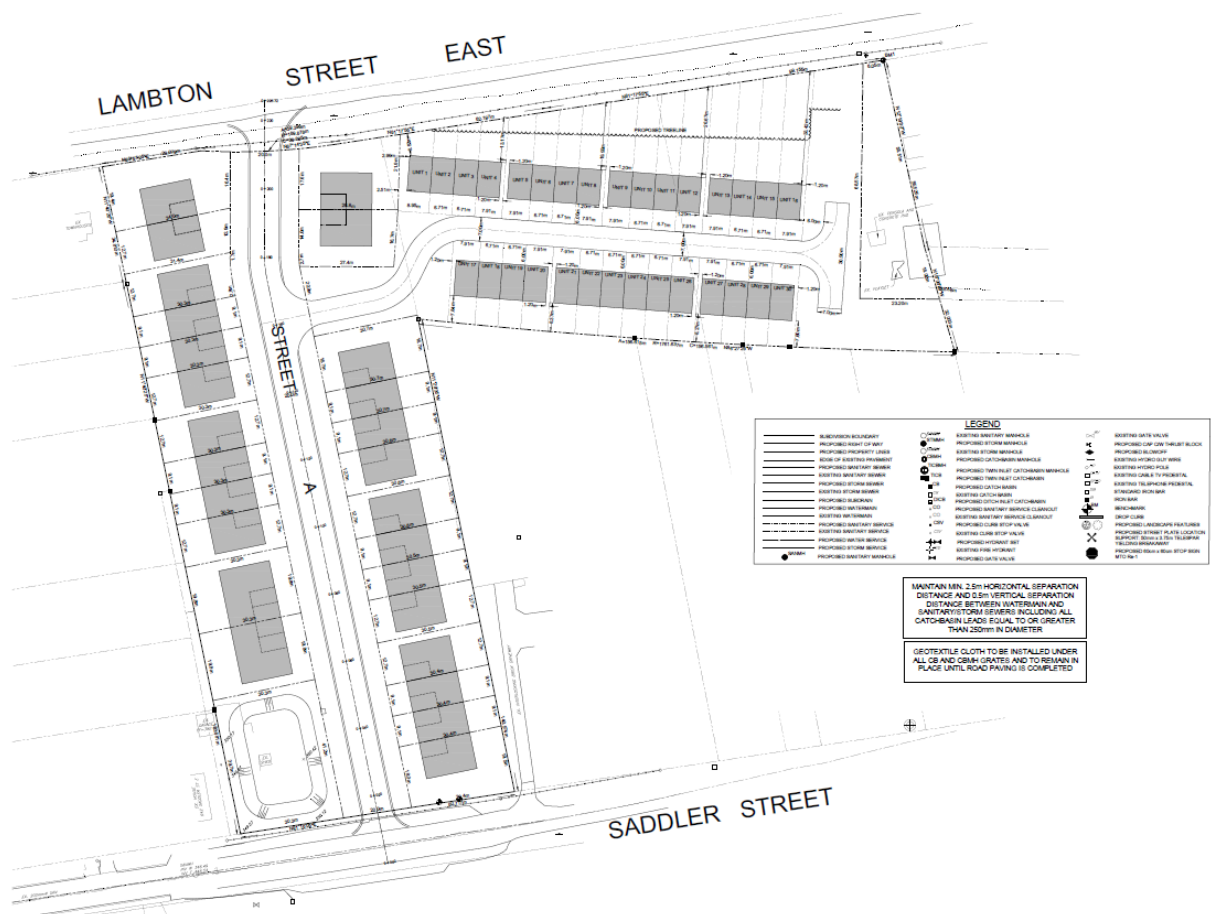


Figure 3: Site Plan

3.2 PRE-CONSULTATION

On August 17, 2022, Cobide Engineering Inc. staff met with County of Grey staff, Municipality of West Grey staff and Saugeen Valley Conservation Authority staff about a number of projects, the subject lands included. The following *Planning Act* applications were identified as being required to implement the development concept:

1. A Zoning By-law Amendment;
2. A Draft Plan of Subdivision; and
3. A Vacant Land Condominium Exemption.

A number of studies were identified as being required to support a complete application including:

1. An Archaeological Assessment;
2. An Environmental Impact Study;
3. A Functional Servicing Report;
4. A Planning Justification Report;
5. A Stormwater Management Plan;
6. A Traffic Study; and
7. A Wellhead Protection Area Section 59 Clearance.

There is correspondence in Appendix B from Jennifer Schwass, lawyer for the proponent with a legal opinion on the proposed planning application process and a pre-consultation letter from Saugeen Valley Conservation Authority.

All of the identified requirements have been fulfilled and submitted in support of the application. A summary of the supporting reports is in Section 4 of this report.

4. OVERVIEW OF THE SUPPORTING STUDIES

4.1 ENVIRONMENTAL IMPACT ASSESSMENT

It is recommended that the design plan and development activities implement the following to ensure that risks to wildlife and natural heritage features are mitigated:

1. Vegetation removal should occur outside of the breeding bird window (April 1 – August 31).

2. In order to ensure that no snakes are harmed during site grading operations, initial excavations within the FOC 4-1 ecosite in the known karst topography should occur outside the hibernation period for reptiles (November to March).
3. Only clean fill should be used on-site to prevent the introduction of any invasive species.
4. All earth material stockpiles should be surrounded with silt fence barrier until such time that they are removed from site or blended into the existing site grading.
5. Silt fence barrier should be installed around the perimeter of the construction site prior to commencing grading activities and should remain in place throughout the construction process.
6. Any exposed soils should be seeded or vegetated following the conclusion of construction activities.
7. Tree protection barrier should be installed around the dripline of any specimen trees to be retained.
8. A spill control and response plan should be developed prior to starting construction. The spill plan should consider all potential pollutants and spill risk based on their intended use.

If the recommendations are followed, it is anticipated that the study area will not be negatively impacted.

4.2 FUNCTIONAL SERVICING REPORT

4.2.1 WATER DISTRIBUTION SYSTEM

The proposed watermain will be connected to the existing watermain on Saddler Street East. The existing watermain on Saddler Street East is 150mm diameter ductile iron. The new watermain for the development will be 150mm diameter PVC and will run north into the site and dead end at the Lambton Street entrance. A 150mm diameter PVC branch will be provided to service Block 27 on the east portion of the subject property. The watermain will follow the proposed road alignment within Block 27 and terminate at the end of the development roadway. Water valves will be provided at each intersection to allow for isolation. Each dead end will be complete with a 25mm self draining blow off.

A 19mm diameter water service will be provided to each unit for domestic water distribution.

4.2.2 SANITARY SERVICING SYSTEM

The sanitary sewer will be designed based on a peak flow of 450 L/cap/day and a peaking factor of 4.0 for the size and type of the development.

There is an existing 200mm diameter PVC sanitary sewer on Saddler Street East that flows west towards Rock Street and continues flowing west through the existing sanitary sewer on Saddler Street East. A new sanitary manhole will be installed at the centreline of Saddler Street East at the proposed entrance to the development. Approximately 56m of 200mm PVC sanitary sewer will be installed on Saddler Street that will connect into an existing manhole on Saddler Street

4.2.3 ROADS

Access to the subdivision will be via Saddler Street East and Lambton Street East. Stop sign control at all intersections will provide adequate traffic control for these roads.

Street 'A' will be designed to meet the municipal standards and by-laws for an urban street.

4.2.4 UTILITIES

Streetlights, electricity, natural gas, telephone, cable tv and internet will be provided to the site.

4.3 STAGE ONE AND TWO ARCHAEOLOGICAL ASSESSMENT

Amick Consultants Ltd. were engaged to complete a Stage One and Two Archaeological Assessment. The field work was completed on September 26, 2022.

The following conclusions were made from the assessment:

1. No further archaeological assessment of the study area is warranted.
2. The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed.
3. The proposed undertaking is clear of any archaeological concern.

Saugeen Ojibway Nation has reviewed the study and cautiously accepts the study's recommendations. This correspondence is attached in Appendix B.

4.4 STORMWATER MANAGEMENT REPORT

Due to the increase in impervious area, stormwater quantity control will be required for the site. The design of the stormwater management facility has assumed a free outlet from the pond.

Minor flows from much of the development will be conveyed to the proposed stormwater management facility via a new storm sewer collection system that will be constructed throughout the development. This storm sewer collection system will be designed to accommodate all flows up to and including the 5 year storm event.

Major flows (>5 year), will be conveyed overland within the road allowance of the street.

Ultimately, both discharge points outlet to Durham Creek at Kincardine Street with eventual outlet to the Saugeen River. The combined post development flows are below the pre-development flows during all major storm events.

In keeping with the approach suggested in the SWMP&D manual, a 'treatment train' approach to stormwater quality management has been proposed for this development. This approach consists of three (3) levels of treatment which are described as follows:

- Lot level control measures
- Conveyance control measures
- End-of-Pipe control measures

It is noted that a dry pond is proposed.

4.5 TRAFFIC IMPACT STUDY

Based on the findings for the Traffic Impact Analysis, it was concluded that:

1. The study area intersections are operating with acceptable levels of service.
2. The development is forecast to generate 39 and 43 trips during the AM and PM peak hours, respectively.
3. By the projected buildout (2023), the study area intersections are forecast to operate within acceptable levels of service.
4. No remedial measures, such as a westbound left-turn lane on Lambton Street East and an eastbound left-turn lane on Saddler Street East are not warranted at Street 'A' under 2033 total traffic conditions.

The study recommended that the development be considered for approval as proposed with no off-site transportation improvements.

5. RATIONALE FOR APPLICATIONS

5.1 CURRENT PLANNING DESIGNATIONS AND ZONES

The subject lands are located in the settlement area of Durham and are designated as Primary Settlement Area in the Grey County Official Plan.

The property is designated Residential in the West Grey Official Plan.

The property is zoned Future Development (FD) and Residential Zone (R1B).

5.2 REQUIRED APPLICATIONS

A Zoning By-law Amendment is requested to re-zone the property from Future Development (FD) and Residential Zone 1 (R1B) to Residential Zone Special (R2-x) and Residential Zone Special (R3-y). The details of these amendments are discussed in further detail in Section 6.5.2 of this report.

A Draft Plan of Subdivision is requested.

A Vacant Land Condominium Exemption will be requested at a future date. A conceptual Condominium Plan has been provided in Appendix A.

While not required to be facilitated by a Planning Act application, it is worth noting that the development concept includes a lot addition to the adjacent property at 403106 Grey Road 4. A portion of land is identified on the Draft Plan as “Lands to be Retained by Owner.” A legal opinion is provided in Appendix B that so long as these lands are placed in a common ownership, they will merge with the adjacent property. It is suggested that the Subdivision Conditions contain a requirement for a lawyer’s undertaking to convey this portion, after registration of the subdivision, to the adjacent landowner.

6. PLANNING POLICY

6.1 PLANNING ACT

The Planning Act requires approval authorities considering planning applications to have regard to, among other things, matters of Provincial Interest. Those matters of Provincial Interest relevant to the Subject Applications are as follows:

- The supply, efficient use and conservation of energy and water;
- The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- The orderly development of safe and healthy communities;
- The adequate provision of employment opportunities;
- The appropriate location of growth and development;
- The promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Section 34 of the Planning Act provides the legislative authority for municipalities to regulate the following (among other matters) in Zoning By-laws:

- the use of land;
- the type of construction, height, bulk, location, size, floor area, spacing,
- character and use of buildings;
- minimum and maximum density;
- minimum and maximum height; and
- requirement to provide off-street parking and/or loading facilities.

Section 51 of the Planning Act speaks to Plan of subdivision approvals. The policies encourage the following criteria to be considered and conditions to be imposed:

- (24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,
- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
 - b) whether the proposed subdivision is premature or in the public interest;
 - c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
 - d) the suitability of the land for the purposes for which it is to be subdivided;
 - (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

- e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- f) the dimensions and shapes of the proposed lots;
- g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- h) conservation of natural resources and flood control;
- i) the adequacy of utilities and municipal services;
- j) the adequacy of school sites;
- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

(25) The approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,

- a) that land be dedicated or other requirements met for park or other public recreational purposes under section 51.1;
- b) that such highways, including pedestrian pathways, bicycle pathways and public transit rights of way, be dedicated as the approval authority considers necessary;
 - (b.1) that such land be dedicated for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways,
- c) as the approval authority considers necessary;
- d) when the proposed subdivision abuts on an existing highway, that sufficient land, other than land occupied by buildings or structures, be dedicated to provide for the widening of the highway to such width as the approval authority considers necessary;
- e) that the owner of the land proposed to be subdivided enter into one or more agreements with a municipality, or where the land is in territory without municipal organization, with any minister of the Crown in right of Ontario or planning board dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services; and
- f) in the case of an application for approval of a description or an amendment to a description, as referred to in subsection 9 (2) of the *Condominium Act, 1998*, if the condominium will contain affordable housing units and if a shared facilities

agreement will be entered into with respect to the condominium, whether under section 21.1 of that Act or otherwise, that the shared facilities agreement be satisfactory to the approval authority. 1994, c. 23, s. 30; 2005, c. 26, Sched. B, s. 1; 2006, c. 23, s. 22 (5); 2016, c. 25, Sched. 4, s. 8 (3)

6.2 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land through Municipal documents like the Official Plan and Zoning By-law.

The current PPS came into effect May 1, 2020. Section 3(5) of the Planning Act requires that all decisions affecting planning matters shall be consistent with policy statements issued under the Act. The following table demonstrates how the proposed Official Plan and Zoning By-law Amendments are consistent with the policies of the 2020 PPS that, in our opinion, have particular relevance to this proposal:

Table 1: Provincial Policy Statement Policies

<p>1.1 (Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns) 1.1.1 Healthy, liveable and safe communities are sustained by: b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet longterm needs;</p>	<p>The proposed development represents an efficient development design in a Settlement Area.</p> <p>The development concept proposes a mix of housing types including semi-detached homes, street-fronting townhouses, and smaller condominium units to provide a variety of housing options for people of different ages, stages of life and income levels.</p> <p>The development concept will increase the share of townhouse dwellings and smaller units (which by their nature, tend to be more affordable) in the community of Durham.</p>
<p>1.1.3.1 <i>Settlement areas</i> shall be the focus of growth and development.</p>	<p>The subject lands are located in Durham, a settlement area.</p>

<p>1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> b. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and 	<p>The proposed land use will be fully serviced with sanitary sewer and municipal water.</p>
<p>1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p>	<p>The development concept proposes an increase in the number of residential units from 0 to 56 units, helping the Municipality and the County achieve their intensification targets. Compact form and a variety in house sizes and tenures are proposed.</p>
<p>1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:</p> <ul style="list-style-type: none"> b) permitting and facilitating: <ul style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3; 	<p>The subject lands are considered intensification of a property located in a settlement area and designated in the Official Plan as Residential. The development concept can contribute to meeting projected residential needs in the Municipality and the regional market area.</p> <p>Once the development concept is realized, the development will provide for more variety in housing styles and tenure arrangements including freehold and condominium units.</p>
<p>1.6.6 (Sewage, Water and Stormwater) 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement</p>	<p>The proposal would represent a development that optimizes municipal infrastructure through using Residential</p>

<p>areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services;</p>	<p>designated land in an urban boundary that is serviced.</p>
<p>2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.</p>	<p>The subject lands are located in a Karst area; within 120m of a significant woodlands (approximately 30 m) and significant valleylands (approximately 90 m) and are located approximately 130 m from the Saugeen River.</p> <p>A scoped EIS for the property was completed and is submitted in support of the applications.</p>
<p>2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.</p>	<p>A Stage One and Two Archaeological Assessment was completed on the subject lands. No archaeological resources were recovered.</p>

6.3 GREY COUNTY OFFICIAL PLAN

The Grey County Official Plan (GCOP) was adopted by Grey County Council in 2018 and approved by the Province in 2019. The GCOP is a legal document that contains goals, objectives and policies to manage and direct physical (land use) change and monitor its effects on the cultural, social, economic and natural environment within the regional community.

The property is designated Primary Settlement Area and is within the settlement area of Durham.

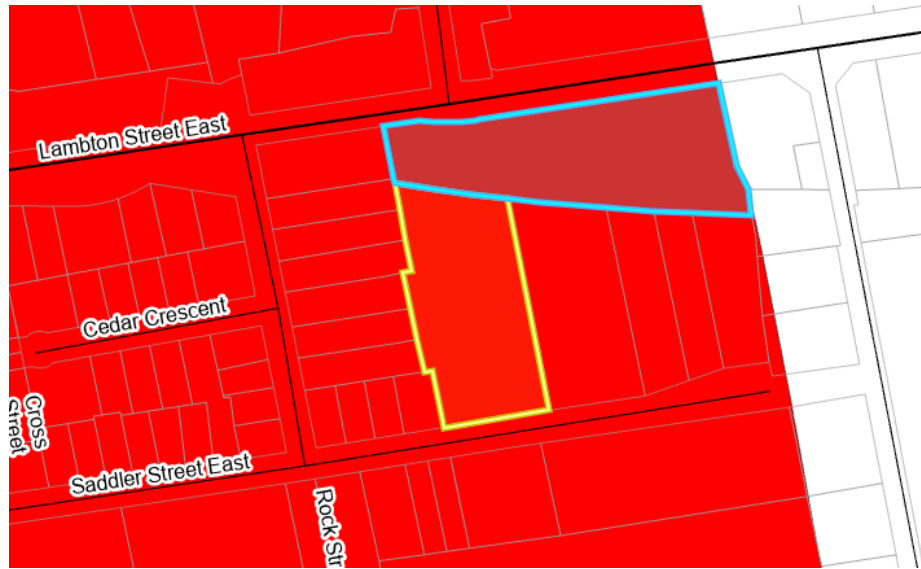


Figure 4: Grey County Official Plan Designation

A portion of the property is within Wellhead Protection Area E (WHPA-E) and within a Karst Area.

6.3.1 SECTION 3.3 SETTLEMENT AREA LAND USE TYPES

Policies of the GCOP will promote development forms and patterns which minimize land consumption and servicing costs. This will help ensure development is compact in form and promotes the efficient use of land and provision of water, sewer and transportation, and other services. It will be important to encourage the development of mixed-use settlements and to create healthy, sustainable communities.

Primary Settlement Areas are larger settlements with full municipal servicing, and a wide range of uses, services, and amenities which are intended to be the primary target for residential and non-residential growth.

Discussion:

The subject lands are designated Primary Settlement Area. The subject lands are proposed to be fully serviced with municipal water and sanitary sewer that are available at the site.

The proposed increase in density and number of residential units on the property is consistent with the wide range of permitted uses and aligns with the GCOP's objective to direct residential growth to the Primary Settlement Areas.

6.3.2 SECTION 3.4 GENERAL POLICIES AFFECTING SETTLEMENT AREA LAND USE TYPES

The GCOP sets an overall intensification target for new growth at 15% (policy 3.4.1).

The Plan defines intensification as:

The development of a property, site or area at a higher density than currently exists through:

- 1) Redevelopment, including the reuse of brownfield sites;
- 2) The development of vacant and/or underutilized lots within previously developed areas;
- 3) Infill development; and
- 4) The expansion or conversion of existing buildings

Where new residential development is occurring on larger landholdings, it must be demonstrated that short-term development projects do not unduly prejudice the efficient use of the lands for future development purposes. Lot creation occurring on larger landholdings may require the completion of concept plans to demonstrate the efficient development of the remainder of the lands (policy 3.4.21).

Discussion:

The subject lands are designated 'Primary Settlement Area' and are contained within the established urban boundaries of Durham. The lands are currently vacant. The development concept proposes intensification through development of an under-utilized parcel developing a variety of built forms and tenure opportunities. The entirety of the lot will be developed.

6.3.3 SECTION 3.4.1 INTENSIFICATION

Table 6 sets the Primary Settlement Area minimum target for residential intensification in West Grey to 10%.

Local municipalities must promote and facilitate intensification, identify areas appropriate for revitalization and redevelopment.

Discussion:

The development concept represents a project that will help fulfill the Municipality's and County's intensification targets. While the property is designated Residential, there are currently no residential dwelling units on the property. The redevelopment of

the site takes the property from 0 residential units to 56 residential units, offering variety in housing styles and tenure arrangements. It also makes use of an under-utilized property in a residential area that is able to be fully-serviced with sanitary sewer and water.

6.3.4 SECTION 3.5 PRIMARY SETTLEMENT AREAS

For all other Primary Settlement areas, a minimum development density of 20 units per net hectare will be achieved for new development (policy 3.5.5).

Intensification opportunities are strongly encouraged within Primary Settlement Areas. Municipalities must develop and adopt intensification strategies to ensure that the residential intensification targets identified in Section 3.4.1 of the Official Plan are met. New construction through intensification should occur in a manner that takes into account the existing built and physical environment and is compatible with the surrounding land uses (policy 3.5.6).

The County recognizes the need for additional apartment buildings and/or mixed use development with residential dwellings above commercial or office development within Primary Settlement Areas. The lot densities described in subsection (5) above represent minimum targets only. In most cases mixed use development or apartment buildings will far exceed the County's 25 units per net hectare minimum density requirement. Density policies within this Plan shall not limit such development from exceeding those minimum requirements (policy 3.5.7).

Discussion:

As previously discussed, the development concept would contribute to achieving the Municipality's and County's intensification goals as well as provide a unique built form-small homes. The proposed net density of the site is 26 units/ ha, which exceeds the County's requirements.

The massing is proposed to be increased with townhomes and small homes in relation to the immediate surrounding areas, which is a low-density, large-lot, older neighbourhood. It is important to note the compatibility does not mean matching the existing, it means that the existing and the proposed can co-exist. The proposed is a different built form than what is established, but is still considered to be compatible with, just not the same as, the surrounding residential area.

In terms of the vision as outlined by the County and West Grey Official Plans to promote intensification, this increase is desirable so long as it is compatible with the surrounding community. It is natural the scale, massing and orientation may be increased or changed through the emerging built form when seeking to intensify and better utilize existing lots and services.

6.3.5 SECTION 4.1 HOUSING POLICY

Through the policies contained in this section of the GCOP, the County aims to provide a variety of housing types to satisfy the present and future social, health, safety, and well-being requirements of residents. In doing so, housing accessibility and affordability are prioritized.

New residential developments will be promoted at densities which efficiently use available servicing (subject to Section 8.9) and are appropriate to site conditions and existing patterns of development.

The strategic approach to intensification intends to retain small town character and revitalize downtown areas through:

- 1) Supporting increased densities in newly developing areas with a broad mix of housing types and integrated mixed-use developments, accessible housing and integrated services, and housing forms;
- 2) Facilitating intensification in all areas within settlement areas including adaptive re-use or redevelopment of sites that previously had development and underutilized lands;

Discussion:

The development concept proposes a variety of built forms and tenures, to be achieved through the development of a vacant lot that is designated Residential in the Official Plan. The development of the site will result in an increase in housing units from 0 to 56 units.

The subject lands are well-suited to intensification and density and the development of the subject lands with residential units aligns with the established uses in the area. The subject lands are within walking distance of Durham's downtown and are close to both community services (Rockwood Terrace) and recreational opportunities such as the Durham Conservation Area, tennis courts and curling club.

6.3.6 SECTION 4.2.4 TINY HOMES

Populations are seeking alternative housing styles that can accommodate smaller family sizes, minimalist lifestyles, affordability pressures, and those looking to downsize. Tiny homes are recognized in certain parts of North America as filling a need in the current housing market. The County is generally supportive of Tiny Homes as an opportunity to contribute to affordable home ownership and increase rental opportunities where there are appropriate lands and servicing available.

For the purposes of this Plan, a Tiny Home is defined as a small, private and self-contained unit with living and dining areas; kitchen and bathroom facilities, a sleeping area, and is intended for year-round use. They are generally between 17.5 m² and 37 m² in total floor area. Tiny Homes should meet all requirements of the Ontario Building Code (OBC), unless other certification standards are defined within local Municipal Zoning By-Laws.

Within defined settlement areas, the County encourages Tiny Homes to be considered additional residential units, whereby they should be permanent, built structures, connected to available municipal servicing where available. Outside of settlement areas, tiny homes could be used as permanent additional residential units or as temporary garden suites, per the policies of Section 4.2.6. In the case of tiny homes as garden suites, the County recognizes that these units can create more accessible opportunities for home ownership, whereby a tiny house owner may own the unit and enter into a private land-lease agreement with a property owner.

In keeping with Official Plan goals and opportunities of developing complete communities in Section 1.4.1, and complete streets in Section 8.2, minimum lot and unit size standards should be updated within zoning by-laws to allow for more compact development. This will facilitate cohesive community design, where people's needs are easily accessible and convenient. Complete compact communities are aligned with the County's greenhouse gas reduction goals. County planning staff recognize the planning context varies within each municipality, and certain zones within a municipal zoning by-law, and certain neighborhoods may not be suitable for the above noted recommendation.

Discussion:

The development concept proposes both freehold and condominium tenure opportunities. A "small home" vacant land condominium development is proposed. Each unit is proposed to be approximately 69 m² which is approximately 742 ft² and both one- and two-bedroom units will be offered. This is larger than what is

contemplated as a Tiny Home in the GCOP, but still smaller than the market average. These unique units will provide accessible condominium home ownership in the Durham market area. The units are proposed to be contained within a single block and will be screened from view by the proposed tree retention to the North of the subject lands. As previously mentioned in this report, their location within Durham will make them accessible to several recreational and community services.

6.3.7 SECTION 7 NATURAL GREY

The adjacent lands width listed below come from the Natural Heritage Reference Manual, (2010). Reductions to these distances do not require an amendment to this Plan or a municipal official plan, but will generally be supported by an environmental impact study (EIS) prepared by a qualified individual knowledgeable on the environment and natural processes. Reductions in these buffer areas may also be considered on a site-specific basis in accordance with section 7.11.3 of this Plan.

Significant Woodlands 120 metres

Significant Valleylands 120 metres

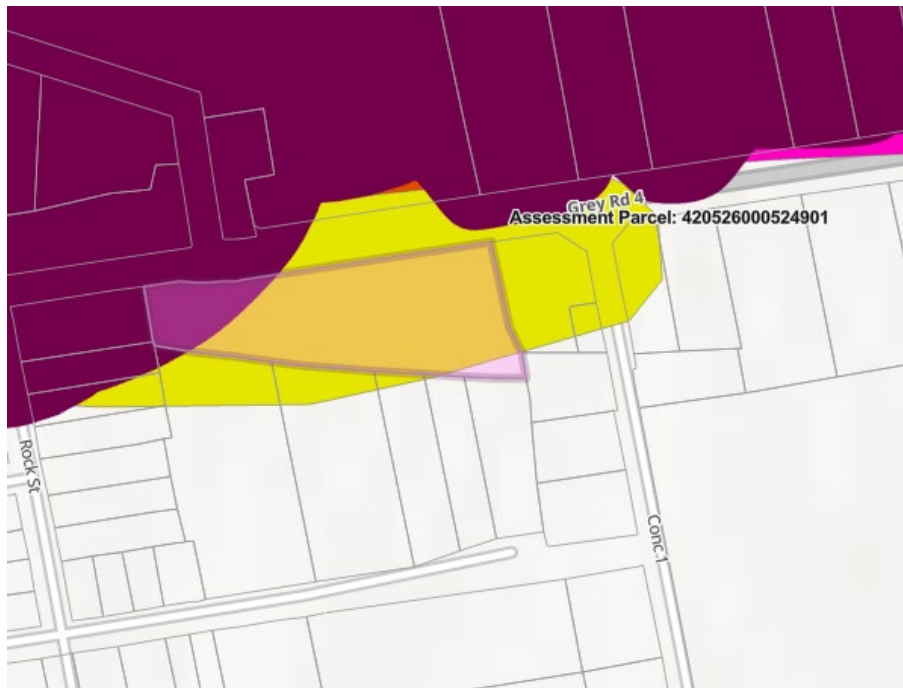


Figure 5: Appendix A Constraint Mapping

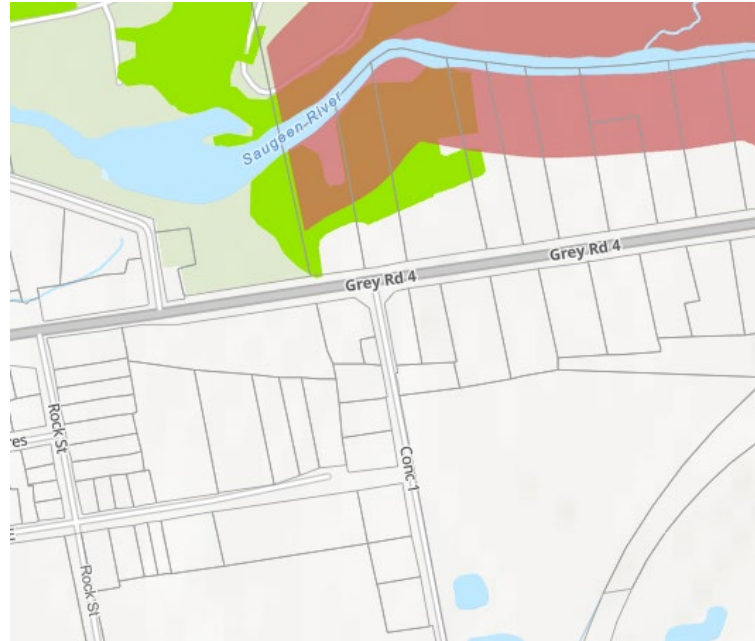


Figure 6: Appendix B Constraint Mapping

The County recognizes that the protection of natural features can appear contrary to other objectives in this Plan. For example, where the County has identified a settlement area land use type as a focus of growth, but also mapped Significant Woodlands for protection, the two objectives may appear to conflict. The County recognizes the environmental, physical, and social values of protecting natural features within our settlement areas. However, the County also values growth within its settlement areas, which is compact in form and efficiently serviced. As a result, natural features within settlement areas will not be considered prohibitive to development, except where otherwise prohibited by legislation (e.g. Endangered Species Act), Habitat Regulation, or through prohibitions in the Provincial Policy Statement (e.g. Provincially Significant Wetlands). Site specific matters will be considered when dealing with planning applications in settlement areas, which also overlap with a natural feature or its adjacent lands. These site specific matters may include, but are not limited to;

- Scoping the EIS,
- Waiving the need for an EIS, or
- Considering removal of a portion of the natural feature.

Discussion:

The subject lands are located in a Karst area; within 120m of a significant woodlands (approximately 30 m) and significant valleylands (approximately 90 m) and are located approximately 130 m from the Saugeen River.

Given the subject land's location in a settlement area, a scoped EIS for the property was completed and is submitted in support of the applications. The Study made several recommendations, which can be implemented at time of construction to help mitigate potential impacts to the natural features. The Study concluded that should these recommendations be implemented, impacts are not anticipated to the natural features.

6.3.8 SECTION 7.4 SIGNIFICANT WOODLANDS

- 1) No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Adjacent lands are defined in Section 7 and 9.18 of this Plan.

Discussion:

The subject lands are considered adjacent lands to the significant woodlands are approximately 30 m from such lands. The development concept proposes tree removal, but the scoped EIS confirms that most of the vegetation present within the study area consists of a variety of non-native and invasive species. The EIS also notes that the woodlot is highly disturbed, fragmented by roads, small in size and the presence of adjacent residential development limits the opportunities for wildlife habitat. Therefore, impacts from tree removal with the proposed development will be minimal.

6.3.9 SECTION 7.5 KARST AREAS

In areas mapped as 'Karst Area' on Appendix A, it will be necessary for the proponent of any planning application to provide an assessment of the proposed area of development. Often, this can be accomplished by on-site test holes, however in some circumstances broader landscape features may indicate karst and may indicate the need for further assessment/confirmation. Depending on the site and the scale of the development, an environmental impact study, Hydrogeological or Karst Study,

completed by a qualified individual may be required.

However, for larger developments, including plans of subdivision, or commercial / industrial developments with the potential for greater impacts, a more robust study will be required by a qualified individual. In areas where full municipal water and sewer services are already installed, the Karst Area test hole/study requirements will not apply for new fully serviced development, save and except for proposed developments that by their nature or operation, could accidentally spill contaminants into sinkholes or disappearing streams.

Discussion:

The EIS confirmed that limestone outcrops were observed to be present within the northern portion of the property, consistent with the presence of karst topography. However, no known karst sinkholes are present within the footprint as per OGS mapping, and the nearest sinkhole occurs well over 15 kilometres northeast of the proposed development. The karst feature has potential for snake hibernacula, but most of the mapped footprint of the known karst is covered with manicured lawn, therefore limiting suitability for reptile hibernacula.

The property is proposed to be fully-serviced and the proposed residential use is not expected to accidentally spill contaminants. No outstanding concerns are present.

6.3.10 SECTION 8.9.2 STORMWATER MANAGEMENT

In all new subdivisions and other large-scale developments, surface water management systems will be included to prevent on or off-site flooding or erosion, and to prevent the deterioration of environmentally sensitive watercourses.

Discussion:

A stormwater management plan was submitted in support of the applications.

6.3.11 SECTION 8.11 PROTECTING OUR DRINKING WATER

8.11.1 b) A Wellhead protection area (WHPA) is the area around the wellhead where land use activities have the potential to affect the quality or quantity of water that flows into the well. These are areas of high vulnerability where the greatest care must be taken in the storage, use and handling of materials that could, if mishandled or spilled, pollute or contaminate a municipal well. WHPAs are shown on Appendix A of this Plan and further information about

WHPAs can be found in the local source protection plans.

WHPA-E: The vulnerable area for groundwater supply which is under the direct influence of surface water. Two (2) hours of travel time for water to reach the water intake.

8.11.3 5) In accordance with Section 59(1) of the Clean Water Act, all land uses identified within the County Official Plan and/or zoning by-laws and located within a Wellhead protection area (WHPA) or Intake protection zones (IPZs) are hereby designated as Restricted Land Uses. Within the designated land use categories in source protection areas identified in clauses a, b, and c below, a written notice of approval from the Risk Management Official will be required prior to approval of any Planning Act application. Any building or development application submitted on lands within a WHPA or IPZ in local municipalities as shown in official plans, local zoning bylaws or in the source protection plans, must include a Notice from the Risk Management Official as part of a complete application under Section 59(2) of the Clean Water Act, 2006, as amended.

(a) In the area where the Saugeen-Grey Sauble-Northern Bruce Peninsula source protection plan applies, all building and development applications in a Wellhead Protection Area (WHPA) A, B, C, or E, or Intake Protection Zone (IPZ) 1, 2, or 3 (and located in an Event-based area) shown on Appendix A of this Plan, or identified in a local official plan, must be accompanied by a letter from the Risk Management Official for the purpose of Section 59 of the Clean Water Act.

Discussion:

A portion of the site is within the Wellhead Protection Area E (WHPA-E). A Section 59 Clearance has been obtained and is in Appendix B of this report.

6.3.12 SECTION 9.13 PLANS OF SUBDIVISION AND CONDOMINIUM

In any new applications for plan of subdivision or plan of condominium submitted to the County for approval, the proponent will need to consider and be prepared to justify the following:

The layout of the proposed plan with regard to matters of:	
a) Access and connections to public transportation (where applicable) and access to existing trails,	The Durham Trail is approximately 80 m away from the subject lands up Rock Street. In addition, the Durham Conservation Area is within walking distance to the subject lands.
b) The layout of the subdivision should be designed such that the lots back onto the Provincial Highway or County road and front onto a local internal street	The condominium block will be orientated to align with this requirement. The plan of subdivision will have lots orientated to front an internal road with Grey County Road 4 in the side yard of these units. Due to the orientation of the property, and the need to access off County Road 4, the road must be located in the side yard to be feasible.
c) Improving and promoting walkability/cyclability within the proposed plan through sidewalks, bike lanes, bicycle parking/racks, and/or other active transportation infrastructure with consideration for existing walking and cycling conditions,	Sidewalks will be provided on one side of the proposed Street A.
d) Accessibility needs,	The proposed units can be constructed to accessible standards, if required by the future purchasers.
e) The street pattern of the proposed plan and how it fits with the surrounding neighbourhood. Plans which utilize a grid pattern or a modified grid pattern must be considered more favourably than those with curvy street patterns or cul-de-sacs,	The proposed subdivision design aligns the proposed Street A with the existing George St. E. through to Saddler St. E. to continue the existing grid pattern. This design represents a logical expansion of the existing road grid pattern in the Town of Durham.
f) Energy conservation and efficiency design measures such as LEED (Neighbourhood) and Low Impact Development,	The development of the subject lands aligns with many LEED Neighbourhood principles including: <ul style="list-style-type: none"> a) To encourage improvement and redevelopment of existing cities, suburbs, and towns while limiting

	<p>the expansion of the development footprint in the region</p> <ul style="list-style-type: none"> b) To encourage balanced communities with a proximate housing and employment opportunities. c) To minimize erosion, protect habitat, and reduce stress on natural water systems by preserving steep slopes in a natural, vegetated state. d) To conserve land. To promote livability, walkability, and transportation efficiency and reduce vehicle distance traveled. To leverage and support transit investments. To improve public health by encouraging daily physical activity. e) Build any residential components of the project at a density of 7 or more dwelling units per acre (17.5 DU per hectare) of buildable land available for residential uses.
g) Impact on the natural environment, as defined in Section 6 of this Plan.	A scoped EIS was submitted in support of the development.
h) Compliance with the Dark Sky Protection policies of section 7.14 of this Plan,	The proposed photometrics and the lighting plan can be included with a Site Plan Approval package.
i) The provision of usable parkland and green space	The development will be subject to parkland in lieu, but as previously mentioned, the subject lands are highly accessible to nearby parkland.
j) Public access to water front or beach (where applicable),	Not applicable.
k) Snow removal and emergency vehicle access,	The subject lands will have a municipal street, which will be built to West Grey’s municipal standard. The proposed

	condominium development will have private snow removal.
l) Compatibility with the Ministry of the Environment, Conservation and Parks' D-Series Guidelines or its successor document(s),	There is an M1- Industrial Zone across Saddler St. E. from the subject lands that operated as a builder/ contractors yard. Depending on the interpretation, D-6 Guidelines may not apply, or it may be considered a Class I Industrial facility. Either way, the subject lands meet the recommended minimum separation distance of 20 m.
m) Accessible, age-friendly design features,	The proposed units can be constructed to accessible standards, if required by the future purchasers. Also to note that the proposed "small homes" would be perfect for down-sizing seniors.
n) Healthy environment development provisions outlined in Section 4.3(1).	<p>The proposed development aligns with Section 4.3(1) of the Grey County Official Plan.</p> <p>The development of the subject lands aligns with many Healthy Development Checklist principles including:</p> <ul style="list-style-type: none"> a) Supporting mixed land use by integrating a variety of residential development within 800 meters of parks and public spaces b) Optimizing opportunities for infill, intensification and revitalization c) Including a variety of affordable housing options d) Locating development near greenspace that is accessible, safe and provides connecting links to other community amenities e) Committing to the preservation of the natural heritage system by

	<p>maintaining [some of the] existing trees</p> <p>f) Designing neighbourhood blocks that are less than 250 meters in length</p>
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6.3.13 CONCLUSIONS

In conclusion, the proposed Zoning By-law Amendment, Plan of Subdivision and future Condominium Exemption are consistent with the Grey County Official Plan policies. The subject lands will be fully-serviced by municipal water and sanitary sewers and the proposal aligns with Provincial, Grey County and West Grey objectives to direct development into fully-serviced settlement areas. The proposal is consistent with the wide range of uses permitted in the Primary Settlement Area designation and will provide housing style and tenure diversity.

The proposed subdivision design aligns the proposed Street A with the existing George St. E. through to Saddler St. E. to continue the existing grid pattern. The development design represents a logical expansion of the existing road grid pattern in the Town of Durham and a natural extension of the built boundary.

6.4 THE MUNICIPALITY OF WEST GREY OFFICIAL PLAN

The Municipality of West Grey Official Plan (WGOP) was adopted by the Municipality of West Grey Council in 2012. The Plan applies to the urban settlement areas of Durham and Neustadt in the Municipality of West Grey.

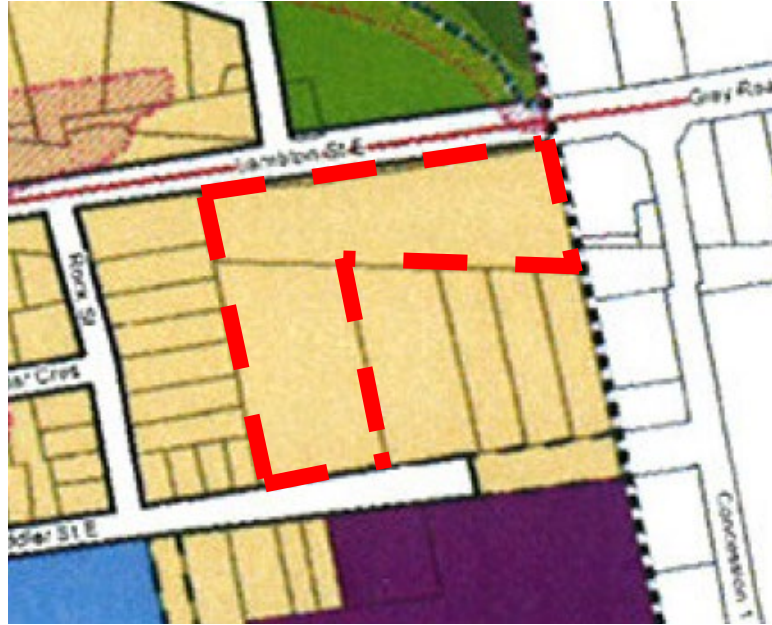


Figure 7: West Grey Official Plan designation

The subject lands are designated Residential.

6.4.1 SECTION C2 GROWTH IN SETTLEMENT AREAS

The WGOP identifies the following objectives that are relevant to the proposal:

- C2.2.1 To maintain and enhance Durham and Neustadt as desirable, attractive, safe and diverse communities.
- C2.2.3 To direct the majority of urban type development to Durham and Neustadt where full municipal services and other community facilities are available.
- C2.2.6 To promote development through infilling and intensification of existing developed or partially-developed areas of Durham and Neustadt.
- C2.2.7 To promote development in undeveloped areas of Durham and Neustadt where such development represents a natural extension of the existing built environment and where the provision of municipal servicing can be feasibly provided.

Discussion:

The subject lands are located in the settlement area of Durham and are proposed to be fully-serviced by municipal water and sanitary sewers. The proposal aligns with

Provincial, Grey County and West Grey objectives to direct development into fully-serviced settlement areas.

The subject lands are five and a half blocks from Durham's downtown and are very accessible to recreational opportunities and schools in the community.

The proposed residential use is consistent with the surrounding uses and represents a natural progression of the existing built environment. There are existing residential houses to the West and South of the subject lands.

6.4.2 SECTION D2.2 RESIDENTIAL OBJECTIVES

- D2.2.1 To ensure that an appropriate range of housing types and densities are provided within Durham and Neustadt as well as an appropriate supply of rental housing, in order to meet the projected requirements of current and future residents.
- D2.2.2 To encourage the provision of housing which is affordable to low and moderate income households by permitting and encouraging all forms of housing required to meet the social, health and well-being requirements of current and future residents.
- D2.2.4 To encourage residential development which efficiently utilizes the land, resources, infrastructure and public service facilities

Discussion:

The development concept proposes a variety of built form styles including semi-detached, townhouse and "small homes". The density of the site is 26 units/ ha which effectively utilizes land, resources, infrastructure and public services.

6.4.3 PERMITTED USES

The predominant use of land within the Residential designation shall be residential dwelling units. The types of dwelling unit permitted shall include low density housing such as detached dwellings, semi-detached dwellings and duplexes, medium density housing such as triplexes, quadraplexes and townhouses and high density housing such as apartments.

Discussion:

The proposed development is consistent with the permitted uses in the Residential designation.

6.4.4 SECTION D2.4 GENERAL POLICIES

- D2.4.1 A wide range of housing types and densities shall be permitted within the Residential designation, subject to the policies in this Plan.
- D2.4.2 New residential development shall be serviced with Municipal water and sanitary sewer.
- D2.4.3 New residential development shall occur by intensification, infilling and expansion.
- D2.4.4 Residential development through intensification shall be encouraged to represent 10% of the new residential dwellings being established within Durham and Neustadt.
- D2.4.5 The residential portion of all subdivisions, condominiums or multi unit/ multi-lot developments shall provide a density of no less than 20 dwelling units per net hectare.
- D2.4.6 The Municipality shall encourage a mixture of ownership and rental units for new residential development.
- D2.4.11 In an attempt to assist in meeting the density target and to promote special needs housing, rental and affordability, the Municipality may support a variety of zoning standards and subdivision design standards, where appropriate. Reduced urban development standards such as narrower road allowances, smaller lot areas and frontages, reduced yard requirements and increased lot coverage may be considered in new areas of development on a case by case basis and where deemed appropriate, or in areas of existing development which require unique development standards.
- D2.4.17 Medium and High Density Residential Policies
- a) The Municipality considers triplexes, fourplexes, townhouses, three storey apartments, converted dwellings of three or more units, and similar multi-unit forms of housing, at a maximum density of 40 units per net hectare, as medium density residential development.
 - b) The Municipality considers multi-unit development exceeding 40 units per net hectare as high density residential development.
 - c) The various types of medium density and high density housing shall be regulated in terms of specific use, density, yard requirements, etc. by establishing one or more medium density zones and a high density zone in the Comprehensive Zoning By-laws.

- d) Medium density residential housing is strongly encouraged within the Residential designated areas of Durham and Neustadt, and will likely be required in most new multi-lot or multi-unit developments in order to achieve the minimum density requirement of this Official Plan. High density residential housing shall also be encouraged, in appropriate locations.

Discussion:

The subject lands are located in the settlement area of Durham and are proposed to be fully serviced by municipal water and sanitary sewer. The proposal aligns with Provincial, Grey County and West Grey objectives to direct development into fully serviced settlement areas.

The development concept represents the development of a vacant lot in the settlement area. It is noted that this residential use is consistent with the surrounding uses and area. The development will help the Municipality achieve its intensification goals as the residentially- designated site is moving from 0 to 56 residential units.

The development proposes both freehold and condominium ownership which is consistent with the Official Plan's objective to promote variety in tenures. The development is asking for relief from the zoning by-law which is discussed in more detail in Section 6.5.2 of this report.

The site design of infill lots is a balance between maximizing the site and working with the existing conditions. The factors that influenced this design were: the odd shape of the existing lot and the wooded areas. To maximize the density and lot fabric, the development is seeking relief from the Zoning By-law in several areas, which can be considered warranted and justified to facilitate increased density, different housing and tenure opportunities and promote infill development- all of which are priorities of the Official Plan.

The proposed density of the site is 26 units/ ha. The subject lands are locationally ideal for development due to their proximity to community facilities and recreational opportunities.

6.4.5 SECTION D2.4.17 D & E: CONSIDERATIONS FOR MEDIUM DENSITY DEVELOPMENT

Table 2: An Evaluation of the Development Concept under Section D2.4.17 d & e: High Density

<p>The following shall be taken into consideration when reviewing the appropriateness of a new medium and high density development:</p>		
i	<p>The proposed use shall generally be compatible with existing uses in close proximity of the subject lands. The word “compatible” does not necessarily mean the same as or similar to existing nearby built form. Being compatible shall mean that the proposed use can co-exist with the existing nearby built form without causing undue adverse impacts with regard to dwarfing of buildings, shadowing, existing views, increased noise, traffic, etc.</p>	<p>The proposed residential use aligns with the established neighbourhood. The scale, massing and orientation are all proposed to be changed in relation to some of the surrounding residential uses.</p> <p>In terms of the vision as outlined by the Official Plan to promote intensification, this increase is desirable so long as it is compatible with the surrounding community. It is natural the scale, massing and orientation may be increased through the emerging built form when seeking to intensify and better utilize existing lots and services. It is important to note that compatibility does not mean match the existing, it means that the existing and the proposed can co-exist.</p> <p>The small homes and townhomes are a different residential built form than what has been established previously, but are considered to be at a scale, height and massing that is compatible with, just not the same as, the surrounding area.</p>
ii	<p>Adequate buffering, landscaping and building setbacks shall be provided to protect the privacy of the adjacent residential properties.</p>	<p>Landscaping and buffering can be discussed at Site Plan Approval.</p>

iii	The roads in the area shall have the ability to handle the expected traffic increase. Medium and high density housing will generally be encouraged to locate in areas near arterial or collector roads in order to minimize traffic congestion and facilitate access to commercial areas	The subject lands are located adjacent to, and will enter from, an arterial road (Grey County Road 4/ Lambton St. W). A traffic study was completed for the lands.
iv	Municipal water and sanitary sewer capacity shall be available to service the proposed development.	The development is proposed to be fully serviced.
v	Adequate off-street parking shall be provided to serve the proposed development.	The development is requesting to permit parking in the front yard, but is proposed to exceed the parking requirements.
The design of the medium and high-density development shall take into consideration:		
i	The height, bulk and siting of buildings shall achieve harmonious design and integrate with the surrounding area	The proposed residential use conforms to the established neighbourhood. The subdivision component of the development is a logical expansion of the existing grid pattern of Durham. The scale, massing and orientation are all proposed to be changed for the proposed condominium development in relation to some of the surrounding residential uses. The proposed tree retention at the North of the site will assist in easing land use compatibility concerns.
ii	Appropriate open space, landscaping and buffering shall be provided on site to maximize the privacy and enjoyment of the residents residing on the property and to minimize any potential impact on adjacent lower density uses.	Further details such as fencing and buffering can be discussed in Site Plan Approval maximize the privacy and enjoyment of the residents residing on and adjacent to the property.

iii	When an existing detached dwelling is changed to a converted dwelling (i.e. more than two units within the house), the exterior architectural design shall be maintained.	Not applicable, the development concept proposes new construction only.
iv	All medium and high density development may be subject to a Site Plan Control Agreement.	Further details will be discussed in Site Plan Approval.

6.4.6 SECTION E1.2 NATURAL HERITAGE FEATURES AND ENVIRONMENTAL IMPACT STUDIES

- c) No development or site alteration shall occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study, in accordance with Section E1.2.9, that there will be no negative impacts on the natural features or their ecological functions. The “adjacent lands” are defined as lands within 120 metres of the Significant Woodland.

- g) Some lands in Durham and Neustadt may be considered adjacent lands to a Significant Woodland located outside of the settlement area boundary. For this reason, the Significant Woodland mapping that has been incorporated into the County of Grey Official Plan must be reviewed when considering development proposals on lands within Durham and Neustadt. In situations where the Significant Woodland is located outside of the settlement area and the adjacent.

Discussion:

The subject lands are located in a Karst area; within 120m of a significant woodlands (approximately 30 m) and valleylands (approximately 90 m) and are located approximately 130 m from the Saugeen River.

The development concept proposes tree removal, but the scoped EIS confirms that most of the vegetation present within the study area consists of a variety of non-native and invasive species. It also notes that the woodlot is highly disturbed, fragmented by roads, small in size and the presence of adjacent residential development limits the opportunities for wildlife habitat. Therefore, impacts from tree removal with the proposed development will be minimal.

6.4.7 SECTION E2 STORMWATER MANAGEMENT

- E2.1.2 Where required by the Municipality and/or Saugeen Valley Conservation Authority, a development proposal shall be supported by a stormwater management study prepared by a qualified professional to determine the effect of increase runoff due to development of the site, and to identify stormwater management measures as necessary to control any increases in flow. The developer shall install the stormwater management measures identified in the study as part of the development of the site to the satisfaction of the Municipality and the Conservation Authority.

Discussion:

A Stormwater Management Report was prepared by Travis Burnside, P.Eng. and Amy Hoffarth, E.I.T. to support the applications.

6.4.8 SECTION E3 TRANSPORTATION POLICIES

- E3.1.3c The visual impact of a development along a County Road within Durham or Neustadt shall be assessed in order to promote civic beautification along the entrance ways to these settlement areas.
- E3.2.1 As part of a development proposal for a Plan of Subdivision, new municipal streets may be established. In such instances, the road pattern within the new subdivision shall be in the best interest of the subdivision, the adjoining subdivisions and the settlement area in general. Wherever possible, new subdivisions should be designed using a grid road pattern while avoiding curvy linear streets and cul-de-sacs. Such street design will benefit the vehicular and pedestrian traffic flow within the subdivision and adjacent areas, and may benefit the Municipality in providing maintenance to these streets.
- E3.2.3 Sidewalks shall be required on one side of all new local roads where deemed appropriate by the Municipality. The costs shall be borne by the developer.

Discussion:

A portion of the development will be screened from view with the proposed tree retention along County Road 4. The proposed Street A will align with George St. E. and is a natural extension of the existing road grid in Durham. The road will have a slight curve in it to maximize land usability.

Sidewalks are proposed on one side of Street A.

6.4.9 SECTION E4.1 PLANS OF SUBDIVISIONS AND SEVERANCES

E4.1.1 General Land Division Policies

b) The division of land may be permitted where:

- i. The proposed land division complies with the policies pertaining to the subject property's land use designation and all other relevant policies of this Official Plan. Consideration of an Official Plan Amendment may be given as required to facilitate the lot creation, where such an Amendment represents appropriate land use planning.
- ii. The proposed land division complies with the applicable provisions of the Comprehensive Zoning By-law. Consideration of a Zoning By-law Amendment or Minor Variance may be given as required to facilitate the lot creation, where such an Amendment or Minor Variance represents appropriate land use planning.
- iii. The proposed land division results in lots having frontage on a public road that is, or will be, opened and maintained year round and is of a standard of construction acceptable to the Municipality, County or Province, where applicable.
- iv. Safe and suitable vehicular access is available which meets Municipal, County or Provincial transportation objectives, standards and policies for safety and access. Access may also be restricted and/or prohibited along the Provincial Highway or County Roads if required to ensure safe traffic movement.
- v. It has been established that the site's size, configuration and soil/drainage conditions are suitable for all parcels involved to permit the proper location of a building, driveway and other associated features.
- vi. The division of land represents orderly and efficient use of land, and its approval would not hinder future development of the retained lands.

E4.1. e Plans of Subdivision should be designed, wherever possible, to provide a grid road pattern and avoid curvy linear streets and cul-de-sacs. Such street design will benefit the vehicular and pedestrian traffic flow within the subdivision and adjacent areas, and may benefit the Municipality in providing maintenance to these streets.

Discussion:

The proposed development complies with the policies of the West Grey and County Official Plan. A Zoning By-law Amendment is required to facilitate the development, but it can be considered good planning. The proposal can be considered orderly and efficient use of the lands, and the entirety of the parcel is proposed to be developed.

The proposed Street A will align with George St. E. and is a natural extension of the existing road grid in Durham. The road will have a slight curve in it to maximize land usability.

6.4.10 CONCLUSIONS

In conclusion, the proposed development of the subject lands is consistent with the West Grey Official Plan. The subject lands are located in the settlement area of Durham and are proposed to be fully serviced by municipal water and sanitary sewers. The proposal aligns with Provincial, Grey County and West Grey policy objectives to direct development into fully-serviced settlement areas. The proposed residential uses are consistent with the permitted uses in the designation and consistent with the surrounding uses. The development proposes both freehold and condominium tenures, which is consistent with the Official Plan's objective to promote diversity in tenure arrangements. The development concept will help the Municipality achieve its intensification goals as the site is moving from 0 to 56 residential units. The resulting density of the site is 26 units/ ha which effectively utilizes land, resources, infrastructure and public services.

6.5 MUNICIPALITY OF WEST GREY COMPREHENSIVE ZONING BY-LAW

The Corporation of the Municipality of West Grey By-Law number 37-2006, as amended, being a by-law to regulate the use of lands and the character, location and use of buildings and structures in the Municipality of West Grey was approved in 2006.

6.5.1 CURRENT ZONING

The property is zoned Future Development (FD) and R1B- Low Density Residential (R1B).

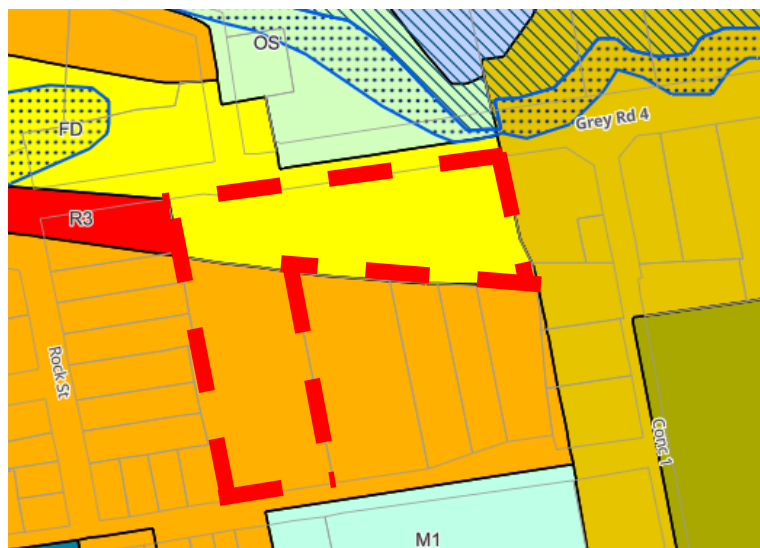


Figure 8: Zoning Map

6.5.2 PROPOSED ZONING

It is proposed that the lands be re-zoned from Future Development (FD), and Residential Zone (R1B) to Residential Zone Special (R2-x) and Residential Zone Special (R3-y).

A Draft Zoning By-law Amendment and Schedule are attached in Appendix C.

Tables 3, 4 & 5: Zoning Matrixes

R2 Zone, deficiencies identified in red.

Regulations- Semi-Detached	Required	Provided
Lot Area, Minimum	275 m ²	414 m ²
Lot Frontage, Minimum	9 m	16.7 m
Minimum Front Yard	7.6 m	6 m
Interior Side Yard	1.8 m	2 m
Exterior Side Yard	7.6 m	7.6 m
Minimum Rear Yard	7.6 m	7.85 m
Building Height, Maximum	10.5 m	Will meet
Maximum Lot Coverage	45%	41.9%
Floor Area	70 m ²	159 m ²

Regulations- Street Townhouse	Required	Provided
Lot Area, Minimum	280 m ²	277 m ²
Lot Frontage, Minimum	6.5 m	9.1 m
Lot Depth, Minimum	30.5 m	30.3 m
Front Yard, Minimum	7.5 m	6 m
Exterior Side Yard, Minimum	7.5 m	6 m
Interior Side Yard, End Unit	3 m	2 m
Building Height	10.35 m	Will meet
Floor Area, Minimum per Unit	70 m ²	136 m ²

R3 Zone Deficiencies identified in red.

Regulations- Cluster Townhouse*	Required	Provided
Lot Area, Minimum	4416.3 m ²	4718.69 m ²
Lot Frontage, Minimum	20.1 m	22 m
Front Yard, Minimum	7.6 m	6 m
Rear Yard, Minimum	7.6 m	7.6 m
Interior Side Yard, Minimum	6 m	2.51 m

Building Height, Maximum	12 m	Will meet
Floor Area	ii) Two Bedroom Unit 60.4 m ²	69.5 m ²
Distance Between Cluster Townhouses	c) A minimum distance of 9.2 m (30.2 ft) shall be maintained between any side of a residential townhouse block and any side of the same or another block.	2.4 m

* while each unit will have direct access to the Condominium Road, the Cluster Townhouse provisions are being applied. The Street Townhouse definition requires that each residential dwelling unit shall have frontage directly onto a street and the Street definition in the West Grey Zoning By-law reads:

“STREET, means a highway: as defined under the Public Transportation and Highway Improvement Act, 2001, and the Municipal Act, R.S.O. 1990, Chapter M.45; and which has been assumed for public use and is maintained year-round by the municipality or any other public authority.”

Therefore, the cluster townhouse provisions have been applied as the condominium road will not assumed by the municipality or any other public authority.

General Provisions:

The relief from the following policy is requested to be included in the Residential Zone (R3-y) Special Zone:

6.27.3 Location of Parking Areas: All parking spaces within a residential zone shall be to the rear of the front wall of the main building, except that a driveway leading directly from the street to a required parking space may be used for the temporary parking of motor vehicles.

6.5.3 REQUESTED AMENDMENTS

Front Yard:

Front yard provisions provide continuity in streetscape, permeable area for stormwater and maintain landscaped open space. Across the subdivision, it is requested that the Front Yard, Minimum be reduced from 7.6 m to 6 m. This is consistent with several nearby Municipalities' as of right permissions including the Town of Hanover, the Township of Wellington North and the Municipality of Brockton.

Six meters leaves sufficient room for parking, landscaped open space and setbacks from the road to ensure routine road maintenance. It will permit an increased backyard for the future owner's personal use which will aid in buffering between the established residential uses to the rear.

Lot Area, Minimum:

A small 2% reduction for Lot Area, Minimum from 280 m² to 277 m² for Lots 4, 5, 8, 9, 24 and 25 is requested. These lots are the interior units of the fourplexes and the absence of side yards is contributing to the reduced size.

Lot Depth, Minimum:

A small 20 cm reduction for Lot Depth, Minimum from 30.5 m to 30.3 m for the western side of the development is requested. The site plan maximizes an established infill lot that is an irregular shape and shows the proposed lots in a logical configuration that will maintain the continuity George St. E. through to Saddler St.

Exterior Side Yard, Minimum:

A reduction from 7.5 m to 6 m for Exterior Side Yard, Minimum is requested for the Lots 14 and 15 adjacent to the future condominium road. Units 1, 13 and 26 exterior side yards will be adjacent to municipal streets, being Lambton and Saddler Streets respectively, will meet the required 7.5 m.

Exterior Side Yards ensure visibility around corners, provide setbacks from the road to ensure road maintenance (including snow removal) and provide amenity space. The proposal is seeking a reduction in exterior side yard to the Condominium Road proposed to service the Vacant Land Condominium development. This setback will still provide ample visibility around the corner and the condominium road can be expected to have less traffic than a public throughfare and therefore, this proposed reduction will not cause a large impact to traffic or sightlines. Finally, snow removal will be the responsibility of the condominium corporation and not the Municipality and there is space on the proposed condominium development for snow storage.

Interior Side Yard, End Unit:

Interior Side Yards provide amenity space, access to rear yards and space for drainage. A reduction from 3 m to 2 m is requested to facilitate a dense and functional infill development. Drainage is not expected to be impacted as the subdivision will be designed to implement this request, and 2 m still provides adequate access to both the exterior and interior rear yards.

Interior Side Yard, Minimum:

For the proposed R3-y Special zone, a reduction for minimum interior side yard from 6 m to 2.51 m from Condo Unit 1 to Lot 13 is requested. It is likely that the condominium development will be fenced to ensure privacy which will aid in the separation of the two parts of the development.

Distance Between Sides of Cluster Townhouses:

A reduction from 9.2 m to 2.4 m is requested for the side of a residential townhouse block and any side of the same or another block.

While a large reduction is being requested, the cluster townhouse provisions were used for the purposes of this analysis as the street townhouses require the townhouse to front onto an open road. But the design is very similar to a street townhouse. For reference, the interior side yard for a Street Townhouse is 1.2 m and therefore, a reduction can be contemplated to align better with the street townhouse provisions.

Parking in the Front Yard:

Section 6.27.3 of the Comprehensive Zoning By-law requires that parking spaces be located to the rear of the front wall of the main building. The proposed small home development proposes providing two spots per unit in the front driveway as the units will not contain garages and minimal, or no, side yards.

These regulations would ensure that there is sufficient area on the lot for amenity space, permeable surfaces for stormwater drainage and provide visual appeal to the neighbourhood through natural foliage.

In the proposed condominium development, the focus of the landscaped space will be in the rear yards of the site, towards Saddler and Lambton Streets, which is the only portion of the site that would be visible from the public realm. Due to the orientation of this site and the location of the buildings, parking in the driveways will only be visible to the condominium residents, localizing any impacts from this amendment to the development itself. It is likely that the condominium portion of the development will be fenced, which will also add to the buffering from these proposed changes.

A site plan of the proposed driveways is included in Appendix A of this report.

Site Plan Control:

It is requested that the proposed small home condominium development be placed under Site Plan Control to facilitate the planned Vacant Land Condominium Exemption process. This was included in the draft by-law.

6.5.4 CONCLUSIONS

In conclusion, Section D2.4.11 of the Official Plan permits the Municipality to utilize unique development standards to facilitate infill development. The variances from the by-law that are requested are modest and would implement a dense site that maximizes a fully-serviced infill lot in a settlement area.

7. CONCLUSIONS & PLANNING OPINION

The proposed Zoning By-law Amendment, Plan of Subdivision and future Condominium represent good planning for the following reasons:

1. The proposals are consistent with the Planning Act, Provincial Policy Statement and conform to the County of Grey Official Plan and West Grey Official Plan;
2. The subject lands are located in the settlement area of Durham and are proposed to be fully serviced by municipal water and sanitary sewers. The proposal aligns with Provincial, Grey County and West Grey objectives to direct development into fully serviced settlement areas.
3. The subject lands are locationally ideal for high-density development as they are proximate to Durham's downtown and are very accessible to recreational opportunities and parkland.
4. The proposed residential use is consistent with the surrounding uses and represents a natural extension of the built boundary and road grid of Durham.
5. The development concept will help fulfill the Municipality's and County's intensification targets. While the property is designated Residential, there are currently no residential dwelling units on the property. The development of the site takes the property from 0 residential units to 56 residential units that offer variety in housing styles and tenure arrangements.
6. The Zoning By-law Amendment will properly implement the development and Section D2.4.11 of the Official Plan permits the Municipality to utilize unique development standards to facilitate infill development.

Planning Justification Report
Saddler Street Townhouses, Durham

Thank you for your consideration of the applications, please contact the undersigned with any questions pertaining to the contents of this report.

Sincerely,
Cobide Engineering Inc.



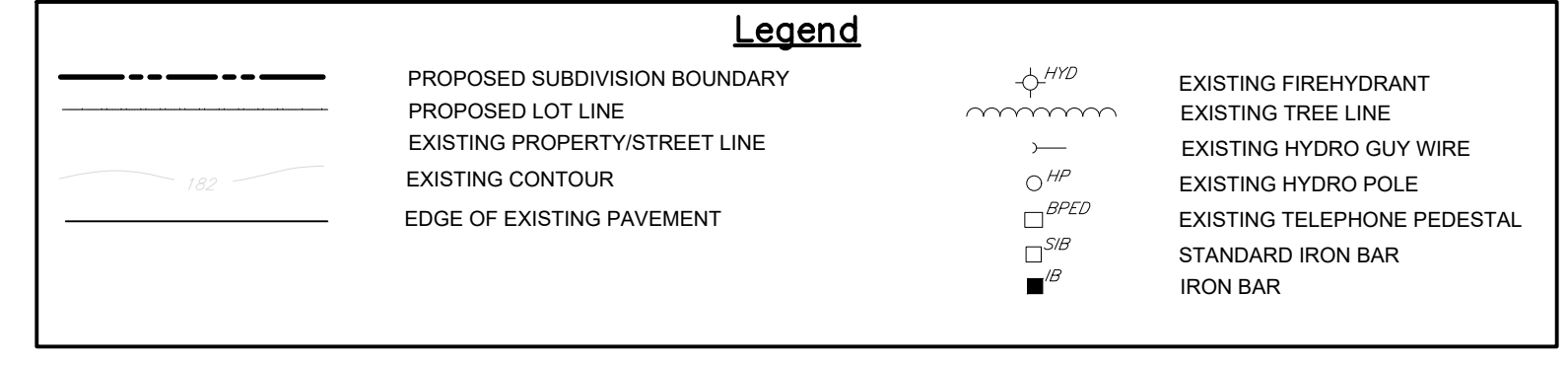
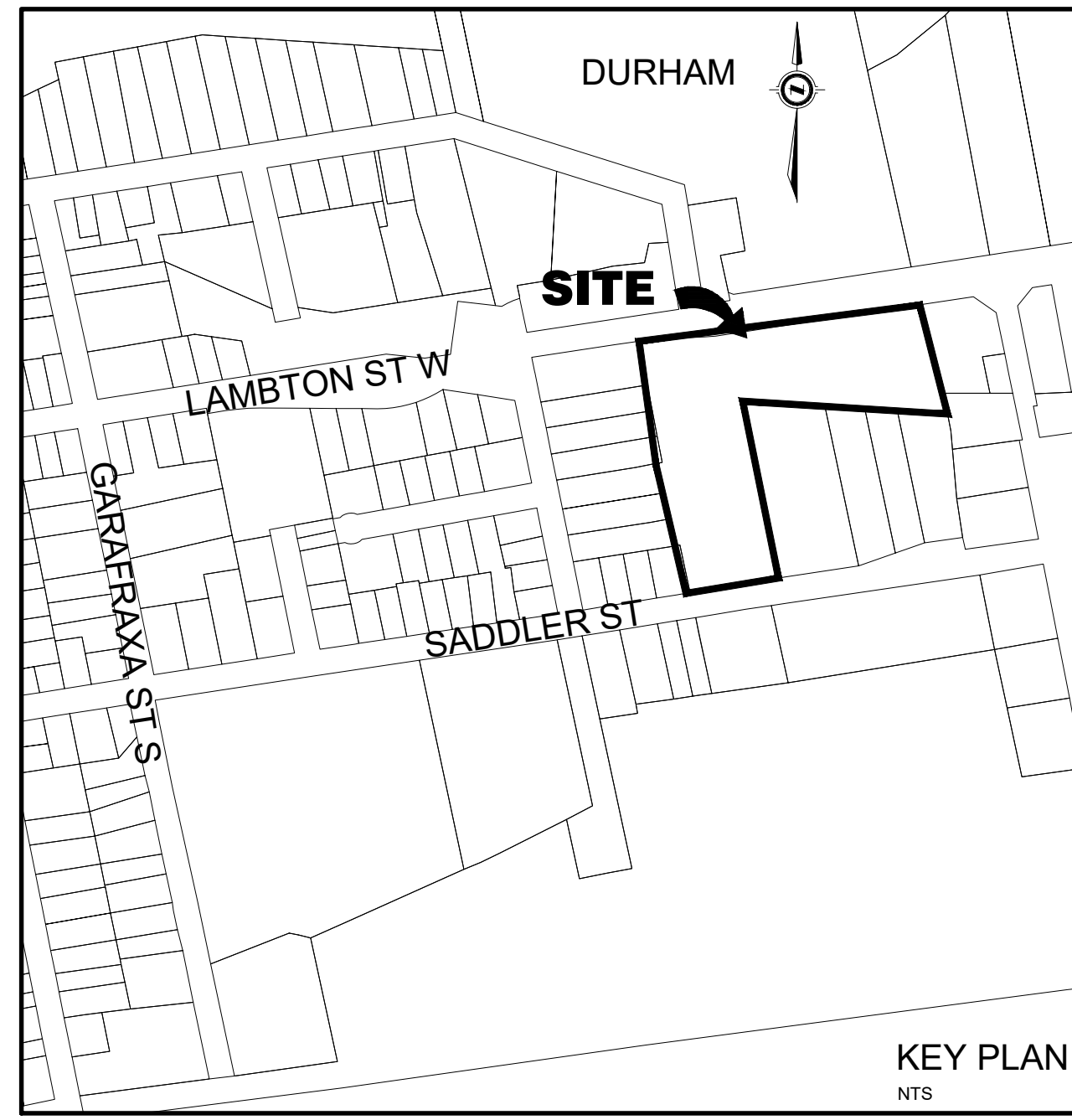
Dana Kieffer, M.Sc. (Planning), MCIP, RPP
Senior Development Planner,
Cobide Engineering Inc.

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Appendix A

**DRAFT PLAN
CONCEPT PLANS**

**SADDLER STREET DEVELOPMENT, DURHAM, MUNICIPALITY OF
WEST GREY**



DRAFT PLAN OF SUBDIVISION
 SADDLER ST. TOWNHOUSES
 PART OF PARK LOTS 13, 14 & 15
 NORTH SIDE OF SADDLER STREET
 REGISTERED PLAN 500
 TOWN OF DURHAM
 MUNICIPALITY OF WEST GREY
 COUNTY OF GREY

RELEVANT SITE INFORMATION

SEMI-DETACHED RESIDENTIAL LOTS (6) (LOTS 1 TO 2, LOTS 11 TO 14)	0.331 ha.
STREET TOWNHOUSE RESIDENTIAL LOTS (20) (LOTS 3 TO 10, LOTS 15 TO 26)	0.696 ha.
MUNICIPAL STREET (STREET A)	0.393 ha.
BLOCK 27 (MULTI-FAMILY UNIT DWELLING)	1.018 ha.
BLOCK 28 (STORM WATER MANAGEMENT)	0.123 ha.
TOTAL PROPOSED SUBDIVISION	2.563 ha.

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

a. AS SHOWN	g. AS SHOWN
b. AS SHOWN	h. MUNICIPAL WATER SUPPLY
c. AS SHOWN	i. SANDY SILT & GRAVEL
d. MULTI-FAMILY RESIDENTIAL	j. AS SHOWN
e. AS SHOWN	k. WATER, STORM SEWERS, SANITARY SEWERS, HYDRO, TELEPHONE
f. AS SHOWN	l. AS SHOWN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED
 AND THEIR RELATIONSHIP TO THE ADJACENT LANDS
 ARE CORRECTLY SHOWN.

James Laws
 JAMES LAWS O.L.S.
 VAN HARTEN SURVEYING INC.

February 14, 2024

OWNER'S CERTIFICATE

I, THE REGISTERED OWNER OF THESE LANDS, HEREBY
 AUTHORIZE COBIDE ENGINEERING INC. TO SUBMIT
 THIS DRAFT PLAN FOR APPROVAL.

F-1 21/24
 DATE

Donald Tremble
 OWNER DONALD TREMBLE, PRESIDENT
 DJ LAND DEVELOPMENTS LTD.

DRAFT APPROVAL SIGNATURE BLOCK

APPROVED IN ACCORDANCE WITH SECTION 51(31) OF THE
 PLANNING ACT, RSO, 1990, CHAPTER P.13, AS AMENDED.

THIS _____ DAY OF _____, 20__

SECRETARY-TREASURER OF THE LAND DIVISION COMMITTEE
 COUNTY OF GREY

SCALE 1:500

1	DEC 07/23	FIRST SUBMISSION	JHL	TLB
No.	DATE	DESCRIPTION	BY	APPD
REVISION / ISSUE				

PROPOSED SUBDIVISION
 REGISTERED PLAN 500
 TOWN OF DURHAM
 MUNICIPALITY OF WEST GREY

Client: TREMBLE

Design: TLB Scale: 1:500
 Drawn: JHL Approved:
 Checked: TLB
 Date: DEC 2023

DRAWING No. 01855-DP1

RESIDENTIAL 'R2' ZONE PROVISIONS

	SEMI-DETACHED	STREET TOWNHOUSE	RESIDENTIAL 'R3' ZONE PROVISIONS (SEE NOTE 2 BELOW)
LOT AREA (MIN.)	275 sq.m.	280 sq.m.	(SEE NOTE 2 BELOW)
LOT FRONTAGE (MIN.)	9.0m	6.5m	20.1m
FRONT YARD (MIN.)	7.6m	7.5m	7.6m
REAR YARD (MIN.)	7.6m	7.5m	7.6m
EXT. SIDE YARD (MIN.)	7.6m	7.5m	7.6m
INT. SIDE YARD (MIN.)	1.2m & 1.8m & 3.7m (SEE NOTE 1 BELOW)	3.0m	6.0m
MAX. LOT COVERAGE	45.0%	-	-

NOTE:
 1) INTERIOR SIDE YARD REQUIREMENTS FOR A ONE STOREY UNIT IS 1.2m. MORE THAN ONE STOREY IS 1.8m. NO ATTACHED GARAGE IS 3.7m. EXCEPTING HOWEVER THAT THE SIDE YARD ALONG THE COMMON WALL DIVIDING THE ATTACHED UNITS SHALL BE 0m.
 2) LOT AREA MINIMUM:
 a) 1393.5 sq. m FOR THE FIRST FOUR UNITS.
 b) 264.8 sq. m FOR EACH ADDITIONAL UNIT THEREAFTER

SOURCE: MUNICIPALITY OF WEST GREY,
 ZONING BYLAW No. 37-2006 (INCLUDES AMENDMENTS
 IN FORCE AND EFFECT AS OF APRIL 1, 2017)

Lot Information

Lot Number	Frontage (m) (AS DEFINED IN ZONING BY-LAW)	Area (sq.m)	Lot Coverage
1	17.8	659.1	24.2%
2	12.7	414.4	38.6%
3	12.7	387.4	41.2%
4	9.1	277	49.3%
5	9.1	277	49.3%
6	12.7	384	41.6%
7	12.7	384	41.6%
8	9.1	277	49.3%
9	9.1	301.7	45.4%
10	12.7	419.2	38.1%
11	19.8	656.3	38.4%
12	19.8	656.9	38.3%
13	18.5	570.9	28.0%
14	16.7	470.6	34.0%
15	16.7	512.2	31.2%
16	9.1	280.5	48.8%
17	9.1	280.2	48.8%
18	12.7	388	41.2%
19	12.7	387.5	41.2%
20	9.1	279.2	48.8%
21	9.1	278.9	48.8%
22	12.7	386.2	41.2%
23	12.7	385.7	41.2%
24	9.1	277.9	48.8%
25	9.1	277.7	48.8%
26	18.4	569.1	28.1%
BLOCK 27	-	11163.3	-
BLOCK 28	-	1233.6	-



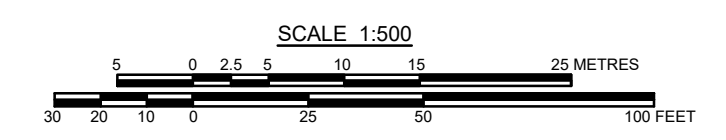
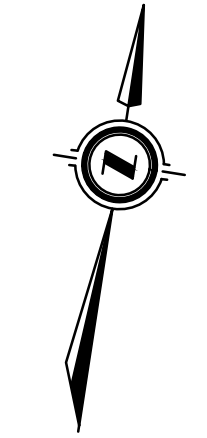
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LAMBTON STREET EAST



CAUTION: THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE DRAWINGS. AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM THEMSELVES OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.

Notes

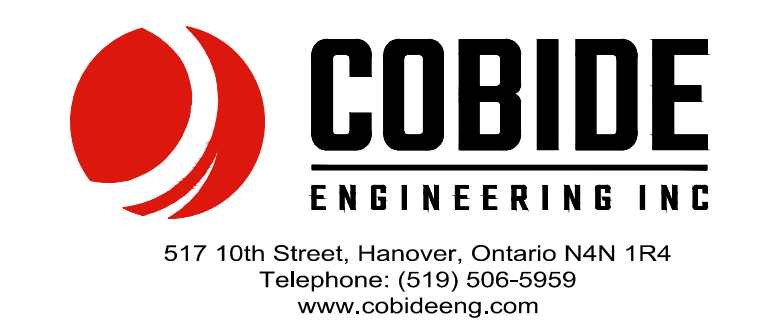


Lot Number	Lot Information		
	Frontage (m) <i>(AS DEFINED IN ZONING BY-LAW)</i>	Area (sq.m)	Lot Coverage
1	17.8	659.1	24.2%
2	12.7	414.4	38.6%
3	12.7	387.4	41.2%
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7	12.7	384	41.6%
8	9.1	277	49.3%
9	9.1	301.7	45.4%
10	12.7	419.2	38.1%
11	19.8	656.3	38.4%
12	19.8	656.9	38.3%
13	18.5	570.9	28.0%
14	16.7	470.6	34.0%
15	16.7	512.2	31.2%
16	9.1	280.5	48.8%
17	9.1	280.2	48.8%
18	12.7	388	41.2%
19	12.7	387.5	41.2%
20	9.1	279.2	48.8%
21	9.1	278.9	48.8%
22	12.7	386.2	41.2%
23	12.7	385.7	41.2%
24	9.1	277.9	48.8%
25	9.1	277.7	48.8%
26	18.4	569.1	28.1%
BLOCK 27	-	11163.3	
BLOCK 28	-	1233.6	

Benchmark Information
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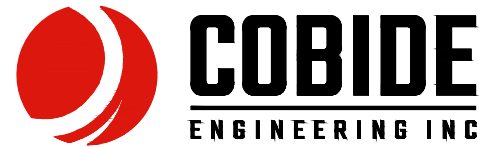
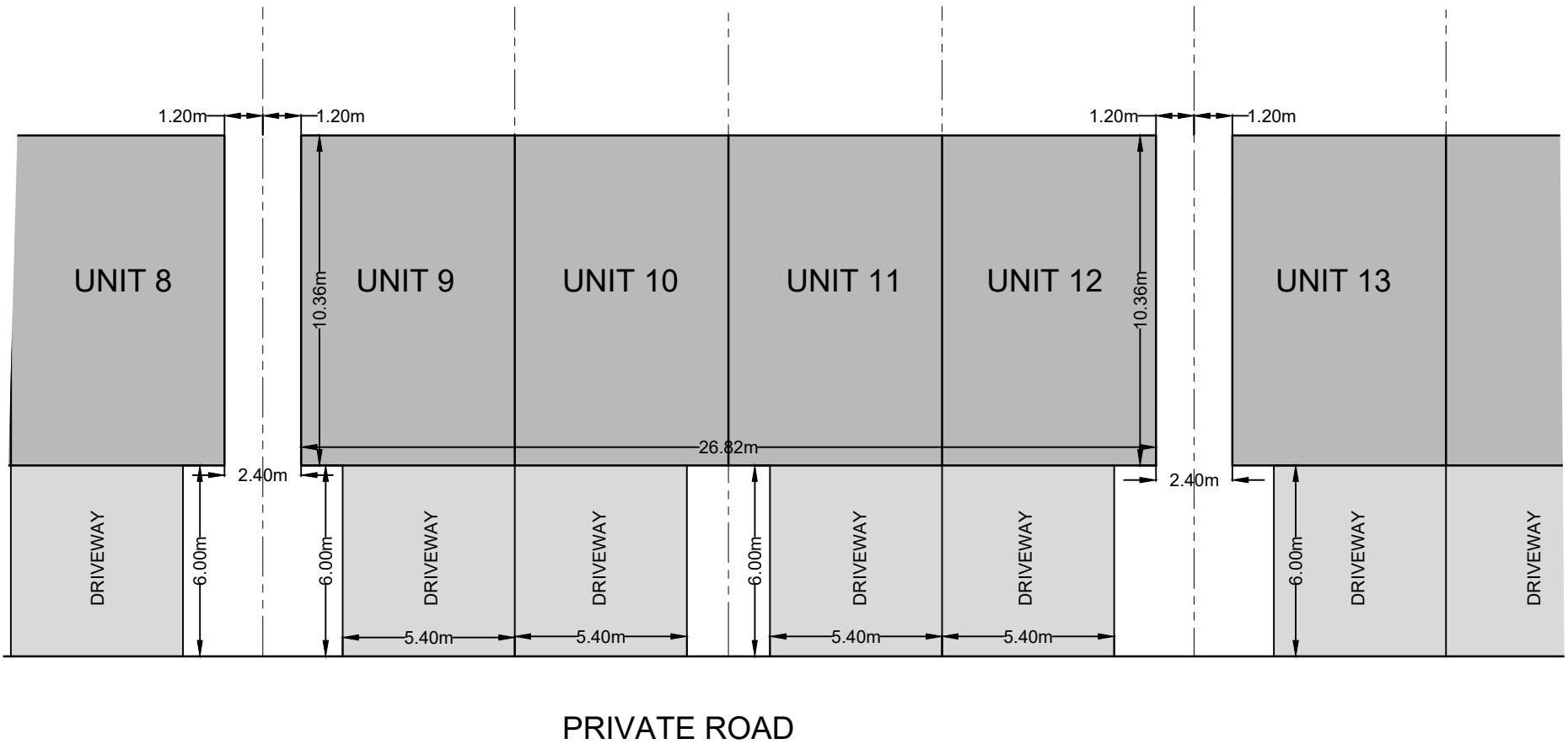
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REVISION / ISSUE				

Seal not valid unless signed and dated



PROPOSED TOWNHOUSE DEVELOPMENT
 MUNICIPALITY OF WEST GREY
 COUNTY OF GREY
 CONCEPT PLAN

Client: TREMBLE
 Design: TLB Scale: 1:500
 Drawn: JHL Approved:
 Checked: TLB
 Date: OCT 2023
 DRAWING No. 01855-CP1



517 10th STREET, Hanover, Ontario N4N 1R4
Telephone: (519) 506-5959
www.cobideeng.com

ORIGINAL SHEET - 8.5 x 11

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Client/Project
PROPOSED SUBDIVISION
REGISTERED PLAN 500
TOWN OF DURHAM
MUNICIPALITY OF WEST GREY

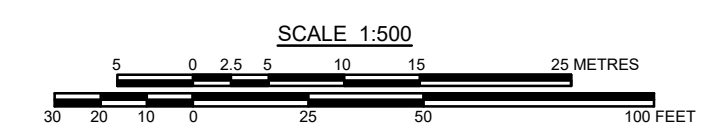
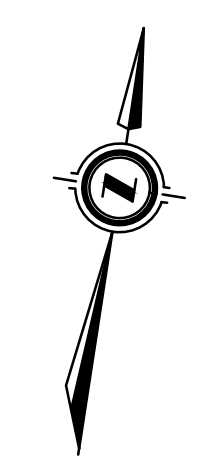
Title
BLOCK 27

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CAUTION:
THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE DRAWINGS. AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM THEMSELVES OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.

Notes



Benchmark Information
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No.	DATE	DESCRIPTION	BY	APPD
1	FEB 16/24	FIRST SUBMISSION	JHL	TLB
REVISION / ISSUE				

Seal not valid unless signed and dated



Title:
**PROPOSED TOWNHOUSE DEVELOPMENT
 MUNICIPALITY OF WEST GREY
 COUNTY OF GREY
 VACANT LAND CONDO - CONCEPT PLAN**

Client:	TREMBLE		
Design:	TLB	Scale:	1:500
Drawn:	JHL	Approved:	
Checked:	TLB		
Date:	OCT 2023		
DRAWING No.	01855-CP1		

Appendix B

CORRESPONDENCE

SADDLER STREET DEVELOPMENT, DURHAM,

MUNICIPALITY OF WEST GREY

SENT ELECTRONICALLY ONLY (tburnside@cobideeng.com)

September 15, 2022

Cobide Engineering
517 – 10th Street
Hanover, ON N4N 1R4

Attention: Travis Burnside, P. Engineer, Cobide Engineering

Dear Mr. Burnside,

RE: Pre-Submission Consultation for Proposed Development
Vacant Lot, Lambton and Saddler Street East
Pt Lot 512, Pt Park 12 to 15, Plan 512, Plan 500
Roll Nos. 420526000524907 and 420526000524901
Town of Durham
Municipality of West Grey

As requested, Saugeen Valley Conservation Authority (SVCA) staff has reviewed your proposed development on the above-noted property per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the Municipality representing natural hazards, natural heritage, and water resources; and your proposal has also been reviewed through our role as a public body under the Planning Act as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

It is SVCA staff's understanding you would like to know the potential natural hazards, and SVCA regulatory limitations for development on the above noted property. As per the site plan provided you are proposing 58 townhouse units, with access proposed via Lambton Street East and Saddler Street East. SVCA staff also understand you intend to change the zoning on the property to allow for this development. Lot grading and stormwater management infrastructure may also be a requirement for development on this lot.

As per your request, SVCA staff has undertaken a desktop review and an in-person site inspection of the property on August 25, 2022. Staff have referenced applicable mapping and SVCA and County/Municipal policy documents as part of our review of the proposal. SVCA staff find the proposal acceptable, we elaborate in the following paragraphs.

Planning Act Application Pre-Submission Consultation

The following pre-submission consultation comments are offered by SVCA staff in advance of any submission of a formal *Planning Act* Application (i.e. Consent to Sever, zoning by-law amendment) to the County Municipality. Please note, SVCA staff provide advice and recommendations to the County/Municipality regarding natural hazard and natural heritage matters; however, the SVCA is not the Approval Authority for Planning Act Applications. We recommend you contact the Municipality and/or County for information pertaining to the Planning Act process.

Zoning and Official Plan

Administration and final interpretation of the Zoning By-law and Official Plan are the responsibility of the Municipality and/or County. We recommend you contact the County/Municipality to confirm the zoning status and/or designation of the property, and for all other items relating to the Zoning By-law and Official Plan.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the proposed through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the proposed through our responsibilities as a service provider to the Municipality in that we provide expert advice and technical clearance on Planning Act applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS 2020, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

SVCA staff find the proposal acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental hazards of interest to SVCA or as per our MOA with the County/Municipality. As such, it is the opinion of SVCA staff that the proposal is consistent with the natural hazard Policies of the PPS (2020), the Grey County Official Plan, and the Municipality of West Grey Official Plan.

Natural Heritage:

In the opinion of SVCA staff, the subject property features adjacent lands to significant woodlands, adjacent lands to other wetlands, and potentially the habitat of endangered and/or threatened species.

The following are a summary of Provincial, County, and Municipal natural heritage policies that apply based on your current proposal.

Significant Woodlands

Provincial Policy Statement – Section 2.1

It is SVCA Staffs' interpretation that Section 2.1.5 b) of the PPS states that development and site alteration shall not be permitted in significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural feature or its ecological functions; and further that, section

2.1.8 states development and site alteration shall not be permitted on adjacent lands to significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural feature or its ecological functions.

Grey County Official Plan Policies

It is SVCA Staffs' interpretation that Section 7.4 of the Grey County OP states that no development or site alteration may occur within Significant Woodlands or their adjacent lands (120 metres) unless it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the natural features or their ecological functions.

Municipality of West Grey Official Plan Policies

It is SVCA Staffs' interpretation that Section E1.2.6 c) states no development or site alteration shall occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study, in accordance with Section E1.2.9, that there will be no negative impacts on the natural features or their ecological functions. The "adjacent lands" are defined as lands within 120 metres of the Significant Woodland.

The proposed area to be developed is within adjacent lands to significant woodlands. As per the site plan provided, development is proposed on previously disturbed lands adjacent to this feature, with some tree removal required. SVCA Staff recommends tree removal be limited to what is necessary for development and avoids the migratory bird nesting/breeding timing window of March 1 - August 31 to abide with Federal requirements. As such, it is SVCA staff's opinion that if the above recommendations are followed, the impact to this feature will be negligible and the requirement for an Environmental Impact Assessment may be waived.

Furthermore, it is SVCA Staff's opinion that if the above recommendations are followed, the application would be in conformance with the natural heritage policies of the PPS (2020), the Grey County Official Plan, and the Municipality of West Grey.

Other wetlands

Provincial Policy Statement – Section 2.1

The subject property features wetlands that have not yet been evaluated by the Province. However, it is SVCA staff's opinion these wetlands play a key role in local ecological diversity and function.

Grey County Official Plan Policies

It is SVCA Staffs' interpretation that Section 7.3.2 1) states development will not be permitted within 'Other Wetlands' or their adjacent lands, unless it has been demonstrated that there will be no negative impacts on the wetland or on its ecological functions; and further that, the County encourages development be setback from wetlands by at least 30 metres. In some cases, this 30 metres distance can be reduced based on site-specific circumstances, or through the completion of an EIS.

Municipality of West Grey Official Plan Policies

It is SVCA Staffs' interpretation that Section E1.2.5 states that according to the County of Grey Official Plan, there are no Significant Wetlands or Areas of Natural and Scientific Interest within or adjacent to Durham and Neustadt, and therefore no policies are provided in this Official Plan with regard to those two features.

The proposed area to be developed is within adjacent lands to other wetlands. As per the site plan provided, development is proposed on previously disturbed lands adjacent to this feature, with some tree removal required. SVCA Staff recommends tree removal be limited to what is necessary for development and avoids the migratory bird nesting/breeding timing window of March 1 - August 31 to abide with Federal requirements. As such, it is SVCA staff's opinion that if the above recommendations are followed, the impact to this feature will be negligible and the requirement for an Environmental Impact Assessment may be waived.

Furthermore, it is SVCA Staff's opinion that if the above recommendations are followed, the application would be in conformance with the natural heritage policies of the PPS (2020), the Grey County Official Plan, and the Municipality of West Grey.

Potential Habitat of Endangered or Threatened Species

Provincial Policy Statement – Section 2.1

It is SVCA Staffs' interpretation that Section 2.1.7 of the PPS states that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

Grey County Official Plan Policies

It is SVCA Staffs' interpretation that Section 7.10 2) of the Grey County OP states that no development or site alteration will be permitted within the Habitat of Threatened / Endangered Species except in accordance with provincial and federal requirements; and that, no development or site alteration will be permitted within the adjacent lands (120 metres) to these areas unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in Section 9.18 of the OP and through provincial and federal requirements.

Municipality of West Grey Official Plan Policies

It is SVCA Staffs' interpretation that Section E1.2.2 a) states mapping is not available for Significant Habitat of Threatened or Endangered Species, Fish Habitat, Significant Valleylands and Significant Wildlife Habitat. As mapping becomes available for these natural features, Appendices A and B will be amended accordingly. In the mean time, the following policies shall apply:

- a) An application proposing a development within an area that has the potential to be included within or on adjacent lands to Significant Habitat of Threatened or Endangered Species, Fish Habitat, Significant Valleylands and Significant Wildlife Habitat, may be required to submit, at the discretion of the Municipality, County, Saugeen Valley Conservation Authority, Ministry of Natural Resources or other public agency, an Environmental Impact Study that involves a

thorough review of the site for one or more of these natural features, in accordance with Section E1.2.9 of this Official Plan.

It has come to the attention of SVCA staff that habitat of Endangered Species and Threatened Species may be located on or adjacent to the property. SVCA's role is to identify endangered/threatened species habitat via screening process in consideration of the PPS and local policies but we must direct applicants to Ministry of Environment, Conservation and Parks (MECP) for follow-up. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) at SAROntario@ontario.ca for information on how to address this policy.

Drinking Water Source Protection (DWSP)

SVCA staff has screened this proposal to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006. The Source Protection Plan came into effect on July 1st, 2016 and contains policies to protect sources of municipal drinking water from existing and future land use activities. The subject property appears to SVCA staff to be located within an area that is subject to the local Source Protection Plan where applicable policies may apply, specifically in Wellhead Protection Area – E, and immediately adjacent to other wellhead Protection Areas. A separate Notice from the local Risk Management Official (RMO) may be required as specified under the Clean Water Act, 2006 to allow your project to proceed. SVCA staff have forwarded a copy of this proposal to Carl Seider, DWSP Risk Management Official (RMO) for their information. Please contact Mr. Seider directly at RMO@greysauble.on.ca for more information on the Source Protection Plan policies that may affect your proposal.

Stormwater Management (SWM):

SVCA staff recommends a stormwater management plan and lot grading / drainage plan be undertaken for the proposed development. In accordance with our MOA with the Municipality, SVCA does not review SWM plans that outlet to existing storm sewers. However, we do recommend a level of "enhanced treatment" given stormwater will ultimately outlet to the Saugeen River, which is fish habitat.

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the Conservation Authorities Act, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The subject property is not within a SVCA Regulated Area. As such, permission from this office is not needed prior to development.

"Development" as defined under the Conservation Authorities Act means:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;

- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading; or,
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream, or watercourse, or the changing or interfering in any way with a wetland. To determine the SVCA Approximate Regulated Area on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at saugeenconservation.ca. Should you require assistance, please contact our office directly.

SVCA Permission for Development or Alteration

The subject property is not within a SVCA Regulated Area. As such, permission from this office is not needed prior to development.

Summary

SVCA staff has reviewed your proposal in accordance with our Memorandum of Agreement (MOA) with the County/Municipality and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

Preliminary SVCA comments regarding Zoning and Official Plan matters have been included within this correspondence but should not be considered all-encompassing for formal SVCA *Planning Act* application comments and you should contact the County/Municipality to confirm your zoning status and the *Planning Act* application process.

SVCA staff find the proposal acceptable if the above-mentioned recommendations for tree-cutting are followed.

SVCA staff has provided comments for the proposed based on a desktop review of available mapping, a site inspection and information that is currently available. There is no guarantee these comments will remain unchanged indefinitely.

Should you have any questions, please contact the undersigned at m.cook@svca.on.ca

Sincerely,



Michael Cook
Environmental Planning Technician
Saugeen Conservation

MC/

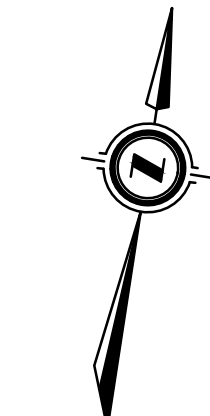
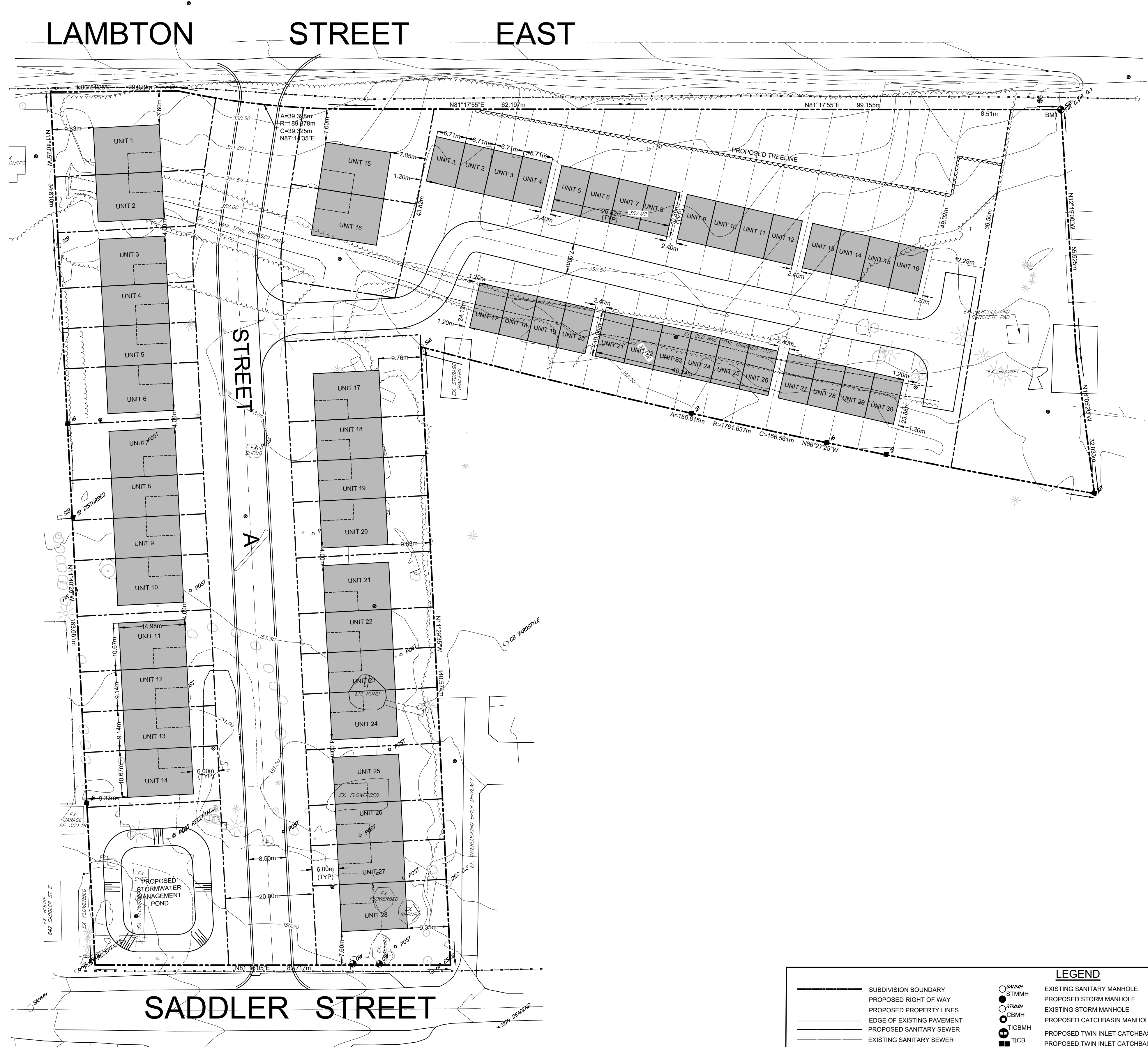
Encl: Submitted Site Plan

cc:

Christine Robinson, Authority Member, SVCA (via email)
Tom Hutchinson, Authority Member, SVCA (via email)
Lorelie Spencer, Manager of Planning and Development, Municipality of West Grey (via email)
Scott Taylor, Director of Planning, Grey County (via email)
Karl Shipprack, CBO, Municipality of West Grey (via email)
Jay Tremble, Landowner/Stakeholder (via email)
Dana Kieffer, Planner, Cobide Engineering (via email)
RMO, Drinking Water Source Protection, Grey Sauble Conservation Authority (via email)

CAUTION:
THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER
UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT
NECESSARILY SHOWN ON THE DRAWINGS AND, WHERE SHOWN, THE
ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT
GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM
HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES,
AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.

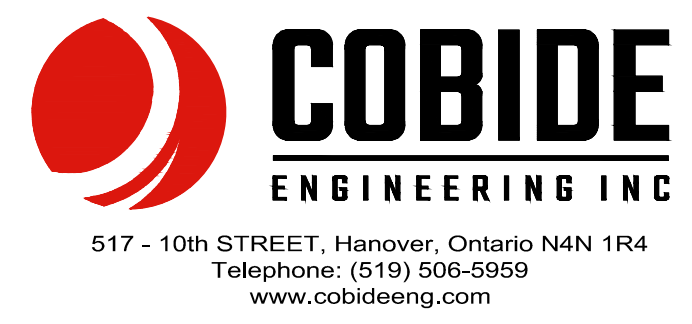
Notes



Benchmark Information
 BM1
 SIB LOCATED AT NORTHEASTERN CORNER OF SUBJECT PROPERTY.
 ELEVATION 353.06m

No.	DATE	DESCRIPTION	BY	APPD
0	JUL 28/22	CONCEPT PLAN	EV	TLB
REVISION / ISSUE				

Seal not valid unless signed and dated



Title: **PROPOSED TOWNHOUSE DEVELOPMENT**
MUNICIPALITY OF WEST GREY
COUNTY OF GREY
CONCEPT PLAN

Client: **DJ LAND DEVELOPMENTS**
 Design: TLB Scale: 1:500
 Drawn: TLB Approved:
 Checked: TLB
 Date: FEB 2022
 DRAWING No. 01855-CP

LEGEND

—	SUBDIVISION BOUNDARY	○ SANMH	EXISTING SANITARY MANHOLE	▽	EXISTING GATE VALVE
- - -	PROPOSED RIGHT OF WAY	● STMMH	PROPOSED STORM MANHOLE	◀	PROPOSED CAP CW THRUST BLOCK
---	PROPOSED PROPERTY LINES	○ CBMH	EXISTING STORM MANHOLE	—	PROPOSED BLOWOFF
---	EDGE OF EXISTING PAVEMENT	○ TCBMH	PROPOSED CATCHBASIN MANHOLE	—	EXISTING HYDRO GUY WIRE
---	PROPOSED SANITARY SEWER	■ CB	PROPOSED TWIN INLET CATCHBASIN	—	EXISTING HYDRO POLE
---	EXISTING SANITARY SEWER	■ CB	PROPOSED TWIN INLET CATCHBASIN	—	EXISTING CABLE TV PEDESTAL
---	PROPOSED STORM SEWER	■ CB	EXISTING CATCH BASIN	—	EXISTING TELEPHONE PEDESTAL
---	EXISTING STORM SEWER	■ CB	EXISTING CATCH BASIN	—	STANDARD IRON BAR
---	PROPOSED SUBDRAIN	■ CB	PROPOSED DITCH INLET CATCHBASIN	—	IRON BAR
---	PROPOSED WATERMAIN	■ CB	PROPOSED SANITARY SERVICE CLEANOUT	—	BENCHMARK
---	EXISTING WATERMAIN	■ CB	EXISTING SANITARY SERVICE CLEANOUT	—	DROP CURB
---	PROPOSED SANITARY SERVICE	■ CB	PROPOSED CURB STOP VALVE	—	PROPOSED LANDSCAPE FEATURES
---	EXISTING SANITARY SERVICE	■ CB	EXISTING CURB STOP VALVE	—	PROPOSED STREET PLATE LOCATION
---	PROPOSED WATER SERVICE	■ CB	PROPOSED HYDRANT SET	—	SUPPORT: 50mm x 3.75m TELESPAR
---	PROPOSED STORM SERVICE	■ CB	EXISTING FIRE HYDRANT	—	YIELDING BREAKAWAY
---	PROPOSED SANITARY MANHOLE	■ CB	PROPOSED GATE VALVE	—	PROPOSED 60cm x 60cm STOP SIGN
---		■ CB		—	MTO Rb-1

H:\1855\1855 Tremble Saddle St Townhouses\Drawings\Working\Drawings\01855 Saddle St Townhouses Concept 2022-02-14.dwg Jul 28, 2022 - 8:52am



JOHNSON & SCHWASS
PROFESSIONAL CORPORATION

January 8, 2024

SENT VIA EMAIL ONLY TO: dkieffer@cobideeng.com

Cobide Engineering Inc.
517 10th Street
Hanover, ON N4N 1R4

Attention: Dana Kieffer

Dear Ms. Kieffer:

**Re: DJ Land Developments Ltd. –
Saddler Street – Durham Development**

I thank you for contacting my office with respect to the above-noted matter.

Further to our telephone conversation on November 30th, I confirm that there is a small, triangular parcel of land in the north-east corner of the proposed new subdivision development (shown on Drawing No. 01855-CP1, being the Concept Plan prepared by Cobide Engineering Inc.); the Concept Plan shows that the neighbour's barn encroaches onto the property currently owned by DJ Land Developments Ltd. ("DJ"). The Concept Plan further indicates the pergola, concrete pad, and playset are all located entirely on the land owned by DJ.

On behalf of DJ, your office has requested a letter to confirm whether a Consent Cancellation is required to get the lands to merge/consolidate with the adjacent parcel, being municipally known as 403106 Grey Road 4, Durham, Ontario, being legally known as PT LT 59 CON 2 EGR GLENELG AS IN R518236; WEST GREY, and bearing Property Identification Number 37319-0247 (LT) ("the Nixon Property").

During the course of our telephone conversation, you also questioned whether a Consent Application would be required in order to convey the triangular parcel to the adjacent landowner, and thereby "add" it to the Nixon Property, since the transferor (DJ), would retain abutting land.

Barristers & Solicitors
177 Toronto Street North
P.O. Box 433
Markdale, ON N0C 1H0
Phone: 519-986-1969
Fax: 519-986-4793

Ian C. Johnson, B.A., LL.B. (Retired)

Jennifer A. Schwass, B.A., J.D.
jennifer@johnsonandschwass.ca

Amnah Hasan, B.B.A., LL.B.
amnah@johnsonandschwass.ca

When we spoke on the phone, I indicated that to the best of my knowledge, a Consent Application would be necessary (either prior to, or concurrently, with any other applications submitted by or on behalf of DJ), in order to allow DJ to legally convey the triangular parcel of property to the Nixons. However, I further indicated that I had not fully read the entirety of the changes made to Ontario's *Planning Act* on January 1st, 2022 as they apply to condominium developments (since the development of condominiums are not a common local occurrence).

I confirmed that I would review the 2022 amendments to investigate whether any provision now exists that would allow DJ to convey the triangular parcel without having to obtain a Certificate of Official (or "Consent"), in accordance with the terms of the *Planning Act*.

2022 Amendments to Ontario's *Planning Act*

My research led me to discover that one of the new amendments addresses the situation at hand. In 2022, Section 50(3)(b)(ii) was added to the *Planning Act*. This Section reads as follows:

Subdivision control

(3) No person shall convey land by way of a deed or transfer, or grant, assign or exercise a power of appointment with respect to land, or mortgage or charge land, or enter into an agreement of sale and purchase of land or enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more unless,

(a) the land is described in accordance with and is within a registered plan of subdivision;

(a.1) the land is the whole of a parcel of land that was previously owned by, or abutted land previously owned by, joint tenants and the ownership would have, but for this clause, merged in the person as a result of the death of one of the joint tenants;

(b) **the person does not retain the fee or the equity of redemption in, or a power or right to grant, assign or exercise a power of appointment in respect of, any land abutting the land that is being conveyed or otherwise dealt with other than,**

(i) land that is the whole of one or more lots or blocks within one or more registered plans of subdivision,

(ii) **land that is within a registered description under the *Condominium Act, 1998*, or**

- (iii) land that is the identical parcel of land that was previously conveyed by way of a deed or transfer with a consent given under section 53 or was mortgaged or charged with a consent given under section 53, either of which consent was given on or after March 31, 1979 and did not stipulate that this subsection or subsection (5) applies to any subsequent conveyance or other transaction;
- (b.1) the land is being leased for a period of not less than 21 years and not more than 99 years, for the purpose of constructing or erecting a building or project that will contain affordable housing units;
- (c) the land or any use of or right therein is being acquired or disposed of by Her Majesty in right of Canada, Her Majesty in right of Ontario or by any municipality; ...

Sidney Troister, in the Fourth Edition of *The Law of Subdivision Control in Ontario*, states the following:

“The question of merger arose in the past where a condominium developer owns all of the units in a condominium corporation and wants to deal with abutting land. This situation arises not infrequently where a developer has developed Phase I of a project which is ready for unit transfers and is financing Phase II which is not yet condominiumized. While the logical workaround was to convey away one of the units in the condominium corporation or even an interest in one of those units whereupon there would not be identical ownership between the two phases and the non-condominium lands can then be dealt with, that work around is no longer necessary.

The 2022 addition of section 50(3)(b)(ii) permits a person to deal with land if the abutting land is ‘land that is within a registered description under the *Condominium Act, 1998*.’”

Accordingly, and to answer your query, despite the fact that there is no *Planning Act* Consent registered on the triangular parcel that is at issue, once the Plan of Subdivision has been registered, any abutting parcel outside of the said Plan of Subdivision can be conveyed, notwithstanding the fact that the lands within the Plan of Subdivision, and the lands to be conveyed outside the Plan of Subdivision, are held in the identical name and capacity. This statement is, however, conditional in that the owner of the triangular shaped piece cannot own any other lands outside of the Plan of Subdivision which abut the triangular parcel to be conveyed.

Therefore, due to the 2022 amendments to the *Planning Act*, no Consent will be necessary to convey the triangular-shaped parcel to the owners of the Nixon Property.

No Planning Act Consent on the Existing Nixon Property

Additionally, I have conducted a subsearch of title to the Nixon Property, being PT LT 59 CON 2 EGR GLENELG AS IN R518236; WEST GREY - bearing PIN (Property Identification Number) 37319-0247 (LT).

I have confirmed that there is no *Planning Act* Consent registered on the existing Nixon Property. Therefore, under the *Planning Act*, the lands will legally merge once title to both the triangular parcel and the existing parcel is conveyed, provided that title is held in the same manner.

It would, indeed, be prudent for an Application to Consolidate the Parcels (Property Identification Numbers) to be prepared and registered at that time, but it is not necessary to register the Application to Consolidate as legally, the parcels will have merged; it would simply be cleaner and more obvious, to anyone reviewing title to the Nixon Property at any point in the future, that the two properties have been consolidated.

The Nixons will likely also wish to merge the Tax Roll Numbers, as I suspect that the Municipal Property Assessment Corporation will likely assign a separate Roll Number to the triangular piece left outside of the Plan of Subdivision, which will be in addition to their current Roll Number for their existing property. The Nixons will need to apply to the Municipal Property Assessment Corporation for the Tax Roll Numbers to be consolidated into one, but I assume that they will need to wait for a new Roll Number to be assigned to the triangular-shaped parcel.

I trust that this answers your questions, but please feel free to contact me should you have any further questions or concerns regarding the above.

Yours very truly,



Jennifer Ann Schwass

cc. client

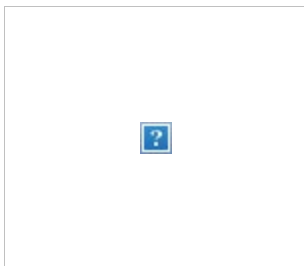
From: [SON Archaeology](#)
To: [Dana Kieffer](#)
Subject: Re: 01855- Durham Archaeological Study 2023-10-20
Date: October 23, 2023 3:55:50 PM
Attachments: [image001.png](#)

Hi Dana,

SON Archaeology will cautiously accept the report. Please contact us immediately if any artifacts are recovered from the site in the future.

Miigwetch,

Natalie Kuipers
Resource & Infrastructure Department



10129 Hwy 6
Georgian Bluffs, ON
N0H 2T0
saugeenobjibwaynation.ca

On Fri, Oct 20, 2023 at 3:34 PM Dana Kieffer <dkieffer@cobideeng.com> wrote:

Hey Rob,

I feel like we have chatted about this but I don't remember coming to a resolution, so can you tell me if the attached report completed by Amick will need to be reviewed and/or whether further work will be required? The report has been submitted to the MCM, but not yet accepted. We are hoping to make the planning applications shortly.

Thanks in advance, feel free to call to discuss,

dk



Dana Kieffer, M.Sc (Planning), MCIP, RPP

Cobide Engineering Inc.

517 10th Street

Hanover, ON N4N 1R4

T +1 519-506-5959 ext. 106

E dkieffer@cobideeng.com

www.cobideeng.com

Please consider the environment before printing...

This message, including any document or file attached, is intended only for the addressee and may contain privileged and/or confidential information. Any other person is strictly prohibited from reading, using, disclosing or copying this message. If you have received this message in error, please notify the sender and delete the message. Thank you.

Notice of Restricted Land Use
Clean Water Act – ss. 59(2)(a)

TO/ATTN: _____

Location Address: _____

Assessment Roll #: _____

Property Owner Name _____ and/or

Person engaged
in Activity _____
(where applicable)

Notice File No. _____ RMP File No. _____

From the information noted in your development application, at this stage it has been determined that **neither section 57 (Prohibited Activities) nor section 58 (Regulated Activities)** applies on the above-noted property, pursuant to the *Clean Water Act, 2006*.

Consequently, **no policies currently apply to the activities identified in your application**, under the approved Source Protection Plan for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region (effective July 1, 2016). However, it should be noted that this property falls within the Wellhead Protection Area 'E', **whereby potential threats associated with activities including manure storage and application, and fuel storage would require a Risk Management Plan.**

If any activities or operations on this property change, please contact this office. If you have any questions, please contact this office (519-470-3000 or toll-free 1-877-470-3001) or via email at rmo@greysauble.on.ca.

Signature of RMO:  _____ Date: _____

Appendix C

**DRAFT ZONING BYLAW AMENDMENT
DRAFT SCHEDULE**

**SADDLER STREET DEVELOPMENT, DURHAM,
MUNICIPALITY OF WEST GREY**



**The Corporation of the Municipality of West Grey
Bylaw No. 2024-0XX**

A bylaw to amend Zoning Bylaw No. 37-2006 in accordance with **ZA01.2023**

WHEREAS pursuant to the provisions of Section 34 and 36(1) of the *Planning Act, R.S.O. 1990*, as amended, bylaws may be amended by Councils of Municipalities; and

WHEREAS Section 41 of the *Planning Act, R.S.O. 1990, c.P.13* provides in part that, where in an official plan an area is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situate may, by by-law, designate the whole or any part of such area as a site plan control area; and

WHEREAS the Council of the Corporation of the Municipality of West Grey deems it expedient and in the public interest to amend bylaw No. 37-2006, as amended, being the Municipality of West Grey Comprehensive Zoning Bylaw; and

NOW THEREFORE be it resolved that the council of the Corporation of the Municipality of West Grey hereby enacts as follows:

1. That Bylaw No. 37-2006 is hereby amended by changing the zone symbol on Part of Park Lots 13-15, Plan 500, North Side of Saddler St., geographic Town of Durham, Municipality of West Grey, County of Grey from Future Development (FD) and Low Density Residential (R1B) to Residential Zone Special (R2-x), Residential Zone Special (R3-y) and Open Space Zone (OS).
2. That Schedule 'A' and all other notations thereon are hereby declared to form part of this bylaw.
3. That Section 35.1 of Bylaw No. 37-2006 is hereby further amended by adding the following paragraphs:

Notwithstanding subsection 13.2.2 Semi-Detached Dwelling to the contrary, the following provisions shall apply to the lands zoned R2- x (Residential with Exceptions) as shown on Schedule 'A' attached to this bylaw:

R2-x (see Schedule 'A')

- a. The Front Yard, Minimum shall be 6 m.

Notwithstanding subsection 13.2.6 Street Townhouse Dwelling to the contrary, the following provisions shall apply to the lands zoned R2- x (Residential with Exceptions) as shown on Schedule 'A' attached to this bylaw:

R2-x (see Schedule 'A')

- a. The Lot Area, Minimum shall be 275 m².
- b. The Lot Depth, Minimum shall be 30.2 m.
- c. The Front Yard, Minimum shall be 6 m.
- d. The Exterior Side Yard Minimum shall be 6 m.
- e. The Interior Side Yard, End Unit, shall be 2 m.

Notwithstanding subsection 14.2.2 Cluster Townhouse Dwelling to the contrary, the following provisions shall apply to the lands zoned R3 -y (Residential with Exceptions) as shown on Schedule 'A' attached to this bylaw:

R3- y (see Schedule 'A')

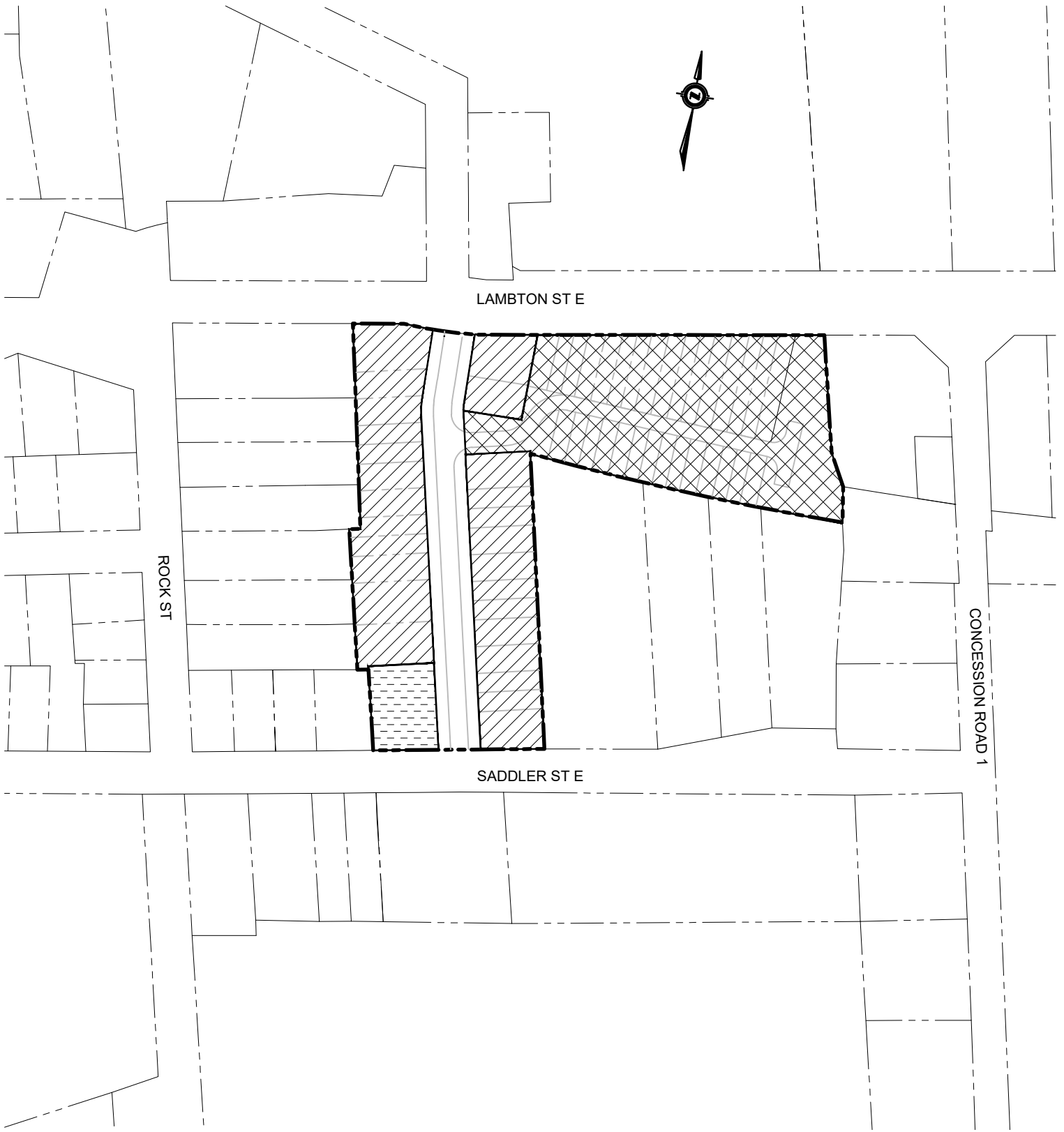
- a. The Front Yard, Minimum shall be 6 m.
- b. The Interior Side Yard, Minimum shall be 2.3 m.

- c. The distance between any side of a residential townhouse block and any side of the same or another block shall be 2.4 m.
 - d. 1.2 m is permitted between the side of a residential townhouse block and a unit boundary.
 - e. Two parking spaces per dwelling unit shall be permitted in front of the front wall of the main building.
4. That the subject lands be considered a Site Plan Control Area, and associated plans and drawings referred to in Subsection 41(4) of the *Planning Act* and one or more agreements that ensure the provision and maintenance of any of the facilities, works or matters to be provided in conjunction with all buildings and structures to be erected and any of the facilities, works or matters mentioned in Subsection 41(7) of that Act may be required should the Municipality of West Grey deem it necessary.
5. This By-law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended.

Read a first, second and third time and finally passed this _____, 2024.

Mayor Kevin Eccles

Jamie M. Eckenswiller, Clerk

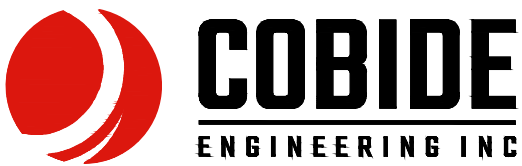


LAMBTON ST E

ROCK ST

CONCESSION ROAD 1

SADDLER ST E



517 10th STREET, Hanover, Ontario N4N 1R4
Telephone: (519) 506-5959
www.cobideeng.com

SCHEDULE A
MUNICIPALITY OF WEST GREY
ZONING BYLAW AMENDMENT
ARN 420526000524907/ ARN420526000524901
JANUARY 12, 2024



LANDS TO BE ZONED RESIDENTIAL ZONE R3-Y



LANDS TO BE ZONED RESIDENTIAL ZONE R2-X



LANDS TO BE ZONED OPEN SPACE (OS)