



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

August 29, 2024

Municipality of West Grey
402813 Grey Road 4
RR 2
Durham, ON
N0G 1R0

Attention: David Smith
Director or Planning

Dear David:

**Re: Applications for Consent and Minor Variance
Part Lot 20, Concession 6
Geographic Township of Glenelg
Municipality of West Grey
County of Grey
574148 Sideroad 40
Owner: Colin and Jacqueline George**

Further to recent pre-consultation discussions involving your office and the County of Grey Planning Department, enclosed please find completed applications for Consent and Minor Variance.

Also enclosed is an email from a lawyer explaining that the parcel benefiting from the lot line adjustment does not require a Cancellation of Consent Certificate. The deeds and transfer sheets for the two lots involved in this conveyance are also provided, as per your submission requirements.

To support the submitted applications and assist your office in its evaluation of the proposal, I am providing the following information:

The Proposal:

Colin and Jacqueline George own a 20.249-hectare parcel of land located along the west side of Sideroad 40, in the former Township of Glenelg. Situated on this predominantly forested parcel are the George's residence and garage.

Maria MacPhail owns the 10.05-hectare lot located to the immediate south. Her family home is located in the northeast corner of the property, along with a garage and two sheds.

The MacPhails enjoy the use of a recreational trail that meanders through the forested lands north of house; however, neither the Georges nor the MacPhails realized until recently that the trail is located partly on the George property. This trail has existed for many years and was established by the previous owners of the MacPhail property.

The two landowners have agreed to a lot line adjustment that would involve a 50-metre wide parcel of land along the entire mutual property boundary being conveyed from the Georges to Mrs. MacPhail.

In addition to having the trail located entirely on the MacPhail property, the lot line adjustment would also provide for a greater side yard for the most northerly shed, which is situated about 0.6 metres from the current lot boundary.

Please note that the location of the existing mutual property boundary was confirmed in a reference plan that was prepared recently for the MacPhail property.

No new lot creation would result from this lot line adjustment. As well, no physical changes to the severed parcel will occur, as the MacPhails will continue utilizing the lands solely for passive recreational purposes.

The existing features of both parcels and the proposed land conveyance are shown on the attached Figure 1.

Approvals Required:

The lot line adjustment requires the approval of a Consent application by the Township's Committee of Adjustment.

Approval of a Minor Variance application by the Committee is also necessary to reduce the 'minimum lot area' requirement of the 'A2' zone from 20 hectares to 18.2 hectares in order to reflect the reduced size of the retained parcel.

Municipality of West Grey Zoning By-law:

The two properties subject to this lot line adjustment are zoned mostly 'A2' (Rural), with some lands zoned 'NE' (Natural Environment), as illustrated on Figure 2.

The 'A2' zone provisions include a 'minimum lot area' of 20 hectares and a 'minimum lot frontage' of 122 metres. The George property currently comprises 20.249 hectares of land but will be reduced in size to 18.23 hectares once the conveyance occurs. Given that this retained parcel will no longer conform to this lot area standard, relief from the Zoning By-law is required. In this regard, a Minor Variance application has been submitted.

The MacPhail property currently comprises 10.05 hectares of land and will increase in size to 12.06 hectares as a result of the lot line adjustment. Existing undersized lots are essentially "grandfathered", and therefore this expanding lot does not need to be referenced in the Minor Variance.

Grey County Official Plan:

Schedule A of the County of Grey Official Plan designates the two subject properties primarily as 'Rural', with some 'Hazard Lands' along the east side, as shown on Figure 3.

The 'Rural' policies give consideration to limited lot creation; however, the proposal does not involve the creation of a new lot but rather an adjustment of the existing boundary between two abutting properties. The nature of this lot line adjustment is supported by the 'Rural' policies.

Schedule B of the Official Plan applies the 'Aggregate Resource Area' constraint to most of the George property and about 20% of the MacPhail property, although it affects only a small portion of the severed lands. The purpose of this constraint mapping is to protect areas of known sand and gravel from development involving the creation of new non-farm lots or Zoning By-law Amendments that could possibly interfere with future aggregate extraction operations. These policies are not relevant to a lot line adjustment of this nature.

Appendix B of the Grey County Official Plan identifies the forested areas on both properties as 'Significant Woodland'. A small area is also shown as 'Other Wetlands'. Both of these natural heritage features exist on the lands being severed. Development and site alteration is generally prohibited within these constraint areas or on the adjacent lands unless it can be demonstrated that these features or their functions would not be negatively impacted. On this note, no development or site alteration is proposed for the severed parcel. The trail was established several years ago, although I believe it would still be permitted today since the removal of a limited number of trees for the purposes of establishing a walking trail does not qualify as site alteration.

Based on the above, the proposed lot line adjustment conforms to the Grey County Official Plan.

Provincial Policy Statement:

The Provincial Policy Statement (PPS) would not generally interfere with lot line adjustments that do not involve prime agricultural land.

The PPS also protects areas of known sand and gravel deposits, as well as natural heritage features, from development and site alteration. Similar policies are found in the Official Plan and have been addressed above.

Minor Variance:

Section 45 of The Planning Act gives the Committee of Adjustment the authority to grant relief from a provision(s) of the Comprehensive Zoning By-law provided such relief passes four tests:

1. Does the Minor Variance maintain the intent and purpose of the Official Plan?

Comment: Official Plan conformity has been addressed above.

2. Does the Minor Variance maintain the intent and purpose of the Zoning By-law?

Comment: Given that the Official Plan generally allows for lots as small as 0.8 hectares in non-prime agricultural areas, having a 'minimum lot area' requirement of 20 hectares in the Zoning By-law does not seem necessary. As such, most municipalities have eliminated this provision for

their Comprehensive Zoning By-law. Reducing the lot area requirement, as proposed, would not undermine the intent of the Zoning By-law.

3. Is the Minor Variance minor in nature?

Comment: This question is generally re-phrased as “what impact will the variance have on the adjacent lands?”

The proposed Minor Variance will simply result in a shifting of a mutual property boundary within a heavily forested area. No development will result. There will be no impact on the adjacent properties.

4. Would the Minor Variance represent an appropriate or desirable use of the land and buildings?

Comment: The respective owners of the two properties involved in this lot line adjustment would prefer if the trail that has been used by the MacPhails and the previous landowner for years was located entirely on the MacPhail property. The conveyance would be desirable and appropriate.

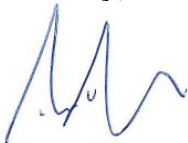
Based on the above, the proposed Minor Variance passes the four tests stated in the Planning Act.

Closing Comments:

The proposed lot line adjustment and associated Minor Variance have merit and therefore should be given favourable consideration.

Should you require any additional information, please contact the undersigned. On a final note, please contact me to discuss a possible public meeting date before actually scheduling the meeting in order to ensure my availability.

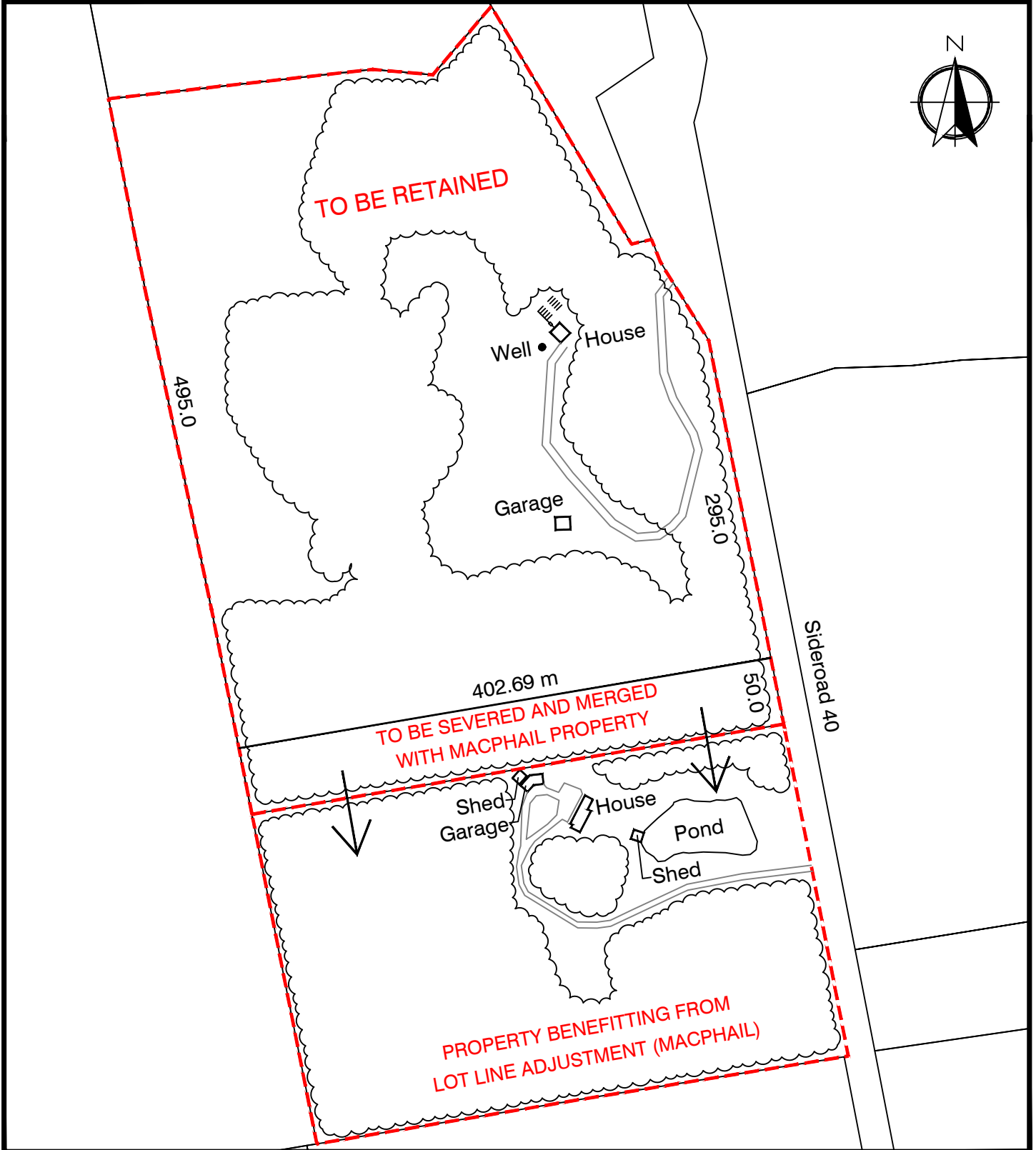
Sincerely,



Ron Davidson, BES, RPP, MCIP

c.c. Maria and Peter MacPhail

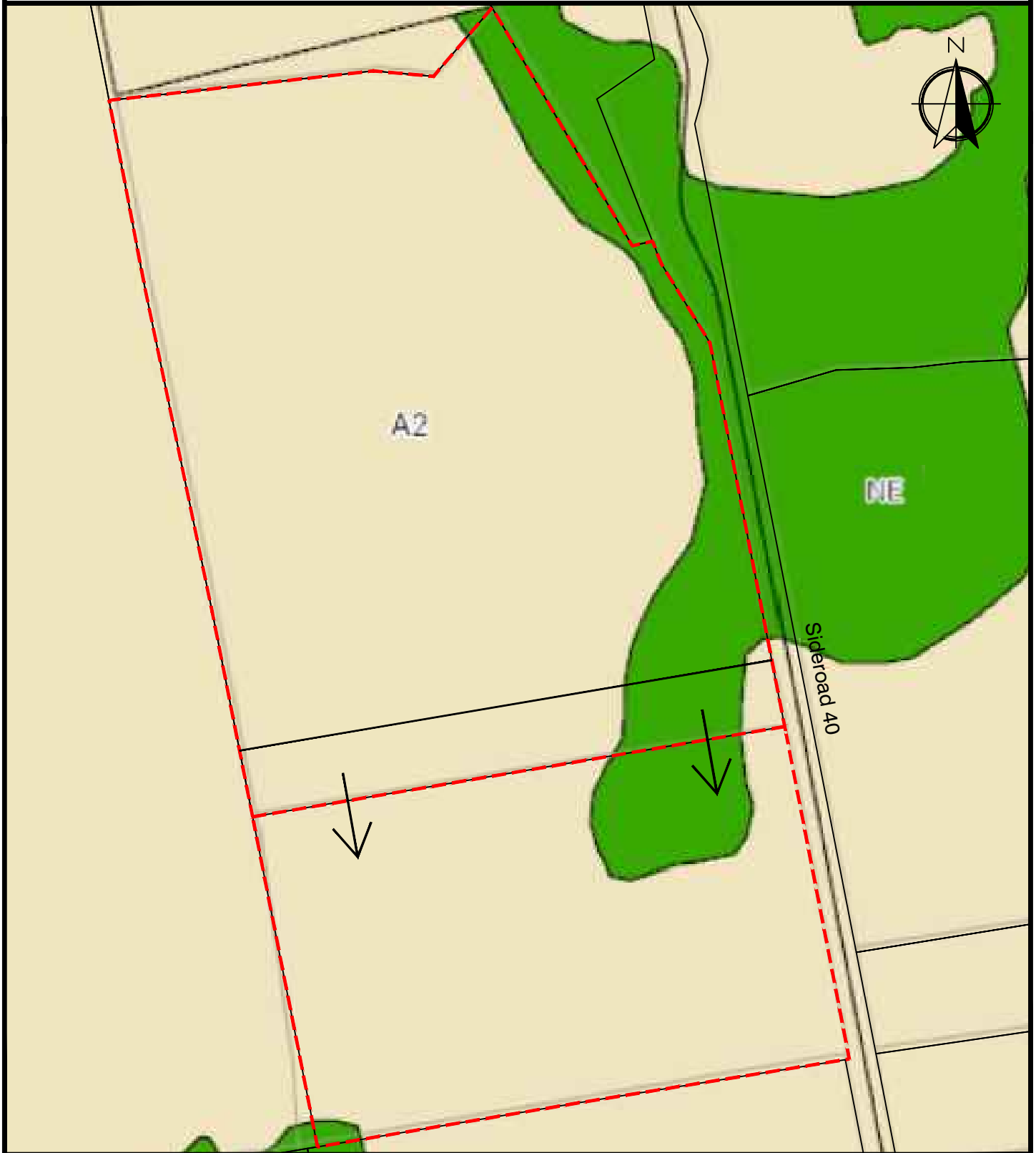
Figure 1: Proposed Lot Line Adjustment



Lot Line Adjustment
574158 and 574118 Sideroad 40
Municipality of West Grey

RD **RON DAVIDSON**
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO
SCALE 1:4000


Figure 2: Municipality of West Grey Zoning By-law Schedule A




Lot Line Adjustment
574158 and 574118 Sideroad 40
Municipality of West Grey

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Figure 3: County of Grey Official Plan Schedule A

 Subject Properties

 Rural

 Hazard Lands



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